STREETS OF PAIN, STREETS OF SORROW

THE CIRCUMSTANCES OF THE OCCURRENCE OF MURDER IN SIX AREAS WITH HIGH MURDER RATES

Report on Component 2 of a study conducted by the Centre for the Study of Violence and Reconciliation (CSVR) for the Justice, Crime Prevention and Security (JCPS) cluster

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For further information, please contact:
Centre for the Study of Violence and Reconciliation
PO Box 30778, Braamfontein, 2017. Tel: (011) 403–5650, Fax: (011) 339–67850
E-mail: dbruce@csvr.org.za or adissel@csvr.org.za Website: http://www.csvr.org.za
Secretariat for Safety and Security
Private Bag X922, Pretoria, 0001. Tel: (012) 393-2500/2583, Fax: (012) 393-2536/57
E-mail: MenziwaM@saps.org.za

BACKGROUND TO THIS REPORT

South Africa is currently experiencing very high levels of violent crime. In 2006 the Justice, Crime Prevention and Security (JCPS) Cabinet committee decided to contract the Centre for the Study of Violence and Reconciliation (CSVR) to carry out research aimed at enhancing understanding of the nature of violence in South Africa with a view to strengthening government's response to this problem. As a result, in February 2007 CSVR was contracted by the Department of Safety and Security to carry out a project with the following six components:

- A concept paper on the violent nature of crime (completed June 2007).
- A study of the circumstances of the occurrence of murder in areas with a high rate of murder in South Africa (due May 2008).
- A study of the nature and causes of sexual violence (due June 2008).
- An analysis of the socioeconomic factors that contribute to violence (due October 2008).
- Case studies on perpetrators of violent crime (due September 2008).
- A summary report on key findings and recommendations (due 30 November 2008).

This document, then, is the report on the second component of the study, which was conducted by CSVR with the assistance of the Community Agency for Social Enquiry (CASE).

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TERMINOLOGY

Murder: For the purposes of this study dockets were treated as murder dockets where the docket appeared to deal with a case where one person had been killed by another. (Where it appeared that a docket, in fact, did not deal with such a case, it was excluded from the study.) This is different from the legal definition of murder. In law the crime of murder involves the unlawful killing of one person by another. Generally, police open murder dockets where a person has been killed and there is some indication that it may, in law, be considered an incident of murder. This study analyses these killings in terms of the apparent circumstances in which they took place, even though some of the killings might be regarded as "justifiable homicides" in law, particularly where it seemed that the killer had been acting in self-defence.

Victim: This study looks at murder dockets and, in general, such dockets deal with cases where a person has been killed by another person.[1] For the purpose of this report the term "victim" generally refers to the person, or persons, killed in the incident (even if they had initially attacked the "accused/offender" or another person).

However, in a murder incident there may be people who are not killed but may also be regarded as victims (of other crimes). For selected questions, that will be identified in this report, this broader category of victims was defined to also include "all people who are raped or otherwise physically hurt or injured (including bystanders who are physically hurt) or who are directly threatened or coerced, or are part of a group who are directly threatened or coerced, by the 'Suspect/Offender'". However, if the suspect/offender is hurt or threatened, (s)he would not be regarded as a victim for the purposes of calculating the number of victims.

The term "suspect/offender" is used to refer to persons involved in killing the victim. Where the killer was part of a group some questions were asked about the number of persons in the group, but the perpetrators who this report focuses on are those who were directly involved in killing.

IMPORTANT: Readers of this report will need to familiarise themselves with the system of categorising murders that is used in the report. This is outlined in Section 5.1 and further discussed in Appendix 3.

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1 In some cases a murder docket is opened where an incident is a suicide or where a person has died of natural causes. Such cases were excluded from the analysis in this study.

ACKNOWLEDGEMENTS

This report is part of a project on violent crime that was initiated by the Justice, Crime Prevention and Security (JCPS) sub-committee of Cabinet. The Minister of Safety and Security, Charles Nqakula, was the chief representative of the JCPS in appointing CSVR to carry out the project. Mlungisi Menziwa, Director of Policy and Research at the Secretariat for Safety and Security, and Trevor Bloem, Director of Communication and Media Liaison in the Ministry of Safety and Security, played a key role in liaising with CSVR on this project and in assisting with securing research access.

This project would also not have been possible without the assistance of numerous members of the SAPS. Chris de Kock, head of the Crime Information Analysis Centre, provided CSVR with advice on the research process as well as the case numbers for murder dockets. Senior Superintendent Johann Schnetler and Superintendent Gideon Joubert also assisted CSVR in resolving questions of research access. The station commissioners at each of the stations, Assistant Commissioner Mpembe at Johannesburg Central, Director Memela at Kraaifontein, Director Zondi in KwaMashu, Senior Superintendent Vorster in Montclaire, Assistant Commissioner Noqayi in Nyanga, and Senior Superintendent Baloyi in Thokoza, as well as the detective heads and numerous others at each of the six stations also kindly supported the research team in various ways, including by ensuring access to case dockets and facilities at the station for the fieldwork teams as well as in responding to various queries.

At the beginning of the research process Johann Fenske, of the GIS Centre at the Human Sciences Research Council, provided data on population figures and murder rates for each of the stations. The data provided by the HSRC is based on census data from Statistics South Africa.

The fieldwork component of this project was managed by the Community Agency for Social Enquiry (CASE) in cooperation with CSVR. Numerous members of staff at CASE are to be thanked, including Lindiwe Madikizela, Leilanie Williams, Aislinn Delany, Bongani Khumalo and the former director of CASE, Ian Macun, as well as other members of the CASE fieldwork department and staff. Aislinn Delany and Leilanie Williams were also responsible for preliminary data analysis.

Teams of fieldworkers were appointed by CASE in Johannesburg, Durban and Cape Town to carry out the study, and we thank each of the field managers and fieldwork staff for their work, which involved the fieldworkers in engaging with documentary (and sometimes photographic) material that was invariably disturbing in nature.

A series of debriefings was held with each of the fieldwork teams. We thank the debriefers, including Sarah Brown and colleagues from the Trauma Centre for Victims of Violence in Cape Town, Malose Langa from CSVR in Johannesburg and Michael Urbasch in Durban for their assistance in this regard.

Finally, several CSVR staff members played an important role in ensuring the success of the project: Themba Masuku played an important role in supporting supervision of the fieldwork process in Durban as well as in contributing to the final report; Richard Records assisted with supervision of the fieldwork process in Cape Town; Bilkees Vawda provided general administrative support to the project as well as contributing to fieldwork supervision in Johannesburg. Thanks also to Amanda Dissel, the programme manager of the Criminal Justice Programme at CSVR, for general advice and support to the project, and to members of the support staff at CSVR whose contribution is invaluable in making a project of this kind possible.

The report was written by David Bruce, Amanda Dissel, Sasha Gear and Themba Masuku. Proofreading and the design and layout of this document were done by Lomin Saayman.

EXECUTIVE SUMMARY

South African society is characterised by very high levels of murder, with 70% of these distributed across roughly 250 of the more than 1 100 police stations in South Africa. This report is a study of murder in six police station areas with high rates of murder, all located in major metropolitan areas in the provinces of Gauteng (Johannesburg Central in Johannesburg, Thokoza in Ekurhuleni), Durban in KwaZulu-Natal (KwaMashu, Montclaire) and Cape Town (Nyanga, Kraaifontein). The six areas are profiled in Appendix 2.

The study was carried out by means of an analysis of 1 900 murder dockets. An attempt was made to examine a representative sample of dockets from the six areas for the 2001–05 period. The number of dockets analysed in each area was linked to the number of murders in the area during the 2001–05 period in order to ensure a consistent error rate at the 95% confidence interval. The study under-represents open dockets, though it is argued that the impact of this on the overall picture is marginal. In addition, roughly 16% of the dockets selected by random sampling could not be accessed and had to be substituted by other randomly selected dockets, and there is the possibility that this may have resulted in some systematic biases in the sample. Nevertheless, random sampling techniques were consistently used in selecting those dockets available, and it is believed that the study provides a reliable picture of murder in the six areas studied. A total of 39 dockets were excluded from the sample on the basis that it was not clear that they involved an incident where one person had been killed by another; the eventual sample, therefore, was 1 161 dockets. The report's methodology is discussed in Appendix 1.

The report is divided into 20 sections. After the introduction in **Section 1**, it provides an overview of the murder incidents described in the 1 161 murder dockets in **sections 2**, **3** and **4**. The murders documented in these six areas have much in common with murders as documented in other work on the subject in South Africa, in terms of factors such as the month, day of the week, time of day, locality, levels of blood alcohol, weapons used, percentage of female and male victims, and the age profile of victims. The racial profile of victims has much in common with the racial profile of the six areas studied, though African and Coloured victims are slightly over-represented. Regarding the relationship between victim and perpetrator, in 53% of cases this was not recorded or is unknown; in 13% the perpetrator was confirmed to be a stranger; an in 15% the victim and perpetrator appeared to be known to each other though the relationship was unclear. The remaining 19% of cases where the relationship could be clearly defined included 9% in "outer circle relationship", 5% in intimate partner relationships, and 5% in "other close" relationships. The methodology is discussed in detail in Appendix 1.

Section 5 introduces the system of categorisation of murder that is a central feature of this report. (This is discussed further in Appendix 3.) Murders were classified into seven main categories, as follows:

- Category A: Argument-type murders (26% of murders in the sample).
- Category B: Murders in the course of another crime (usually a robbery) (12%).
- Category C: Killings in self-defence (2%).
- Category D: Murders related to conflicts between (formal) groups such as taxi associations or gangs (less than 1%).
- Category E: Various other types of murder (7%).
- Category F: Murders where the circumstances or motives are unclear (12%).
- Category G: Murders where the circumstances and motive are unknown (41%).

The combination of categories F and G therefore provides a figure of 53%, indicating that the majority of murders in the six areas ended up being classified as occurring in unknown or unclear circumstances, while 47% can be described as occurring in known circumstances.

In the eventual analysis of the data, Category E was divided into 11 subcategories of which vigilantism (3% of the total number of murders), "accidental killings" (1,5%) and "premeditated killing of a current or former intimate partner" (less than 1%) were the largest.

Section 6 compares the different areas to each other. Most distinctive here was that Kraaifontein stood out very clearly from the other five stations with the highest proportion of female victims (15%), of knives or other sharp instruments used (76%), of victims testing positive for blood alcohol (76%) and of murders in Category A (85% of murders in known circumstances). Thokoza was also exceptional on two counts. Only a small fraction of victims (5%) had been tested for blood alcohol and the station also recorded a proportion of murders in Category F that was significantly higher than in the other six areas. KwaMashu was the only area that recorded more murders in Category B (42% of murder in known circumstances) than in Category A (40%). A large majority of foreign victims (65%) were killed in the Johannesburg Central area. There were also significant variances between the areas in terms of the reasons for victims being in the areas, in each case in some way reflecting the status of the area as, for example, a residential area or central business district.

Section 7 compares the various categories of murder with an emphasis on the comparison between categories A and B (the two largest categories of murders in known circumstances), as well as Category G. Category A is quite distinct from Category B on a number of measures that are highlighted in this section as well as in Table 50 (in Section 14). Further distinctive points of difference between the two categories also emerge from the discussion of suspects/offenders in Section 16, and a substantive list of points of comparison of Category A and Category B is provided in the final discussion section (under 19.2.1).

Sections 8–14 involve a more detailed and focused examination of the seven largest categories or sub-categories of murder. In addition, Section 15 discusses intimate partner murders that are not a stand-alone category of murder in this report but are spread across a number of the different categories. The

discussion of Category A-type murders in Section 8 includes an analysis of the reasons for these arguments and dynamics feeding into the killings. Similarly, the discussion of Category B-type murders also provides a discussion of why the incidents of robbery or other crimes turned into incidents of murder.

Most significant from the point of view of the overall report, however, is **Section 14**, which examines the significance of Category G. As noted Category G, which comprises murders in unknown circumstances, was the biggest category of all, accounting for 41% of all murders. Analyses of murder that disregard this information as "unknown" may wrongly assume that these murders follow the pattern of murders in known circumstances. However, on the basis of data on the identity and blood alcohol levels of victims, time and place of the murders, and weapons used (as reflected in the victim's fatal wounds), this section indicates (see Table 50) that there is a strong pattern of resemblance between the deaths in Category G and those in Category B, and that this resemblance is much larger than any similarities between categories G and A. This motivates for the conclusion that a high proportion of murders in Category G are Category B-type murders, which include robberies and murders committed in the course of other crimes, including rape.

The discussion of the profile of suspects/offenders in **Section 16** includes data on previous convictions as well as data on the outcome of the closed murder cases. Out of 1 026 cases, 13% resulted in convictions for either murder or culpable homicide, with Category A accounting for 81 (62%) of the total number of 130 convictions.

Sections 17 and **18** focus on specific interesting aspects of the data emerging from the report, including the involvement of gangs in murders (not found to be a major factor in the areas studied) and hostel-related murders. Partly coincidental was that three of the areas studied included large residential hostels. Particularly in KwaMashu and Montclaire, hostels were strongly implicated in the overall number of murders. However, very few (3%) hostel-related murders resulted in convictions, suggesting that there is powerful culture of intimidation and silence in these hostels.

The discussion in **Section 19** starts by addressing the relevance of the study. The ratio of Category B to Category A cases in the six areas is compared to the ratios of the crimes of aggravated robbery to assault GBH in these areas. On this basis the report argues that robbery to assault ratios may be seen as roughly predicting the likely ratio of Category B to Category A killings in any area. The aggravated robbery to assault GBH ratios in the six areas are generally high by national standards and more characteristic of aggravated robbery to assault ratios in the major metropolitan areas where this study was conducted. It is therefore suggested that the study should be seen as providing a good basis for understanding the circumstances of occurrence of murder in high-density areas and high-violence areas in the major metropoles in South Africa. On the other hand, it is suggested that outside of the areas murder patterns are likely to have a lot more in common with the pattern in Kraaifontein, which is characterised by high Category A-type (argument) murders and relatively low Category B-type (robbery and other crimes) murders.

The second part of the concluding discussion develops the argument outlined above relating to the relationship between categories A, B and G. The study under-represents open dockets, and these appear to include a slightly higher proportion of Category B cases and a lower proportion of Category A cases as compared to closed dockets. In the light of this fact, as well as the conclusion that Category G contains a relatively high proportion of Category B-type killings, it seems reasonable to conclude that in areas of the kind examined in this study, Category B-type murders may contribute as much, or even more, to the overall murder rate, as does Category A. One of the corollaries of this argument is that rape murders may also contribute to a higher percentage of the overall number of murders of women than is suggested by the six cases in Category B.

The final section of the discussion focuses on Category F, which is the third-largest of all seven categories, accounting for a slightly greater number of murders overall than Category B. It is noted that Category F cases may be generated by the quality of witness evidence or other factors, but may also be generated by poor standards of policing, particularly in relation to statement-taking. The large number of Category F cases in Thokoza appears to coincide with other indicators, suggesting that, during the 2001-05 period, murder investigations in this area were not very methodical, and highlighting more broadly the role of police service-delivery factors in influencing the kind of picture that may emerge from studies of murder dockets.

The conclusion in **Section 20** focuses on the importance of Category A and Category B-type killings in contributing to the overall murder rate, and notes the major contribution of street robberies and other robberies in public spaces to the overall murder rate in these areas. It also notes the apparently very distinctive findings relating to the level of killings in hostels and the apparent culture of lawlessness that prevails in some of them.

The report recommends that:

- In so far as there is the intention to prevent Category A-type killings, control measures should focus more on the possession of knives/sharp instruments, as well as addressing the use of and availability of alcohol.
- In relation to the policing of Category B-type killings there is a need for greater attention to be paid to crimes in public space as part of policing and other crime-prevention policy.
- In areas where hostels that are characterised by a culture of intimidation are located, one of the policy priorities should be to extend the reach of the law in these environments.

The report concludes with a note drawing attention to the broader set of recommendations provided in the concept paper submitted in June 2007, and motivates that the recommendations above should be read alongside those ones. Note is also made of the fact that a full set of final recommendations will also be submitted as part of the final report of the study, which is due in November 2008.

1. INTRODUCTION

1.1 Murder in South Africa

A South African Police Service (SAPS) report on the latest crime statistics, released in June 2007, provided the following figures for murder in South Africa per province.

TABLE 1: SAPS murder statistics

PROVINCE	2001–02	2002–03	2003–04	2004–05	2005–06	2006–07
Eastern Cape	3 553	3 365	3 408	3 409	3 726	3 705
Free State	926	957	904	902	871	953
Gauteng	4 779	4 830	4 216	3 611	3 430	3 666
KwaZulu-Natal	5 371	5 405	5 199	4 944	4 847	4 923
Limpopo	847	706	711	793	702	797
Mpumalanga	923	1 050	1 043	1 049	874	824
North West	1 108	1 143	1 095	1 017	956	1 053
Northern Cape	451	433	409	388	374	400
Western Cape	3 447	3 664	2 839	2 680	2 748	2 881
RSA total	**21 405**	**21 553**	**19 824**	**18 793**	**18 528**	**19 202**

Source: SAPS, 2007*a*.

After reaching a 10-year low in 2005-06, the level of recorded murder nationally has risen slightly in 2006–07.[1] However, national murder rates conceal substantial variations between the provinces. Notwithstanding the recent increase, the number of murders in Gauteng, for instance, has dropped by roughly 24% since 2002–03. By contrast, in the Eastern Cape the number of murders over the last two years is higher than in the four years preceding that. Each of the other provinces appears to reflect an individual pattern.

Figures for murder in each of the provinces also tell a slightly different story when examined against projected provincial population figures.[2] According to these the Western Cape, in fact, has a higher rate of murder than any of the other provinces – 61 per 100 000 population. The second-highest rate occurs in the Eastern Cape (53), followed by KwaZulu-Natal (51), Northern Cape (44), Gauteng (40), Free State

1 Crime statistics released by the SAPS in September 2007, for the six months from April to September, suggest that the 2007-08 year may see a further decline in rates of murder. The figure of 8 925 provided in the report is lower than those for the same six-month period in each of the preceding six years (SAPS, 2007*b*).

2 Population estimates as used variously in this report cannot always be assumed to be accurate.

(32), North West (27) and Mpumalanga (25). The lowest rate is in Limpopo, which, at 14 per 100 000 people, is less than a quarter of that in the Western Cape.

Notwithstanding the fluctuations and differences highlighted above, available evidence suggests that South Africa, overall, is a high-murder society. Even, by South African standards, the low provincial rates in Limpopo are high by the standards of most countries for which data on overall homicide rates is available.

More striking, however, than the variations in rates between different provinces are what appear to be massive discrepancies between murder rates at local level. Using projected population figures, it appears that some police station areas record murder rates of 200 and even more per 100 000 people, while others experience murder rates of five per 100 000 or less.

Such major discrepancies between rates of murder in different areas should not be interpreted to mean that murder is highly localised or is not widely distributed in South Africa. Roughly 70% of all murders in any year are distributed across roughly 250 police station areas, representing approximately 20% of stations.[3] This suggests that understanding more about murder, and violent crime, in South Africa is significantly about understanding the nature of violence in these high-murder areas.

1.2 Analysing the circumstances of murder in South Africa

This report is intended as a contribution towards better understanding murder in South Africa through focusing on analysing murder at the local level in areas with high rates of murder. Murder is important not only as a serious form of crime, but also because murder is an "indicator" crime. "A jurisdiction that has many [murders] typically has many assaults, robberies, and other types of violent crime — and vice versa for jurisdictions with fewer [murders]."[4] Murder is frequently an extreme outcome of these other types of violence and, therefore, an extreme embodiment of other forms of violence.

Examining the circumstances of occurrence of murder has the potential to shed light on why acts of violence escalate to such an extreme point. Although murders have to some extent decreased in recent years, they remain excessively high, contributing not only to a high toll of both direct and indirect victims, but also to fear on the part of both residents and visitors to the country. The high rate of murder justifiably generates a high amount of media attention and contributes to South Africa's international reputation as one of the most violent countries in the world.

3 There is also a significant number of stations with small populations but with high murder rates relative to these populations. Even though they make a limited contribution to the overall number of murders, they are still part of the phenomenon of areas with high murder rates.

4 Donziger, 1996: 222. Donziger uses the word "homicide" instead of "murder".

1.3 What this study does and does not tell us

This study focuses on murder at six localities (police station areas) in South Africa that are affected by high rates of murder. The six areas selected are not representative of all stations in South Africa, and are not even representative of all areas with high rates of murder. Simultaneously, as indicated in Appendix 1, there is some uncertainty about the accuracy of the sample in each area, due to the fact that the study was weighted towards the use of closed dockets and that many of the dockets in each area were not available. Nevertheless, on key points the data in the study correlates with other findings relating to murder in South Africa, suggesting that the picture presented in this report is a reasonably accurate one of murder in the six areas.[5]

Even though it cannot be claimed that the picture it presents is one hundred per cent accurate, this study is the most detailed currently available on the circumstances surrounding the occurrence of murder in South Africa. It contributes to understanding the nature of murder at the local level, and gives an indication of the range of variation in circumstances surrounding the occurrence of murder in areas with high murder rates. The study further engages with questions about the contribution of crimes such as robbery and rape, as well as conflict between groups and vigilantism, to the overall levels of murder.

This study therefore adds considerably to the current, fairly limited, understanding and knowledge of the nature of violence at the local level. By focusing attention on areas with high rates of violence, the study specifically intends to contribute to an engagement with addressing violence in these areas that are, in some ways, the source of broader criminal violence in South Africa.

1.4 The areas focused on in this study

The study was conducted at the following police stations:

- Johannesburg Central (Gauteng).
- Thokoza (Gauteng).
- KwaMashu in the greater Durban area (KwaZulu-Natal).
- Montclaire in the greater Durban area (KwaZulu-Natal).
- Nyanga in greater Cape Town (Western Cape).
- Kraaifontein in greater Cape Town (Western Cape).

These stations were all among the 5% of stations in South Africa that have the highest murder rates. Appendix 2 discusses the socioeconomic and violent-crime profiles of the six areas.

5 See, for example, data on the gender distribution of murder victims.

1.5 Methodology

Data from police dockets relating to the circumstances of murder was collected at police stations in the six areas discussed below. The data was subjected to quantitative and qualitative analysis. A total of 1 190 dockets opened in respect of murders committed over a four-year period were analysed at the six stations. As reflected in Table 2, the total number of dockets analysed at each station was adjusted relative to the overall number of murders in each area in an attempt to ensure a representative sample in each area.

TABLE 2: The sample sought and achieved

POLICE STATION	TOTAL MURDERS (2001–05)	SAMPLE SOUGHT (target for number of dockets to be analysed)	SAMPLE ACHIEVED	NUMBER OF OPEN DOCKETS	% OPEN
Johannesburg Central	611	200	199	20	10
Thokoza	372	190	185	6	3
KwaMashu	1 330	230	229	21	9
Montclaire	210	140	140	10	7
Nyanga	1 727	240	239	57	24
Kraaifontein	578	200	198	17	9
Total		**1 200**	**1 190**	**131**	**11**

Of the 1 190 dockets analysed, 1 158 (97,3%) were classified as dealing with murder as defined in this study, while the remaining 29 (2,4%) were excluded from the analysis on the basis that they did not deal with cases of murder. This study, therefore, is based on the analysis of 1 161 dockets.

A more detailed discussion of the methodology, and limitations of, the study is contained in Appendix 1.

1.6 Time frame

The murders examined all occurred in the six police station areas between 2001 and 2005.

1.7 This report

This report documents the main findings of the study and compares the findings to those of other relevant South African studies. In particular reference is made to the following three studies or sources of information:

- National Injury Mortality Surveillance System (NIMSS), reports for the years 2000, 2001, 2002, 2003 and 2004.
- A South African Police Service analysis of 2 645 dockets closed in 2001 (SAPS, 2004).
- Two reports on aspects of a study of over 3 000 homicides of women in South Africa in 1999 (Mathews, et al., 2005; Abrahams, et al., 2008).

2. GENERAL FEATURES OF THE MURDER INCIDENTS

The 1 161 dockets analysed were distributed over the five-year period 2001–05. As discussed further in Appendix 1, the distribution of dockets by year in some ways reflects the distribution in the original sample (for example, in both the greater number of dockets is in 2002). However, the sample is biased towards the earlier part of the five-year period. Thus it appears that roughly 66% of murders in the six areas in this period took place during the first three years (2001–03). However, in the dockets analysed, 76% of murders occurred in this period.

TABLE 3: Overall number and year for murder incidents

	SIX AREAS	SAPS 2004
Number of murder incidents	1 161 (of original 1 190 dockets, 29 excluded from analysis)	2 645
Year of murder (n=1 156)	287 (25%) – 2001 327 (28%) – 2002 266 (23%) – 2003 148 (13%) – 2004 130 (11%) – 2005	1969–2001 (96% of murders were in 1993 or later; 83% occurred in the 1997–2001 period)

2.1 Overall date, day and time data

TABLE 4: Month, day of week and time of all murders

	SIX AREAS	SAPS 2004
Month of murder 2001–05 (n=1 131)	• Highest number of murders: December (129 or 11,4%). • Next highest: October (106), May (105), July (103) and August (100) — all constitute roughly 9% of murders. • Lowest number of murders: February (66 or 6%).	• Highest number of murders: December (312 or 11,8%). • Next highest: October (237), August (237), September (227) and March (225) — all constitute roughly 9% of murders. • Lowest number of murders: January and February (7%).
Day of week (n=1 127)	63% of murders occurred around weekend period (Friday, 15%; Saturday, 29%; Sunday, 19%)	71% of murders occurred around weekend period (Friday, 16%; Saturday, 34%; Sunday, 21%)
Time of day (n=679)	• 26% occurred between 18h01 and 21h00. • 25% occurred between 21h01 and 24h00. • 15% occurred between 00h01 and 03h00. • Altogether 66% occurred between 18h01 and 03h00.	• 22% occurred between 18h01 and 21h00. • 22% occurred between 21h01 and 24h00. • 14% occurred between 00h01 and 03h00. • Altogether 57% occurred between 18h01 and 03h00.

Table 4 compares date and time data from the 1 158 dockets to that from the SAPS 2004 study, which covers dockets from the period immediately preceding this. Both studies confirm the phenomenon of an increase in the overall number of murders in December (coinciding with a holiday periods where there is probably more money in circulation, an increase in consumer activity, and an increase in the level of alcohol use). However, this merely means that 11–12% of murders take place in December. The number of murders in December is somewhere between 36% and 50% higher than the average number of murder during the other 11 months of the year. Nevertheless, not too much should be made of the December peak. Murders take place throughout the year, with more than 88% of them taking place outside the December period.

These findings may also be compared with the National Injury Mortality Surveillance System (NIMSS), which suggest a similar, though slightly more modest, peak in the number of deaths in December. In terms of NIMSS data, December accounted for 9.4% of all deaths by violence in 2003, and 10% in 2004. In NIMSS data for 2001 it appears that the December increase is restricted to "sharp force" (generally knives and perhaps glass bottles), while in the 2000 data there seems to be a consistent December increase in firearm, sharp and blunt-force injuries.

The data from the six areas suggests a slightly lower proportion of murders taking place over the long weekend (Friday, Saturday, Sunday) period (63%) than does the SAPS study (71%). The proportion of murders on Saturday and Sunday (48%) may also be compared to NIMSS data that is stratified by gender. According to NIMSS data, the proportion of male deaths at the weekend (relative to male deaths during the rest of the week) was 48% for 2000 and 45% for 2001. For women the pattern is similar, with a slightly lower proportion of deaths at the weekend (43% in 2000 and 40% in 2001) and thus a slightly higher proportion of deaths on weekdays.

In relation to time of day, 66% of murders in the six areas took place during the nine-hour period between 18h00 and 03h00. This was slightly higher than the figure for the SAPS study, where 57% of deaths occurred during this period. Similarly, in the NIMSS data, both for 2000 and 2001, homicides start escalating from about 18h00 and reach their peak at about 21h00 (roughly 6,5% of all homicides occur between the hours of 21h00 and 22h00) but remain at relatively high levels until 14h00 or 15h00. The concentration of homicides on weekends probably also implies that a relatively high proportion of the homicides that take place outside this nine-hour period takes place on weekends.

2.2 Locality

TABLE 5: Place where murder occurred or body was found

SIX AREAS (N=1101)	SAPS, 2004 (KNOWN AREAS: N=2504)
• 46% (502) public space — including street (40%) and open veld or space (5%). • 26% (288) residence of victim (17%), other person (7%) or offender (2%). • 7% hostel. • 5% (56) bar/shebeen or nightclub.	• 44% public space — 31% street and 13% open space. • 37% residence — of victim (25%), known to victim (9%), offender (3%). • 2% hostel. • 6% bar/pub/shebeen.

As reflected in Table 5, there are several similarities and interesting points of comparison between the findings on locality in the six areas and in the SAPS study. In both studies open public spaces accounted for close to half of the localities mentioned. In both studies the highest single number of localities registered was "street", although the percentage varied quite significantly between the two studies with this locality accounting for 40% of localities in the six areas and 31% in the SAPS study. The victim's residence was the second most frequently mentioned locality in both studies. In the six areas residences of one kind or another accounted for 26% of the localities, while these accounted for 37% of localities in the SAPS study. Both studies reached similar findings on the percentage associated with shebeens or bars. The high number of hostel-related deaths in the six areas is undoubtedly related to the fact that KwaMashu, Montclaire and Thokoza all have hostels. Montclaire had a distinctively high number of hostel-related deaths — one in every three.

2.3 Weapon used

TABLE 6: Method or weapon used in six areas

Weapon or method used (n=1 149)	• 54% (623) guns. • 32% (364) knife or other sharp instrument. • 14% (162) other weapon or method.
Whose weapon (n=1 080)	• 630 (58%) offender/suspect used own weapon. • 433 (40%) other/not recorded/unclear. • 17 (2%) the victim's weapon.

The figures indicating that guns were used in 54% of incidents, and knives or other sharp instruments in 32%, strongly resemble NIMSS data on "external cause of death" relating to homicides in the five-year period 2000–04 (see Table 6), which indicates that 53% of homicides were attributed to firearm violence and 31% of homicides were attributed to sharp-force violence.

TABLE 7: Type of injury resulting in death for homicides — NIMSS data, 2000–04

	2000	2001	2002	2003	2004	TOTAL	% OF ALL
Number of mortuaries	15	32	34	36	35	–	–
Firearms	4 372	6 104	5 572	5 387	3 953	25 388	53
Sharp force	2 547	3 168	3 151	3 220	2 992	15 078	31
Blunt force	1 135	1 414	1 246	1 461	1 310	6 566	14
Strangulation	86	184	153	199	157	779	2
Burn	63	55	48	67	57	290	0,6
Total	**8 203**	**10 925**	**10 170**	**10 334**	**8 469**	**48 101**	**(100%)**

Source: NIMSS, 2001, 2002, 2003, 2004 and 2005. Percentages do not necessarily add up to 100% due to rounding. Note that the data for "other" external causes of death from 2000, 2001 and 2003 is excluded from Table 7 as it was not provided for the other years. The report for 2002 contains contradictory figures on the number of mortuaries, with a table on the front page providing a total of 37.

2.4 Alcohol

TABLE 8: Blood alcohol content of victims in six areas

% victims for whom blood alcohol content available	63% (730)
% victims testing positive for blood alcohol content	55% (399)

As can be seen, 55% of victims on who blood alcohol tests were done tested positive for blood alcohol. This finding once again strongly resembles the NIMSS finding in which an average of 54% of victims tested positive for blood alcohol during the 2000–04 period.

TABLE 9: NIMSS blood alcohol results for homicide victims, 2000–04

	2000	2001	2002	2003	2004	AVERAGE
Number of mortuaries	15	32	34	36	35	–
% victims for whom blood alcohol content available	49	42	55	58	53	51
% victims testing positive for blood alcohol content	57	53	53	51	54	54

Source: NIMSS, 2001, 2002, 2003, 2004 and 2005. The report for 2002 contains contradictory figures on the number of mortuaries, with a table on the front page providing a total of 37.

3. PROFILE OF THE MURDER VICTIMS

TABLE 10: Profile of murder victims

Total number of victims killed (n=1 150)	1 192 (1 killed in 1 112 incidents, 2 killed in 34 incidents; 3 killed in 4 incidents)
Other victims – victims not killed[1]	495 (between 1 and 7 people identified as victims in 306 incidents)
Gender of victims (n=1 140)	• 128 victims were women (11%). • 1 012 victims were men (89%).
Marital status of victims (n=1 139)	• 770 (68%) were single, while 26 (2%) were described as living with someone. • 187 (16%) were married (including customary marriages). • 11 (1%) were divorced, widowed or separated.
Employment status or occupation of victims (n=748)	• 50% (377) were unemployed. • 17% (130) were blue-collar workers, such as factory workers, waiters or people employed in shops. • 9% (71) were school or tertiary students (62) or infants/minors (9). • 5% (38) were police or private security guards. • 3% (25) were taxi drivers (17) or owners (8). • 3% (22) were informal traders. • 3% (20) were general (11) or temporary (9) workers. • 2% (17) were self-employed. • 2% (16) were domestic workers. • 2% (14) were professionals (7) or white-collar workers (7). • 1% (8) were described as drivers. • 1% (5) were formal traders. • 4 were pensioners. • 4 were farm workers.
Nationality	34 victims (3%) were positively identified as foreign in origin. The nationality of victims was often, however, not clarified in the dockets.

Table 10 depicts some general features of the profile of the murder victims in the six areas. The figure of 11% female victims is similar to, although slightly lower than, other data on the proportion of female murder victims in South Africa. The NIMSS's reports on data relating to non-natural deaths in 2000, 2001 and 2003 consistently recorded a figure of 87% male and 13% female murder victims.[2]

1 Apart from this row, all other data in this table refers to victims who were killed.

2 NIMSS, 2001; 2002; 2004. In the SAPS study of murder dockets closed in 2001, 83% of victims were male and 17% were female (SAPS, 2004*b*). However, there are doubts about whether this should be regarded as a representative sample.

The number of victims killed slightly exceeds the total number of cases studied due to the roughly 3% of incidents where two people were killed in addition to a handful of incidents where three people were killed.

In addition to those who were killed, in roughly a quarter of incidents there were additional people who could be identified as victims who survived the incident. As defined in this study this broader group include "all people who are raped or otherwise physically hurt or injured (including bystanders who are physically hurt) or who are directly threatened or coerced, or are part of a group who are directly threatened or coerced, by the 'suspect/offender'".

Overall, 3% of victims were positively identified as non-South Africans. Over 50% of the victims who were identified as of foreign nationality were either Zimbabwean (32%) or Mozambican (21%). Together with people from Angola, Kenya and other African countries, they constituted over 90% of foreign victims.

3.1 Racial profile

The overall racial profile of the victims to some degree reflects the demographics of the six areas that were studied (see Table 11). However, while constituting 85% of the population of the six areas according to census data, Africans constituted 89% of victims overall. Similarly Coloureds constituted 9% of the resident population but 10% of victims overall. Both Asians and Whites were under-represented relative to their representation in the population of the areas.

TABLE 11: Overall racial profile of population in the six areas and murder victims in the sample

	RESIDENT POPULATION (%) (2005)				MURDER VICTIMS (%)			
	African	Coloured	Asian	White	African	Coloured	Asian	White
Total	85	9	5	1	89 (1 041)	10 (112)	1 (11)	<1 (4)

Africans victims constituted over 90% of victims in all areas except Kraaifontein, where 51% of victims were African. Most distinctively, in Montclaire Africans, however, constituted 98% of victims in the dockets studied while constituting 40% of the population. Despite constituting 38% of the population in this area there were in fact no White victims among the dockets studied, while Asians constituted only 1% of victims as compared to 20% of the population.

Of the 112 Coloured victims, 92 were in Kraaifontein, 11 in Nyanga and seven at Johannesburg Central. Of the 11 Asian victims, six were killed in Johannesburg Central, two in KwaMashu and two in Montclaire. Three of the four White victims were killed in Johannesburg Central and the other in Kraaifontein.

3.2 Age profile

TABLE 12: Age profile of murder victims

Age profile of victims (n=1 126)	• 1% (17) victims were 9 or younger • 10% (111) were 10 to 19 • 41% (470) were 20 to 29 • 29% (321) were 30 to 39 • 13% (142) were 40 to 49 • 6% (65) were 50 or older

The age profile of victims in the six areas also has features in common with NIMSS data on the age of homicide victims.

- In the NIMSS data, persons 19 years and younger accounted for roughly 10% of violent deaths, with most of these deaths concentrated in the 15–19 age category. In the six areas persons 19 years and younger accounted for 11,5% of deaths, with 80% of these deaths (103 out of 128) being of persons between the ages of 15 and 19.
- Breaking down the analysis of deaths by violence into five-year age groups: In the NIMSS data, in both 2003 and 2004, the highest number of deaths by violence occurred in the 25–29 age group, with roughly 20% of all deaths by violence occurring in this group. This is followed by the 20–24 age group, and then the 30–34 age group.[3] In the six areas the highest number of deaths was also in the 25–29 age group, although this was only fractionally higher than the 20–24 age category (each constituted roughly 21% of victims). The 30–34 age category is also the third largest (accounting for 17% of victims), while the 35–39 category accounts for 12% of victims.
- Altogether in the six areas, therefore, 70% of victims were in the 20–39 age category and 59% in the 20–34 category.[4]

In relation to age it is perhaps also worth noting that:

- Data on femicides committed in 1999 indicates significantly different age patterns between intimate and non-intimate femicides. Women killed by intimates tended to be younger than women killed by non-intimates.[5]

3 NIMSS, 2004 and 2005.

4 People in the 20–39 categories account for 33% of the South African population, according to population figures for 2007 (Statistics South Africa, 2007:9). The SAPS analysis of murder dockets closed in 2001 found that, where the ages were known, the majority (64,1%) were in the age category 20–39 years of age, with the largest number occurring in the 20–29 group. Persons 19 years or younger accounted for 10% of victims (SAPS, 2004*b*). Data on femicides indicates significantly different age patterns between intimate and non-intimate femicides. Women killed by intimates tended to be younger than women killed by non-intimates (Mathews, et al., 2004).

5 Mathews, et al., 2004.

- A comparison of homicide data by race group appears to indicate substantial differences in age of victimisation, particularly when data on violent mortality among Whites is compared to that among other population groups. Data from the NIMSS analysis of non-natural deaths in 2001, based on data from 32 mortuaries in six provinces, indicates that Coloured homicide deaths were highest in the 20–24 category, and those for Africans and Indians highest in the 25–29 age category. However, the data on homicides of Whites follows a completely different pattern, with the level of homicide victimisation increasing gradually with each age category, and then reaching a broad peak across the 35–54 category.[6] Broadly similar trends appear to be reflected in the 2000 data.[7]

6 NIMSS, 2002:11–12. The graph peaks again in the 65 and older category, but this no doubt reflects the fact that this age band is considerably broader than the others. All others span a period of five years.

7 NIMSS, 2001:19–20.

4. RELATIONSHIP BETWEEN VICTIM AND PERPETRATOR

The full data on relationship between victim and perpetrator can be found in Table 14 and is summarised in Table 13. The tables show that murder victims for whom there was no information on the relationship with the perpetrator constituted the majority (51%). As will become apparent in the following sections, the fact that nothing is known about the relationship is consistent with the fact that little or nothing is known about the majority of murders.

TABLE 13: Overall categories of relationship

RELATIONSHIP CATEGORY	RELATIONSHIP KNOWN TO SOME EXTENT		ALL	
	Total	%	Total	%
Intimate relationships sub-total	58	11	58	5
Other close relationships sub-total	57	11	57	5
Outer circle of relationships sub-total	101	20	101	9
Known to each other but relationship unclear	156	30	156	15
A stranger – not known to the victim at all	141	27	141	13
Not recorded/unknown			575	53
Total	**513**	**100 (47% of 1 093 cases)**	**1 088**	**100**

Note: Five cases coded as "other" were excluded.

Of the 513 victims where the relationship was known roughly 73% (372) appeared to be known to each other in some way, with 27% (151) being classified as strangers. Of those known to each other the largest group (30%) consisted of a significant number of people in a group where it appeared from the docket that they were known to each other in some way although the relationship was unclear. The second-largest group of those known to each other (20%) consisted of people in the "outer circle of relationships". In the dockets where there was information on the relationship, roughly 22% of victims could clearly be said to have been within the inner circle or relationships, including 58 (11%) who were intimate partners.

This study, therefore, raises questions about the available data on relationships which has been provided by the SAPS in various reports (see, for instance, SAPS, 2006; Crime Information Analysis Centre, 2007) that emphasises the high number of murders and other crimes where both parties are known to each other, indicating, for example, that in 82% of murders the victim and perpetrator are known to each other.

Looking at the data from the six areas — which, as is shown above, appears to have several features in common, among others, from NIMSS data it is apparent that the figure of 82% seems very high but is not that different from the 73% of murders where the victim and perpetrator where known to each other. However, this data pertains to *cases where there was some information on the relationship*, which represent a minority of all cases.

However, it should be emphasised that the distribution of relationships among the (53%) of dockets where no data on relationship was available is likely to be significantly different to the 47% where relationships were known. In particular, this 53% of murders may be far more likely to involve "stranger" and "outer circle relationships".

TABLE 14: Detailed categories of relationship

RELATIONSHIP CATEGORIES	TOTAL	%
Spouse (wife, husband)	6	
Ex-husband/wife	1	
Boyfriend/girlfriend	44	
Ex-boyfriend/girlfriend	5	
Involved in love triangle	2	
Intimate relationships sub-total	**58**	**5**
Parent/guardian of offender	1	
Child of offender/suspect	5	
Other family member/relative	16	
A friend	35	
Other close relationships sub-total	**57**	**5**
Roommates	5	
The victim is the suspect's teacher or headmaster/mistress	1	
Neighbour	21	
Employer of suspect/offender	1	
Employee of suspect/offender	1	
Colleague	7	
A member of another gang	5	
A client of the suspect (includes drug transactions)	4	
Known by sight/known member of community	56	
Outer circle of relationships sub-total	**101**	**9**
Known to each other but relationship unclear	156	15
A stranger — not known to the victim at all	141	13
Not recorded/unknown	575	53
Total	**1 088**	**100**

Note: Five cases coded as "other" were excluded.

5. THE CIRCUMSTANCES OF MURDER IN THE SIX AREAS

IMPORTANT: Readers will need to familiarise themselves with the basic system for categorising murder used in this report. The essential elements of this system are summarised below, and expanded upon in more detail in Appendix 3. For purposes of brevity, murders in this report are often referred to in relation to these categories, for example, as "murders in Category A", or "Category B-type killings", and so forth.

5.1 Categorisation of murder

Incidents of murder (defined for the purposes of this study as "the killing of one person by another person") are divided into the following categories.

A. A murder related to an argument, fight or spontaneous anger.

B. A murder committed in the course of, or immediately after, carrying out another crime — such as a robbery, a burglary or a rape — by the perpetrator of the original crime.

C. A killing carried out in self-defence or to protect another person whose life is in danger. These would often be killings committed during a crime of the type discussed in Category B, where the victim of the original crime defends him or herself by killing the perpetrator. However, in Category A ("argument") type murders there is often an ambiguity as to whether the killer was acting in self-defence or not. Where a murder took place during an argument, even if there was an indication that the killer had been acting to a greater or lesser degree in self-defence, it would therefore be classified as a Category A murder.

D. A murder related to rivalry or conflict between different groups such as gangs, taxi associations, political parties or other groups (including killing of bystanders during such conflict). This category excludes spontaneous arguments between informal groups of people, which fall under Category A.

E. Other motives or circumstances. After final analysis of the data this category included the following 11 sub-categories.

- 1. Vigilantism or revenge for a crime.
- 2. Pre-meditated killing of current or former intimate partner.
- 3. Other accidental killings.
- 4. Pre-meditated murder for financial gain (not falling under Category B).
- 5. Killing linked to pattern of cruelty towards a child.
- 6. Killing of a newborn infant.
- 7. Elimination of a witness.
- 8. Mental illness or instability on part of offender.
- 9. Other revenge.

» 10. Tavern security guard or bouncer killing (not for self-defence or to protect another person).
» 11. Killed while intervening to protect someone else.

F. Circumstances or motive unclear. These were generally murders that did not fit into the strict "no information as to circumstances" criteria applied in Category F below. They were often murders where there was some information about the *circumstances* (although this may have been vague or confusing information) but no information about the *motive*. They also included cases where there was information that suggested a possible motive, but where the context where the information was provided did not provide grounds for classifying the murder in any of the other categories listed above.

G. Circumstances and motive unknown. As a general rule these were murders where, apart from the location where the body was found, the date and time at which it was found, the nature of injuries (and, by implication, the weapon used) and possibly the identity of the victim, there was no information in the docket on the circumstances of the killing.

5.2 Overall distribution of dockets

In analysing the murders in this report it is therefore useful to distinguish between:

- Murders in known circumstances (Categories A, B, C, D and E).
- Murders in circumstances that are unknown or unclear (Categories F and G).

TABLE 15: Distribution of dockets — murders in known circumstances and those in circumstances that are unknown or unclear

	CATEGORIES	NUMBER OF DOCKETS	%
Known circumstances	A, B, C, D, E	545	47
Circumstances unknown or unclear	F, G	616	53
Total		**1 161**	**100**

The majority (53%) of dockets examined were classified in Categories F or G, and only 47% provided sufficient information to make reasonable conclusions about the circumstances of murder. In the following section, this basic distinction is used as a framework for discussing the murders. Issues to do with the relationship between these two groups of categories of murder — particularly to what degree they may or may not resemble each other — are discussed further below.

5.3 Murders in known circumstances (n=546 or 47%)

Among the murders that took place in known circumstances, 55% (297 out of 546) involved arguments of one kind or another. The preponderance of arguments was consistent with information from the major previous South African study on this issue. Nevertheless, the proportion of argument-related killings is sig-

nificantly lower in this study than in the previous main study that addressed this issue. A study conducted by the SAPS of murder dockets closed in 2001, for example, found that roughly 72% of incidents of murders with known motives involved arguments of one kind or another.[1]

TABLE 16: Murders in known circumstances

CATEGORY DESCRIPTION	CATEGORY	NUMBER OF INCIDENTS	%
A murder related to an argument, fight or spontaneous anger	A	297	55
A murder committed in the course of, or immediately after, carrying out another crime — such as a robbery, burglary or rape — by the perpetrator of the original crime	B	137	25
Vigilantism or revenge for a crime	E	38	7
A killing carried out in self-defence or to protect another person whose life is in danger (this could be during a crime of the type discussed in Category B but does not include murders that fall under Category A)	C	20	4
Gun or other accidental killings	E	17	3
Premeditated killing of current or former intimate partner	E	10	2
A murder related to rivalry or conflict between different groups such as gangs, taxi associations, political parties or other groups (including killing of bystanders during such conflict); this category excludes spontaneous arguments between groups of people that fall under Category A	D	8	1
Elimination of a witness	E	7	1
Killing of a newborn infant	E	3	<1
Mental illness or instability on part of offender	E	2	<1
Other revenge	E	2	<1
Premeditated murder for financial gain (not falling under Category B)	E	1	<1
Killing linked to pattern of cruelty towards a child	E	1	<1
Tavern security guard or bouncer killing (not in self-defence or to protect another person)	E	1	<1
Killed while intervening to protect someone else	E	1	<1
Total		**545**	**100**

1 See SAPS, 2004. The figure covers 1 664 murders of which 1 200 may be classified in an expanded arguments category if the categories Misunderstanding/argument (1 129), Jealousy/love triangle (45), Punishment (21), Provocation (4) and Refusal by spouse to resume relationship (1) are combined. The 1 129 Argument/misunderstanding cases on their own provide a figure of 68%.

Consistent with the lower proportion of arguments, the proportion of murders committed in the course of robbery or other crime (Category B) is significantly higher than was the case in the SAPS study. In the SAPS study this type of murder (158 out of 206 involved robberies) accounted for roughly 12% of murders in known circumstances. In the six areas, however, these murders accounted for 25% of murders in known circumstances.[2] This suggests that the contribution of these types of murders to overall murder rates is probably far higher than has previously been recognised. (Later on this report will argue that a larger proportion of the Category G murders is also robbery-type murders, implying that the contribution of these types of murders to overall murder rates in these areas is, in fact, higher than 25%, an argument that also has implications for the view one takes on questions about the relationship between victims and perpetrators.)

Vigilantism (7%) and self-defence (4%) are the next two largest categories. Both of these categories of murder are in some ways retaliatory and generally, particularly as defined in this study, take place in response to a crime of one kind or another. It is interesting, therefore, that, in effect, 11% of killings in known circumstances represent responses to alleged criminal acts.

The category of "gun or other accidental killings" mostly deals with firearm accidents, accounting for 3% of killings in known circumstances.

The 10 "premeditated killings of a current or former intimate partner" account for only 2% of killings. However, there were a total of 56 killings involving known intimate partners, with the vast majority of these falling into Category A. Intimate partner killings therefore account for roughly 10% of killings in known circumstances.

5.4 Murders in circumstances that are unknown or unclear (n=617)

TABLE 17: Murders in unknown or unclear circumstances

CATEGORY DESCRIPTION	CATEGORY	NUMBER OF INCIDENTS	%
Circumstances and/or motive unclear	F	140	23
Circumstances and motive unknown	G	476	77
Total		**616**	**100**

The SAPS study indicated that there was no information on motive in 37% of cases analysed. In this study, Category G accounts for 41% of the total number of cases; it is therefore the biggest overall cat-

2 Provisional data suggests that roughly 80% of murders in this category were related to robberies.

egory and makes up a slightly higher proportion than in the SAPS report.[3] The murders in this category are in some respects of a fairly uniform character in respect of docket analysis in that, other than some information on the identity of the victim (sometimes the victim is identified but sometimes this is just information on race and gender, possibly with an age estimate), the place of death and date and time when the death was reported, and the apparent cause of death (frequently gunshot wounds), the dockets generally provide no information on the murder.

Often the murder victim was simply found dead on the street or in open veld. The category also includes cases where the victim was hospitalised, possibly while unconscious or not able to speak, and died in hospital. In some cases, the victim only died a month or more after the original incident, and the case was only classified as murder at that point. These murders seem to make up a very big proportion of the overall number of murders and it seems inappropriate to disregard them. The big questions they raise are whether they should be regarded as likely to be consistent with the pattern associated with known murders, or whether they are likely to be systematically different — thereby implying that the overall picture in terms of the circumstances of murder in these areas should be understood differently.

The murders in Category F should probably be understood as different from Category G. These murders are not distinguished by an absence of information. Frequently there was some information on the circumstances and it was possible to speculate about the type of motive that might be associated with many of these murders. A more detailed discussion of these murders is also provided below.

3 Although it is unclear whether such a comparison can be made, data reported by the US Federal Bureau of Investigations on the basis of crime reports provided by the large number of police agencies in the US records 38% of murders as "unknown circumstances" (Federal Bureau of Investigations, 2006).

6. SIMILARITIES AND DIFFERENCES IN MURDER PATTERNS IN THE SIX AREAS

6.1 Introduction

As reflected in the socioeconomic data provided in Appendix 2, there are significant differences between the six areas. Among the most striking are:

- Differences in the gender, age and racial profile of the areas.
- The apparently low percentages of people employed, and high percentages of households without incomes, in the three former townships of KwaMashu, Nyanga and Thokoza.
- The differences in usage of the three areas — while all have residential populations, Johannesburg Central is a central business district area with a lot of retail activity and also functions as a major transport hub; Montclaire has a residential population and also functions as a centre for small industries, and, like Nyanga, also functions as a transport hub.
- Differences in the type of residential accommodation, including the fact that a large proportion of residents of Johannesburg live in apartments while a proportion of the residents of KwaMashu, Montclaire and Thokoza are accommodated in hostels.
- The presence of foreigners, most notably in the Johannesburg Central area, with survey data also pointing to roughly 2% of residents of Montclaire (likely to be an underestimate) being foreign.

Some of these differences are reflected in differences between the areas in relation to the murder data.

6.2 Gender profile of victims: female

TABLE 18: Female victims in the six areas

	JOHANNESBURG CENTRAL	KRAAIFONTEIN	KWAMASHU	MONTCLAIRE	NYANGA	THOKOZA	TOTAL
Female	21	30	31	12	20	18	**132**
All victims at this station	187	194	226	140	230	184	**1 161**
% female	11	15	13	9	9	10	**11**
%	100	100	100	100	100	100	**100**

Table 18 shows that female victims made up a higher proportion of victims in Kraaifontein (15%) and in KwaMashu (13%). In the other six areas the proportion varied between 9% and 11%.

6.3 Race and nationality of victims

TABLE 19a: Racial profile of population and murder victims in each area

	RESIDENT POPULATION (%) (2005)				MURDER VICTIMS (%)			
	African	Coloured	Asian	White	African	Coloured	Asian	White
Johannesburg Central	85	3	11	1	91	4	3	2
Kraaifontein	36	46	18	<1	51	49		<1
KwaMashu	99+		0.5		99	<1	<1	
Montclaire	40	38	20	3	98	<1	1	
Nyanga	96	4			95	5	<1	
Thokoza	99+	<1	<1	<1	100			
Total	**85**	**9**	**5**	**1**	**89 (1 041)**	**10 (112)**	**1 (11)**	**<1 (4)**

In terms of racial classification, African victims constituted over 90% of victims in all areas except Kraaifontein. Most distinctively, in Montclaire Africans constituted 98% of victims in the dockets studied while constituting 40% of the population. Despite constituting 38% of the population in this area there were, in fact, no White victims among the dockets studied in Montclaire, while Asians constituted only 1% of victims as compared to 20% of the population.

In Kraaifontein Africans constituted 36% of the population but 51% of victims, while Coloureds constituted a greater proportion of the population (46%) but a slightly smaller proportion of victims (49%) than did Africans. Of the 112 Coloured victims, 92 were in Kraaifontein, 11 in Nyanga and seven at Johannesburg Central.

Of the 11 Asian victims, six were killed in Johannesburg Central, two in KwaMashu and two in Montclaire. Three of the four White victims were killed in Johannesburg Central and the other in Kraaifontein.

TABLE 19b: Foreign victims by area

	JOHANNESBURG CENTRAL	KRAAIFONTEIN	KWAMASHU	MONTCLAIRE	NYANGA	THOKOZA	TOTAL	%
Zimbabwean	10				1		**11**	32
Mozambican	3				1	3	**7**	21
Angolan	1				2		**3**	9
Kenyan				1	1		**2**	6
Other African	5	1	1	1			**8**	24
Pakistani	3						**3**	9
Total	**22**	**1**	**1**	**2**	**5**	**3**	**34**	**100**
% of total number of foreign victims	65	3	3	6	15	9	**100**	
All victims	187	194	226	140	230	184	**1 192**	
Foreign victims as % of all victims	12	2	1	4	7	2	**3**	

"Other African" includes Cameroonian, Ethiopian, Malawian, Namibian, Nigerian and Rwandan. The "other African" in Kraaifontein was Namibian. "Other" includes Pakistani, Chinese and Indian.

Consistent with 2001 census data that indicates that Johannesburg has a relatively high proportion of other language speakers (see Appendix 2), and other data indicating a high concentration of foreigners in the Johannesburg inner city (see, for example, Leggett, 2003) it is not surprising that the proportion of foreign murder victims in Johannesburg Central was far higher than that for the other areas. However, 2001 census data would have predicted that Montclaire would have the second greatest proportion of people in this category while it is, in fact, Nyanga that has the second highest proportion of identified foreign victims. However, the figures are very small (two victims in Montclaire and five in Nyanga) and the differences not necessarily significant.

6.4 Reason for being in area

TABLE 20: Victim's apparent reasons for being in the area (%)

	REASON FOR PRESENCE IN AREA UNKNOWN OR UNRECORDED	RESIDENT	DIDN'T LIVE IN AREA BUT WORKED THERE	DIDN'T LIVE IN AREA BUT COMMUTING THROUGH IT	VICTIM WAS VISITING FRIENDS OR RELATIVES IN AREA	OTHER	TOTAL
Johannesburg Central	47	30	13	5	2	3	100
Kraaifontein	18	78	1	1	1	2	100
KwaMashu	19	73	2	1	3	3	100
Montclaire	29	45	10	9	2	4	100
Nyanga	24	66	1	6	2	1	100
Thokoza	20	74	1	3	0	2	100
Total	22	66	4	4	2	3	100
Total (number)	**243**	**727**	**48**	**43**	**19**	**28**	**1 108**

Table 20 deals with the apparent reason of victims for being in the area. Consistent with the profile of the six areas discussed above, an overwhelming majority of victims in Kraaifontein (78%), Thokoza (74%), KwaMashu (73%) and to a lesser extent Nyanga (66%) were identified as residents of the area.

Johannesburg (30%) and Montclaire (45%) had much lower proportions identified as residents. This fact may also help to explain why Johannesburg (47%) and Montclaire (29%) had the highest proportions of murder victims whose reason for being in the area was unexplained (unknown or unrecorded).

Johannesburg (13%) and Montclaire (10%) were the areas where the largest proportions of victims were identified as working in the area while not living there. Related to their importance as transport hubs, Montclaire, Nyanga and Johannesburg also had the highest proportion of victims who were commuting through the areas when they were killed.

6.5 Age of victims

TABLE 21: Age profile of murder victims

	MURDER VICTIMS %				POPULATION % (2005)			
	Under 20 years	**20–34 years**	**34 years**	**Total**	**Under 20 years**	**20–34 years**	**Over 34 years**	**Total**
Johannesburg Central	7	68	25	100	22	55	23	100
Kraaifontein	13	53	34	100	38	32	30	100
KwaMashu	12	55	33	100	38	35	27	100
Montclaire	1.5	63	35	100	29	30	41	100
Nyanga	19	58	23	100	40	36	24	100
Thokoza	10	58	32	100	38	34	28	100
All victims	**11**	**59**	**30**	**100**				
Total (number)	128	663	335	1 126				

As reflected in Appendix 2 and in Table 21 above, extrapolations from census data appear to indicate that there are significant variations in the age profile of the different areas with Johannesburg Central (78%) and Montclaire (71%) having much higher proportions of persons 20 years and over. Johannesburg Central has a very high concentration of people in the 20–34 age bracket (55%) as compared to the other areas, probably consistent with its desirability as a residential location for people seeking work in Johannesburg, many of whom may be single or immigrants who have not brought their families with them, a factor contributing to the relative high proportion of men (57%) among Johannesburg's residents.

There are some correlations between these age demographics and the data on murder victims. Thus, Johannesburg (7%) and Montclaire (over 2%) are both areas with very low proportions of murder victims under 20 years of age; however, in Montclaire the percentage of murder victims of 20 years and younger seems exceptionally low considering that this group makes up 29% of the population. Similarly, Johannesburg Central also has the highest proportion of murder victims in the 20–34 age bracket (68%).

Although the percentage of people in Nyanga in the age bracket 0–19 (40%) is much the same as that in Kraaifontein, KwaMashu and Thokoza (all 38%), its share of victims in this group (19%) is significantly greater than in the other areas.

6.6 Weapons

TABLE 22: Type of weapon used by area

	TOTAL MURDER INCIDENTS	GUNS		KNIVES OR OTHER SHARP INSTRUMENTS		OTHER WEAPON OR NO WEAPON RECORDED OR USED	
		Number	%	Number	%	Number	%
Johannesburg Central	187	96	51	32	17	59	31
Kraaifontein	190	24	13	144	76	22	17
KwaMashu	225	167	74	35	16	23	10
Montclaire	139	87	63	32	23	20	14
Nyanga	228	116	51	94	41	18	8
Thokoza	174	130	75	25	14	19	11
Total	**1 143**	**620**	**54**	**362**	**32**	**161**	**14**

There was quite a lot of variation between the different areas in terms of the predominance of weapons used in the murders. In the majority of cases, in five of the six areas, the weapon used was a gun. But even among these areas guns were used in anything from 75% (Thokoza) and 74% (KwaMashu) to 51% (Johannesburg and Nyanga) of cases, with Montclaire (63%) falling between these two extremes.

In Kraaifontein, however, there is a striking departure from this general trend, with guns used in only 13% of cases. Knives or other sharp instruments accounted for 76% of murders in the area. Although guns were the main weapons used in Nyanga, knives/sharp instruments also made up a very high proportion of murder weapons (41%) in the area. Of the other four areas the highest percentage of knives/sharp instruments was in Montclaire (23%).

6.7 Alcohol

TABLE 23: Blood alcohol results by station

RESULT	JOHANNESBURG CENTRAL	KRAAIFONTEIN	KWAMASHU	MONTCLAIRE	NYANGA	THOKOZA	TOTAL
Positive	69	118	53	53	98	8	**399**
Negative	62	38	103	59	68	1	**331**
Total	**131**	**156**	**156**	**112**	**166**	**9**	**730**
Total incidents at this station	187	194	226	140	230	184	**1161**
% victims for whom blood alcohol content available	70	80	69	80	72	5	**63**
% victims testing positive for blood alcohol content	53	76	34	47	59	(89)	**55**

As reflected in Table 23, blood alcohol tests were conducted on 63% of victims overall. Among these victims, 55% tested positive for blood alcohol, a percentage very similar to the 54% recorded by the NIMSS for the 2000–04 period (see Table 24 below). Areas such as Johannesburg Central (53%) and Nyanga (59%) recorded positive blood alcohol findings at a fairly similar rate, while Montclaire (47%) was slightly, and KwaMashu (34%) fairly dramatically, lower.

The most striking difference in the data, however, is for Kraaifontein, where a full 76% of victims recorded positive results for blood alcohol. The data can, however, be meaningfully compared with NIMSS data, which links percentages of victims testing positive for alcohol with the type of fatal injury. As Table 24 indicates, NIMSS data for the 2000–04 period consistently demonstrated that "sharp force" fatal injuries were correlated with much higher levels of positive blood alcohol findings. Considering that Kraaifontein was associated primarily with knife/sharp instrument fatalities. it is more than coincidental that the figure of victims recording positive blood alcohol results in Kraaifontein (76%) is the same as the three-year average (2000–03) for sharp force victims recorded by the NIMSS.

Finally, it should be noted that the bracketed figure in Table 23 for victims testing positive for blood alcohol in Thokoza should probably best be disregarded as it comes from an exceptionally small base, suggesting that few victims in Thokoza are submitted to blood alcohol tests. In fact, if weapons data is a guide then Thokoza might record relatively low figures for the number of victims with blood alcohol as, with KwaMashu, Thokoza recorded the highest level of gun-related killing. The NIMSS three-year average for gun victims testing positive for blood alcohol was 40%, a figure reasonably close to the 34%

of victims in KwaMashu recording positive results for blood alcohol. As reflected in Table 22 above, KwaMashu (74%) and Thokoza (75%) recorded roughly similar figures for guns as a cause of death.

TABLE 24: NIMSS blood alcohol results for homicide victims, 2000–04

	2000	2001	2002	2003	2004	AVERAGE
Number of mortuaries	15	32	34	36	35	
% victims for whom blood alcohol content available	49	42	55	58	53	51
% victims testing positive for blood alcohol content	57	53	53	51	54	54
% firearm victims testing positive for blood alcohol content	43	39		38		40
% sharp force victims testing positive for blood alcohol content	80	77		72		76
% blunt force victims testing positive for blood alcohol content	54	51		47		51

Source: NIMSS, 2001, 2002, 2003, 2004 and 2005. The report for 2002 contains contradictory figures on the number of mortuaries, with a table on the front page providing a total of 37.

6.8 Circumstances of murder – general

TABLE 25: Distribution of dockets by area — murders in known circumstances and those in circumstances that are unknown or unclear

	JOHANNESBURG CENTRAL	KRAAIFONTEIN	KWAMASHU	MONTCLAIRE	NYANGA	THOKOZA	TOTAL
Murders in known circumstances (categories A, B, C, D and E)	99	106	101	60	119	60	**545**
% murders in known circumstances	53	55	45	43	52	33	**47**
Murders in unknown or unclear circumstances (Categories F and G)	88	88	125	80	111	124	**616**
%	47	45	55	57	48	67	**53**
Total	**187**	**194**	**226**	**140**	**230**	**184**	**1 161**
%	100	100	100	100	100	100	**100**

As already indicated, murders in known circumstances constituted 47% of the sample overall, while those in unknown circumstances accounted for 53%. Particularly noticeable in Table 25 above is the high percentage unknown or unclear cases in Montclaire (57%) and KwaMashu (55%) but particularly in Thokoza (67%). In the other three areas they constitute 45%–48% of cases.

Kraaifontein is therefore the area with the highest proportion of cases in known circumstances (55%), though Johannesburg (53%) and Nyanga (52%) recorded fairly similar results in this regard.

6.9 Known circumstances

TABLE 26: Murders in known circumstances by area

CATEGORY	JOHANNESBURG CENTRAL	KRAAIFONTEIN	KWAMASHU	MONTCLAIR	NYANGA	THOKOZA	TOTAL
A	51	85	40	32	61	28	**297**
%	52	80	40	53	51	47	**54**
B	21	8	42	17	32	17	**137**
%	21	8	42	28	27	28	**25**
C	5	3	1	4	3	4	**20**
%	5	3	1	7	3	7	**4**
D	2	0	1	2	1	2	**8**
%	2	0	1	3	1	3	**1**
E	20	10	17	5	22	9	**83**
%	20	9	17	8	18	15	**15**
Total	**99**	**106**	**101**	**60**	**119**	**60**	**545**
%	100%	100%	100%	100%	100%	100%	**100%**

The fact that Kraaifontein has the highest proportion of murders in known circumstances may correlate with the major role that Category A murders (which, as will be seen generally, involves people who are known to each other) played in contributing to deaths in this area. Fully 80% of deaths in known circumstances in Kraaifontein were in Category A, a figure 27% higher than Montclaire, which had the second-highest percentage of argument-related killings (53%).

While Category A killings were significantly higher in Kraaifontein, they nevertheless constituted the biggest category of killings in known circumstances in five of the six areas. KwaMashu was the only area that recorded a higher percentage of Category B killings (42) than it did for Category A killings.

The other major category of known circumstances that is a composite of other categories is Category E. Vigilantism accounted for 46% of murders in this category, the vast majority (19 of the 22) in Nyanga and a substantial majority of those in KwaMashu (12 of the 17) and Montclaire (three of the five). All Category E murders in Kraaifontein (10) as well as the majority in Thokoza (eight out of nine) and Johannesburg Central (16 out of 20) were not vigilantism-related but were related to other sub-categories of Category E (see the list in Table 16 above; see also Section 10 on vigilantism).

6.10 Unknown or unclear circumstances

TABLE 27: Murders in unknown or unclear circumstances by area

CATEGORY	JOHANNESBURG CENTRAL	KRAAIFONTEIN	KWAMASHU	MONTCLAIR	NYANGA	THOKOZA	TOTAL
F	19	20	10	4	33	54	**140**
%	22	23	8	5	30	44	**23**
G	69	68	115	76	78	70	**476**
%	78	77	92	95	70	56	**77**
Total	**88**	**88**	**125**	**80**	**111**	**124**	**616**
%	100%	100%	100%	100%	100%	100%	**100%**

Table 27 shows that among murders in unclear (Category F) or unknown (Category G) circumstances there was quite a range of differences in the proportion of cases in different stations. Overall, 77% of these murders were in Category G and Category G was particularly prominent in both KwaMashu (92%) and Montclaire (95%), contributing to the fact that these stations, with Thokoza, had the highest proportion of cases in unknown or unclear circumstances.

As a proportion of all cases the total number of cases in Category G in Thokoza (38%) is, in fact, just below the average of 41%. As is apparent from Table 27, the reason for the high proportion of unknown or unclear cases in Thokoza has little to do with Category G. Thokoza, instead, has an exceptionally high number of cases in Category F, which, in fact, represents 29% of all cases in the area, a percentage more than double that in Nyanga (14%), the area with the second-highest percentage of Category F cases.

7. SIMILARITIES AND DIFFERENCES BETWEEN THE DIFFERENT MURDER CATEGORIES

Note: In this section the main focus, with one or two exceptions, will be on the comparison between the "arguments" category (Category A) and the murders committed "during a crime" category (Category B), with a significant focus also on Category G (unknown circumstances), which is the biggest single category. The data pertaining to categories C and D will sometimes be reflected below but will not be discussed at all as the numbers are very small and are not necessarily likely to reflect general trends in these categories of killings. For an explanation of the different categories, please go to Section 5.

7.1 Gender of victim

TABLE 28: Gender of victim, by category of murder

CATEGORY	FEMALE	MALE	NOT RECORDED	TOTAL	% VICTIMS FEMALE
A	52	243	0	295	18
B	11	125	0	136	8
C	0	20	0	20	0
D	0	7	0	7	0
E	20	63	0	83	24
F	11	126	0	137	8
G	34	431	6	418	8
Total	**128**	**1 015**	**6**	**1 149**	**11**
%	11	88	0.5	100	11

Table 28 shows that female victims constituted a significantly higher proportion of Category A and E[1] than of any of the other categories. While a higher percentage of the victims in Category E were women, Category A generates a much higher number of female deaths overall, and the 52 deaths of women in this category were far higher than the 20 female deaths in Category E.

In categories B and G, as well as Category F, female victims accounted for 8% of the total number of victims.

1 The high proportion of female victims in Category E is partly accounted for by the subcategory "premeditated intimate partner killings" (eight out of the 10 deaths were female victims), accidental killings (six out of the 17 deaths), and the subcategory "killing of newborn infant" (two of the three deaths).

Table 28, therefore, suggests that in the six areas Category A is the biggest driver of the female homicide rate, accounting for 41% of female deaths. In contrast, for male victims the biggest category of deaths is Category G, accounting for 42% of male deaths.

7.2 Race of victims

TABLE 29: Race of victim, by category of murder

CATEGORY	ASIAN	AFRICAN	COLOURED	WHITE	TOTAL
A	2	234	55	0	**291**
%	1	80	19	0	**100**
B	3	121	10	2	**136**
%	2	89	7	1	**100**
C	1	18	1	0	**20**
%	5	90	5	0	**100**
D	0	7	0	0	**7**
%	0	100	0	0	**100**
E	1	73	9	0	**83**
%	1	88	11	0	**100**
F	2	123	10	1	**136**
%	1	90	7	1	**100**
G	1	431	26	1	**459**
%	0	94	6	0	**100**
Total	**10**	**1 007**	**111**	**4**	**1 132**
%	1	89	10	0	**100**

As discussed previously, several of the areas are overwhelmingly African, the exceptions being Johannesburg (9% of residents are from other race groups), Montclaire (38% White and 20% Asian) and Kraaifontein (46% Coloured and 18% White). Having taken this into account, there are nevertheless significant variations between the levels of victimisation among the different groups in the different areas.

As reflected in Table 29, 89% of victims in the six areas were African, while Coloureds constituted 10%. When looking at the racial profile of murder victims relative to the category of murder, it is apparent that the proportions of African and Coloured victims in categories A and B are quite different. Thus, 19% of the victims in Category A were Coloured while only 7% of victims in Category B were Coloured. In fact, Category A accounts for 49% of Coloured deaths.

Africans constituted 80% of the victims in Category A but 89% of victims in Category B and 94% of victims in Category G. For Africans, the biggest category is G (circumstances and motives unknown), accounting for 43% of African victims, with 23% of African deaths being in Category A.

These differences to some extent correlate with the geographic differences discussed in the previous section with the Coloured population largely concentrated in Kraaifontein,[2] the area that demonstrated the most unique pattern of murders in the six areas.

7.3 Age of victims

TABLE 30: Age of victim, by category

CATEGORY	% OF VICTIMS 19 YEARS AND YOUNGER	% OF VICTIMS 20–29 YEARS	% OF VICTIMS 30 YEARS AND OLDER
A	13	52	35
B	3	38	59
C	21	64	15
D	0	29	71
E	24	46	30
F	12	38	50
G (identified victims)	12	35	53
All victims	11	42	47

Category A appears to take a very high part of its toll among younger people, while Category B killings disproportionately impact on people who are older. Very few victims of Category B killings are 19 years or younger (3%), while 13% of victims in Category A are in this age group.

The flip side of this is apparent in statistics on deaths of those 30 years and older. Only 35% of victims in Category A are in this age group, compared to 59% of victims in Category B.

For the "19 and under" age group, Category G statistics are fairly similar to those for Category A. However, there is clearly a substantial difference between these two categories in terms of the percentage of deaths among 20 to 29-year-olds, which account for 52% of deaths of those in Category A but 35% of those in Category G. As result, Category G figures for the proportion of deaths of among those 30 years and older (53%) are fairly similar to those for Category B (59%).

2 Ninety-two out of 112 Coloured victims were in Kraaifontein.

TABLE 31: Selected data on marital status and employment, by category

CATEGORY	% VICTIMS SINGLE	% MARRIED	% OF VICTIMS UNEMPLOYED	% OF VICTIMS BLUE-COLLAR	% OF VICTIMS STUDENTS	% OF VICTIMS POLICE OR PRIVATE SECURITY
A	78	10	51	20	9	4
B	58	33	42	19	4	11
C	80	0	58	8	17	0
D	29	43	–	–	–	–
E	77	5	48	7	24	2
F	70	18	48	15	7	7
G (identified victims)	68	20	54	18	7	4
All victims	68	16	50	17	9	5

Note: Table 31 is a selection of data on marital and employment status and none of the rows are cumulative or add up to 100%. Category D data on employment status deals with only a small proportion of the small number of victims in the category and the data has therefore been omitted.

One would expect age data to be reflected in other data, such as data on marital or employment status. Thus the fact that victims in Category B are in general older than those in Category A may be taken to suggest that it more likely that Category B victims will be married. This is confirmed by Table 31 above. Nevertheless, while the proportion of Category A victims who were unemployed is higher (51%), a substantial proportion of those who were victims in Category B were also unemployed (42%), and the proportion of Category B victims in blue-collar jobs was in fact much the same as that for Category A (19 and 20% respectively).

In terms of its victim profile, Category G appears to lie midway between categories A and B in terms of marriage data. The proportion of victims who were unemployed is not significantly higher in relation to Category G (54%) than Category A (51%).

7.4 Alcohol

TABLE 32: Results of blood alcohol tests of victim, by category

CATEGORY	POSITIVE	NEGATIVE	TOTAL
A	151	54	**205**
%	74	24	**100**
B	42	45	**87**
%	48	52	**100**
C	7	3	**10**
%	70	30	**100**
D	0	4	**4**
%	0	100	**100**
E	16	34	**50**
%	32	68	**100**
F	36	33	**69**
%	52	48	**100**
G	144	158	**302**
%	48	52	**100**
Total	**395**	**331**	**1 140**
%	100	100	**100**

Almost three quarters of victims (74%) in Category A tested positive for blood alcohol. The proportion that tested positive in Category B (48%) is also relatively large, though significantly smaller than that in Category A. The percentage testing positive in Category G was the same as for Category B.

7.5 Victim-perpetrator relationships

TABLE 33: Nature of victim-perpetrator relationship, by category (%)

	A	B	C	D	E	F	G	TOTAL
Intimate relationships	14	0	0	0	10	3	2	**5**
Other close relationships	14	1	0	0	13	4	1	**5**
Outer circle of relationships	14	13	6	38	19	10	3	**9**
Known to each other but relationship unclear	33	10	6	13	16	19	3	**14**
A stranger – not known to the victim at all	10	45	53	13	10	13	4	**13**
Not recorded/unknown	15	31	35	38	32	51	87	**53**
Total	**100**	**100**	**100**	**100**	**100**	**100**	**100**	**100**

A large majority of victims in Category A (75%) — including those in "intimate", "other close relationships" and "known to each other but relationship unclear" categories of relationship — apparently knew the perpetrator in some way. By contrast, 45% of perpetrators in Category B were apparently strangers to the victim, while in roughly one-third of cases (31%) this data was "not recorded or unknown". In an overwhelming majority of cases in Category G (87%), the relationship was "not recorded" or "unknown".

7.6 Month of death

TABLE 34: Month of death, by category

CATEGORY	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL
A	24	18	19	20	27	22	29	23	30	22	25	32	**291**
%	8	6	7	7	9	8	10	8	10	8	9	11	**100**
B	11	6	14	8	9	16	12	13	9	11	11	15	**135**
%	8	4	10	6	7	12	9	10	7	8	8	11	**100**
C	1	3	0	1	3	1	6	0	0	2	1	1	**19**
%	5	16	0	5	16	5	32	0	0	11	5	5	**100**
D	0	1	0	0	0	0	1	1	2	0	0	2	**7**
%	0	14	0	0	0	0	14	14	29	0	0	29	**100**
E	5	4	9	9	10	6	9	6	5	8	3	9	**83**
%	6	5	11	11	12	7	11	7	6	10	4	11	**100**
F	8	9	9	7	18	11	9	17	9	8	8	22	**135**
%	6	7	7	5	13	8	7	13	7	6	6	16	**100**
G	40	24	35	32	38	38	36	40	31	55	40	48	**457**
%	9	5	8	7	8	8	8	9	7	12	9	11	**100**
Total	**89**	**65**	**86**	**77**	**105**	**94**	**102**	**100**	**86**	**106**	**88**	**129**	**1 127**
%	8	6	8	7	9	8	9	9	8	9	8	11	**100**

As discussed earlier, in the combined data for the six areas, as elsewhere, December accounted for a higher percentage (over 11%) of murders than any other month. Nevertheless, murders were fairly well distributed across all months of the year, apparently reaching the lowest point in February, which accounted for roughly half of the number of murders that took place in December.

Categories A and F in the six areas are the only categories where murders actually peak in December. The December peak is nevertheless quite modest in Category A, accounting for only a few more murders than in July and September. In fact, December was not the peak month for argument-related murders in any of the six areas (in KwaMashu and Nyanga it was a joint peak month[3]). This probably reflects the fact that in some areas a significant proportion of the population "goes home" during the holiday period. The fact that December accounts for the highest number of deaths of any month overall is therefore a feature of the aggregate data rather than reflecting trends in individual areas.[4]

In Category B, December was not the month in which the highest number of murders were recorded either. A higher number was recorded in June, with December only being the peak month in one of the six areas (Thokoza).

In Category G December was a peak month, accounting for 12% of murders. Murders in this category peaked in December in Kraaifontein, KwaMashu and Thokoza but not in the other areas.

It should be noted that this data is specific to the six areas. As highlighted previously, there is fairly consistent evidence of a small peak in the number of murders in murder data such as that collected by the NIMSS. However, some areas may be affected by a decline in the number of inhabitants over the December period as a result of residents going on holiday (some to family homes in rural areas). Areas that are affected by an aggregate decline in population would be much less likely to have a higher number of murders in December.

3 In KwaMashu argument-related murders reached the same level in July. In Nyanga the December level was also reached in April.

4 Areas where murders (that is, all categories combined) peaked in December were Nyanga (11%) and Thokoza (14%). In Kraaifontein November and December both accounted for 13% of murders.

7.7 Day of the week

TABLE 35: Murder incidents according to the day of the week in the six areas

CATEGORY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	TOTAL
A	22	17	10	19	36	95	55	**254**
%	9	7	4	7	14	37	22	**100**
B	10	10	10	11	18	28	17	**104**
%	10	10	10	11	17	27	16	**100**
C	4	2	2	1	3	5	3	**20**
%	20	10	10	5	15	25	15	**100**
D	0	2	0	1	1	0	0	**4**
%	0	50	0	25	25	0	0	**100**
E	10	7	4	4	16	14	12	**67**
%	15	10	6	6	24	21	18	**100**
F	11	9	15	4	7	24	32	**102**
%	11	9	15	4	7	24	31	**100**
G	38	32	33	18	46	92	61	**320**
%	12	10	10	6	14	29	19	**100**
Total	**95**	**79**	**74**	**58**	**127**	**258**	**180**	**871**
%	11	9	8	7	15	30	21	**100**

In the six areas the long weekend period (Friday, Saturday and Sunday) accounts for 65% of murder overall, or an average of 22% per day, while the Monday to Thursday period accounts for an average of 9% of murders per day. This period is particularly intense for murders in Category A, with 73% (an average of 24% per day and 37% on Saturday alone) taking place during this period. The proportion of murders during this time period in Category B (61%) and Category G (62%) was therefore significantly smaller than that for Category A.

7.8 Time of day

TABLE 36: Murder incidents according to time of day in the six areas

CATEGORY	00h01–03h00	03h01–06h00	06h01–09h00	09h01–12h00	12h01–15h00	15h01–18h00	18h01–21h00	21h01–24h00	TOTAL
A	41	11	11	8	13	31	60	53	**228**
%	18	5	5	4	6	14	26	23	**100**
B	14	7	3	2	1	11	24	28	**90**
%	16	8	3	2	1	12	27	31	**100**
C	1	3	4	1	0	0	5	1	**15**
%	7	20	27	7	0	0	33	7	**100**
D	0	0	1	0	1	0	2	1	**5**
%	0	0	20	0	20	0	40	20	**100**
E	9	8	4	4	5	5	8	13	**56**
%	16	14	7	7	9	9	14	23	**100**
F	17	9	3	3	3	10	26	28	**99**
%	17	9	3	3	3	10	26	28	**100**
G	22	25	10	6	13	14	51	44	**185**
%	12	14	5	3	7	8	28	24	**100**
Total	**104**	**63**	**36**	**24**	**36**	**71**	**176**	**168**	**678**
%	15	9	5	4	5	10	26	25	**100**

In the six areas the peak time period for murder is between 18h00 and 24h00. Of cases where the time of the actual murder was recorded, the majority of murders overall (51%), as well as the majority in Category A (50%), Category B (58%), Category F (54%) and Category G (52%), were in this time period (but not in Category E).

There is also a longer peak period extending from roughly 15h00–03h00. In cases where the actual time of the murder was recorded, this accounts for a very high proportion of murders overall (77%), as well as murders in Category A (81%) and Category B (86%). In Category G the period is delayed by three hours so that the "long peak" is better understood as extending from 18h00–06h00, accounting for 76% of deaths.

There are significant differences between the different categories in terms of the best time data that was available in the dockets. The time of the actual murder was given in 77% of Category A murders, and in 66% of Category B murders, but only in 39% of Category G murders, reflecting the fact that the latter are murders that are generally only discovered after the fact.

The best time data was the time when the police were called,[5] accounting for 3% of Category A murders, 9% of Category B murders, but 30% of Category G murders. For Category G data on the time the police were called, the highest periods are 21h00–24h00 and 06h00–09h00 (each 21%). The 06h00–09h00 peak reflects the fact that many of the murders take place at night but are only discovered in the morning.

7.9 Locality

TABLE 37: Place where murder occurred or body was found

	A		B		E		F		G		TOTAL (Categories A–G)	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Street	93	32	58	43	25	30	45	34	211	48	**445**	**40**
Open veld or space or park	3	1	8	6	6	7	9	7	31	7	**57**	**5**
Victim's residence	70	24	24	18	15	18	31	23	52	12	**192**	**17**
Other person's residence	20	7	12	9	13	16	10	8	23	5	**78**	**7**
Offender's / suspect's residence	11	4	0	0	2	2	3	2	1	0	**18**	**2**
Hostel	21	7	5	4	3	4	3	2	49	11	**82**	**7**
Bar / pub / shebeen / nightclub	30	10	11	8	2	2	6	5	7	2	**56**	**5**
Shop / shopping centre	3	1	6	4	0	0	2	2	3	1	**17**	**2**
At bus or taxi rank	2	1	0	0	2	2	1	1	3	1	**10**	**1**
At train station	3	1	1	1	0	0	0	0	6	1	**10**	**1**
On train	0	0	1	1	0	0	0	0	0	0	**1**	**0**
Other (specify)	30	10	9	7	13	16	22	17	46	11	**125**	**11**
Not recorded / unclear	1	0	0	0	1	1	1	1	6	1	**10**	**1**
Total	**287**	**100**	**135**	**100**	**82**	**100**	**133**	**100**	**438**	**100**	**1 101**	**100**

5 The tables for this data are not provided in the report.

As reflected in Table 37, in 33% of murders in Category A the murder took place or the body was found on a street or in open veld or another open public space, while the comparable figure for Category B was 49% and that for Category G was 55%.

In Category A, 35% of murders took place in a residence, either of the victim, the perpetrator or another person. The corresponding figure for Category B was 27% and for Category G 17%.

7.10 Reason for being in area

Roughly 74% of the persons killed in Category A were identified as permanent residents of the areas, but only 55% of those killed in Category B. As opposed to the 3% of persons in Category A who were identified as commuting through the area, the proportion of those in Category B was significantly larger (11%). As opposed to the 4% of persons in Category A who were identified as working in the area, the proportion of those in Category B was slightly larger at 7%.

For Category G, 51% of victims were identified as being residents of the area, 3% working in the area and 2% commuting through it. In a large percentage of cases in Category G (40%) the reason for them being in the area was not apparent from the docket. The figure for cases where the reason for them being in the area was not apparent was lower in both Category A (14%) and Category B (19%).

7.11 Weapon

TABLE 38: Weapon used, by category

CATEGORY	GUN	KNIFE OR SHARP OBJECT	OTHER WEAPON	NO WEAPON RECORDED OR USED	TOTAL
A	77	178	18	20	**293**
%	26	61	6	7	**100**
B	110	21	3	2	**136**
%	81	15	2	1	**100**
C	14	2	0	0	**16**
%	88	13	0	0	**100**
D	6	0	1	0	**7**
%	86	0	14	0	**100**
E	34	13	19	17	**83**
%	41	16	23	20	**100**
F	102	21	8	3	**134**
%	76	16	6	2	**100**
G	277	129	26	38	**470**
%	59	27	6	8	**100**
Total	**620**	**364**	**75**	**80**	**1 139**
%	54	32	7	7	**100**

The data on weapons is quite striking. In the majority of murders (54%) the killers used a gun. However, though it is the biggest category of murders in known circumstances, only a quarter (26%) of killings in Category A involved the use of a firearm. In Category B, on the other hand, there was an extremely high preponderance of firearms used (81%). Category G also involved a high proportion of firearms (58%), falling slightly closer to Category B (a difference of 22% points) than A (a 33% difference) on this issue.

Knives or other sharp instruments, then, were the primary weapon used in Category A but not in any other category.

Interestingly, Category E, in which 45% of incidents were incidents of vigilantism, also reflected relatively low levels of firearm usage (41%), with roughly half of the 34 gun incidents in this category being taken up by the 17 accidental killings, most of which involved firearm accidents. Sharp instruments also make up a small proportion (16%) of this category. The highest proportion of deaths from other weapons (23%) as well as the category "no weapon recorded or used" (20%) is found in this category. This may be seen to partly reflect a significant number of deaths inflicted by beating in vigilantism incidents.

In terms of ownership of weapons it may also be noted that in roughly 58% of cases the perpetrator appeared to use his/her own weapon, while in 38% this information was not recorded in the docket.[6] In roughly 2% of cases (17 cases) the perpetrator used the victim's weapon. Most of these cases (nine out of 17) were Category A cases, only one was a Category B case, and four were in Category G.

7.12 Number of victims killed

In 3% of cases in Category A, more than one victim was killed while this figure was 6% in Category B and 2% in Category G.

6 It is, of course, unknown to what extent perpetrators who used their own firearms were using licensed or unlicensed weapons.

8. MURDERS RELATED TO AN ARGUMENT, FIGHT OR SPONTANEOUS ANGER (CATEGORY A)

A NOTE REGARDING THIS AND THE FOLLOWING SECTIONS: In Section 7, similarities and differences between the different murder categories provided us with a basis for distinguishing between the characteristics of different types of murders. Partly based on data provided in Section 7, as well as other data which was collected from the dockets, Section 8 and the following six sections of this report will provide more insight into the nature and some of the distinguishing features of various categories of murder, including:

- **Category A:** Killings related to arguments, fights or spontaneous anger. This is the biggest category of murders in known circumstances and the second-biggest category overall.
- **Category B:** Murders committed during the course of a crime by the perpetrator of the original crime. This is the second-biggest category of killings in known circumstances and the fourth largest overall.
- **Vigilantism:** This is a subcategory of Category E and is effectively the sixth-biggest category of murder.
- **Category C:** Murders in self-defence.
- **Category F:** This deals with murders in circumstances that are defined as unclear; it is effectively the third-biggest category overall.
- **Category G:** This deals with murders where the circumstances and motive are unknown. It is the largest category overall.
- **Intimate partner killings:** This combines murders from categories A, E, F and G and can be regarded as the fifth-largest category overall, although it overlaps with the other categories.

8.1 General

Murders were included in Category A if they related to an argument or conflict between two people or groups of people.[1]

This was the largest category of murders in known circumstances, accounting for 54% of these murders and 26% of the 1 161 dockets overall. As is apparent from the previous section, murders in this category to some extent conformed to a certain pattern that distinguishes them from other murders (most notably in Category B). In the six areas these included the fact that Category A:

1 However, if they related to a conflict between formal groups such as taxi associations, more established gangs or taxi associations they were classified in Category D. Issues to do with similarities and differences between the different categories are discussed in Appendix C.

- Was the biggest contributor to female deaths among the seven categories, accounting for 41% of these deaths.
- Was a particularly prominent contributor to the overall death toll in Kraaifontein, which was associated with the fact that it was also the biggest contributor to the death toll among Coloureds.
- Was heavily concentrated in the 20–29 age category, with this group accounting for 52% of Category A deaths.
- Was associated with positive results in blood alcohol tests in 75% of cases.
- Involved people who were known to each other in 75% of cases, of which 14% were people involved in intimate relationships.
- Took place, in 73% of cases, over the "long weekend" (Friday, Saturday, Sunday).
- Category A recorded similarly results to Category B in relation to time of day. However, it may be noted that the concentrations in Category A, both in the 18h00 to 24h00 peak period and in the longer 15h00–03h00 peak period, were slightly lower than those in Category B (a difference of five to eight percentage points). This is possibly related to the fact that some of the heavy concentration of weekend murders in Category A tend to take place outside these peak periods when people are nevertheless affected by alcohol.

A brief scan of 41 cases selected from all six areas suggested that more often than not situations exploded rather than there being a premeditated intention to kill, although the grievance that gave rise to the argument may have gone back hours, days or even longer. In 27 (66%) of these cases there was an individual aggressor, in six cases a group was involved and in three it was unclear but apparently did involve a group.

8.2 Reasons for argument

In the remainder of this section we look in more depth at the reasons for and dynamics of these arguments. While the reasons for such arguments would frequently have been multidimensional and overlapping, we sought to distinguish main categories of reasons provided in the dockets from a question that attempted to classify the motivation for the argument (as opposed to the murder).[2] In addition, this section looks at some of the dynamics of these arguments that appear to lead to them to becoming incidents of murder from data in another question on the course of events leading to murders in Category A.

2 The reason for the argument is not necessarily the same as the reason for the murder. For example, two people may have an argument about some property and one person may then attack the other, who then kills the aggressor in self-defence. Here the motivation for the killing is self-defence but this is not the motivation for the argument.

TABLE 39: Reason for fatal arguments (n=274)

REASON FOR ARGUMENT	%
Reason unknown • Drunken brawl where reasons are unclear (15%) • Other reason unknown (24%)	39
Property/material goods • Arguments over money (11%) • Arguments over other material goods (including liquor and food) (15%)	26
Insult, taunt or provocation • Insult (7%) • Taunt/provocation (5%)	12
Having one's way / imposing one's will	6
Jealousy and love problems • Jealousy or love triangles (9%) • Ending of romantic relationship or other love problems (2%)	11
Mixed, including intervention in an assault, confrontation regarding a previous crime, self-defence	4
Revenge	2
Total	**100**

Data from a question on the motivation for arguments is provided in Table 39. The largest category of cases (24%) was where the reason for the argument was not recorded/not known. In addition, in a further 15% of cases the argument took the form of a "drunken brawl" where the reasons for the argument were also unclear. (Other cases also involved drunkenness on the part of one/both/all protagonists, but because reasons were given for the argument these cases have been categorised elsewhere. Certainly, in many of these cases the drunkenness may have been a significant factor in the development of the argument and contributed to the fact that it ended up in murder.)

In 39% of cases, therefore, the reasons for the argument was unknown. Indeed, the often intimate and spontaneous nature of arguments presents particular challenges for gathering information on this category of murder.

Arguments over money accounted for 11% of cases, and arguments over other forms of material property (including liquor and food) accounted for another 15%. Twenty-six per cent of cases involved money or other forms of material goods.

A total of 12% of arguments were linked to an insult (7%) or a taunt/provocation (5%). Closely related to, and overlapping with, this category, 6% of arguments sprung from the suspect/offender (mostly) being angered when he did not get his way, did not like what he heard, or felt disrespected.

Eleven per cent of arguments related to jealousy or love triangles (9%) or the ending of romantic relationships and other love problems (2%).

Four per cent of these murders have been placed in a mixed category, including murders following the intervention of one party (usually the victim) in an assault being perpetrated on a third party, or alternatively involved self-defence, or one party (usually the victim) confronting the other regarding a previous crime perpetrated by him or her.[3]

Revenge accounted for 2% of cases.

8.3 Dynamics feeding into the killings

The potential for a slightly deeper analysis of the underlying dynamics feeding into these arguments was also made possible by answers to an (open-ended) question about the sequence of events leading to the murder. While the themes that emerged from the open-ended question repeat some of the categories identified above, this question expanded on the categories and contributed more detailed insights into the circumstances of the arguments implicated in these murders. (This analysis is based on 137 cases where sufficient information was provided for this type of analysis. This represents 46% of the cases in Category A.)

8.3.1 Power and anger (51 cases)

By far the most prominent theme emerging from the data on arguments can be termed "power and anger". While obviously all assaults involve power dynamics, in cases categorised under this theme the impulse of one party to demonstrate power over another by whom (s)he feels disrespected introduces violence into otherwise non-violent situations of disagreement or undermining. (These cases would mostly probably have been classified in the "insult, taunt or provocation", "having one's way/imposing one's will" and "jealousy and love problems" categories in Table 39 above.)

In some of these cases the suspect/offender responded violently when (s)he did not get something that he wanted (usually from the victim), or felt disrespected, or not taken seriously by the other. For example:

3 These "confrontations" are distinguished from the "revenge" category because of the confrontation not involving an assault or attack, as is the case for "revenge".

- The victim refuses a love proposal.
- The suspect/offender asked the victim to move from the pool table. The victim says that he must rather play at another table. The suspect offender throws his pool stick on the table, grabs the victim and stabs him to death.

Certain cases highlight the role of gender identity in many of these arguments. In the following examples the suspect/offender appears to feel disrespected as a result of a literal verbal challenge to his claim to masculinity.

- Victim told the suspect/offender he was controlled by his wife.
- Victim called him an "inkwenkwe" (small boy).

A common factor in precipitating some of the arguments seemed to be that the suspect/offender felt disrespected or threatened in some way as a result of the fact that the victim held the moral high ground. The victim had a valid request, concern or demand or reproached the suspect/offender in some way, for instance by reprimanding him for coming to work late. This seemed to be viewed by the suspect/offender as a fundamental challenge to his personal power, or sense of self-respect, such that he responds with violence. In some of these cases the suspect/offender's drunkenness seemed also to be a key feature of the argument. In a few cases the suspect/offender's violent response also targeted others not otherwise involved (like children) but whom the suspect/offender assaulted in acting on his anger.

In these types of situations violence may both serve as a means of responding to a wounded sense of self-respect and form the more practical purpose of serving as a physical means of control. In one case, for example, the victim told the suspect/offender that he was going to report a robbery perpetrated by the suspect/offender. In addition to the possibility that the suspect/offender may have seen this as an implicit moral reproach and therefore an attack on his self-esteem, his violence in this situation would also have served to control the victim by preventing him from carrying out his threat. The way in which violence is used to suppress or punish what the suspect/offender appears to experience as a challenge to his selfhood suggests that he views this selfhood as derived from factors external to himself (other people's "obedience" to him) at the same time as suggesting a lack of knowledge and ability to resolve disagreement and maintaining a positive sense of self through other means. This case also points to the suspect/offender's refusal to take responsibility for his errors or crimes, together, possibly, with a desperation to maintain power in the situation.

Other cases can be seen as the converse of the cases referred to above in that the victim, rather than holding the moral high ground, had done something that would broadly be recognised as wrong to the offender. Nevertheless, it appears that the suspect/offender's response may be seen as motivated by the fact that (s)he saw the victim's act as threatening to his/her self-worth or self in some way.

These would have included cases where relatively minor pushing/shoving evokes a completely disproportionate response in the form of extreme violence. For example, in one case the victim (train conductor) asked the suspect/offender to close a train door, and hit the suspect/offender when he refused, and was killed for this.

In many of the cases above the fatal violence was a direct and immediate response to the precipitating action on the part of the victim. In others an argument or fight develops out of an initial taunt or insult to one of the parties and this, in turn, leads to the fatal violence. Examples here are:

- "Suspect/offender shouts at victim calling him 'moffie' [a pejorative for homosexual]. Victim goes home ... coming back to suspect/offender immediately. They fought and suspect/offender pulled gun and shot the victim.
- "Victim insults suspect/offender's mother about food. Suspect/offender comes out of bedroom ... asking victim to leave. They argue and fight. Suspect/offender [gets] knife and stabs the victim."

On the other hand there were also six cases where violence appears to be an expression of power alone, rather than linked to a situation where we can see an argument or disagreement developing into a fight. From the information provided it appears that there is little mounting tension between the two parties ahead of the suspect/offender striking out. The suspect offender appears to strike out simply to make his mark on an otherwise relatively neutral situation, but there is little or nothing that can be understood as a provocation. For example, in one situation the narrative is that: "Two guys approached the victim. One asked the victim why he is looking at him. The victim denied looking at the suspect/offender. An argument started. The suspect/offender produced a gun and shot several times."

Murders where jealousy was a factor may also be seen as fitting in with this power and anger theme, as well as threatened masculinity and the feeling of having been wronged.

8.3.2 Arguments over money or material goods (53 cases)

These included arguments, often over money (including rental and two where this was drug money) as well as things like cigarettes, clothes, televisions, alcohol, pens, lighters, knives, cellphones, a tape-recorder, a gate-chain and train tickets.

In 25 of these cases it was apparent that there was a disagreement over material things that developed into violence, but little other information on the circumstances and nature of the argument. The material "cause" of the argument can be as small as R1,00 or wanting free meat for a barbecue. Many of these appeared to be an argument that escalated into violence where it was difficult to identify a primary aggressor from the information available. In eight cases the offender was the aggressor and in three the victim.

In 17 cases of the arguments over material goods it was apparent that the issues of power and anger discussed above were also important factors in the development of the argument. There is a sense that one party (usually the offender) wanted to show the other a whole lot more about his/her assertion of control in the situation, and the material object seems comparatively insignificant. Similarly, it was also apparent that in some cases the suspect/offender's actions were in response to a reasonable, non-violent request, demand, refusal or action made by the victim. For example:

- Victim (shopkeeper) refused to allow suspect/offender to buy on credit.
- Victim (customer) queried getting wrong change from suspect/offender.
- Victim (landlord) moved suspect/offender's belongings out of apartment when suspect/offender failed to pay rent.
- Victim asks for money owed to him by offender.

In 11 of these cases it seemed that the suspect/offender, similarly also to some of the cases in the power and anger discussion, reacted with anger, aggression or violence in response to a perceived wrong by the victim (in three cases the wrongdoing constituted a non-violent crime). While recognising that the suspect/offender had been wronged, his/her resorting to violence nevertheless would seem to be an extreme response. In the majority of these cases the suspect/offender introduced violence into the argument, and in one it was the victim, although in two the aggressor is unclear.

8.3.3 Instances of private defence or other interventions (33 cases)

In 15 cases the victim was attempting to play a peacemaking or protective role where someone else was being assaulted by, or was involved in a fight with, the suspect/offender. The victim was therefore killed in the process of trying to protect someone else. These cases may also have connections with the power and anger category in that the offender feels his potency and power are being undermined by the person intervening.

In 10 cases the argument/fight began with the victim's aggression against the suspect/offender and the suspect/offender responds in self-defence to the direct assault/threat to him/her. In the skirmish, the victim is killed or injured (to die later). What distinguishes these from other "self-defence" (Category C) is that the situation leading up to the incident whereby the victim was aggressive to the suspect/offender was one of ill-feeling or an argument between the victim and suspect/offender. For example:

- "Victim is drunk. He tells his younger sister that she has no right to do anything in their home. He assaults her. Suspect/offender fights back, they physically fight. Victim takes a knife. Suspect/offender overpowers and stabs him.

- "Victim saw suspect/offender and started swearing at him. Then he took out a knife and wanted to stab suspect/offender. The suspect/offender took the knife from the victim and stabbed the victim and ran away."

In another four cases the suspect/offender intervened in a situation where the victim was assaulting someone else, while in one case the suspect was trying to recover stolen property from the victim and in another started assaulting some people after someone had been robbed (though the victims were not necessarily the robbers). Similar to these are another two cases where the victim confronted the offender non-violently about a previous crime committed by the offender, and was then killed by the suspect/offender.

In many of the cases where the suspect/offender or victim intervened in a situation where someone else was being assaulted, the reason for the initial argument was unclear; therefore, many of these cases would have been in the "reason unknown" category in Table 39 above.

9. MURDER IN THE COURSE OF ANOTHER CRIME (CATEGORY B)

Murders were included in Category B if they took place during the commission of another crime. As will be seen, most of these are murders committed in the course of a robbery, although they are also related to other crimes such as burglary, theft or rape. Cases in Category B only include murders that were committed in the course of a crime by the perpetrator (or one of the perpetrators) of the original crime. If someone was the victim of a crime and responded by killing the perpetrator of the crime, this was classified as a Category C (self-defence) killing. If they were the victim of a crime and killed the perpetrator of the original crime as an act of punishment or out of anger, this would have been classified as a "vigilantism"-related killing (falling in Category E).

This was the second-largest category of murders in known circumstances, accounting for 25% of these murders and 12% of the 1 161 dockets overall. Category B to some extent conformed to a certain pattern that is distinct from Category A and no doubt from other types of killings. In the six areas Category B:

- Overwhelmingly involved male victims with 92% of victims being male and 8% female.
- Was a particularly prominent contributor to the overall death toll in KwaMashu, where it contributed to 42% of deaths in known circumstances, which is slightly more than the 40% of deaths in Category A. By contrast, Category B only accounted for 8% of the deaths in Kraaifontein.
- Was heavily concentrated in the 30 years and over age category, with this group accounting for 59% of Category B deaths.
- Was associated with positive results in blood alcohol tests in 48% of cases.
- Happened in circumstances where the perpetrator was identified as a stranger in 45% of cases and also, as compared with Category A, received a relatively high number of cases classified as "not recorded/unknown".
- In 61% of cases occurred over the "long weekend" (Friday, Saturday and Sunday).
- Recorded slightly higher concentrations than Category A both in the 18h00–24h00 peak period (58%) and in the longer 15h00–03h00 peak period (81%).

Table 40a provides an overall breakdown of the murders in terms of the type of offence and the area. As can be seen, 83% (five out of every six) of these murders were related to robberies, with this proportion being particularly prominent in Montclaire, where all but one of the Category B incidents were robberies. Sexual assaults (4%) and burglary and theft (6%), on the other hand, accounted for a relatively small proportion of overall murders in this category.

TABLE 40a: Broad offence categories linked to murders in Category B

	JOHANNESBURG CENTRAL		KRAAIFONTEIN		KWAMASHU		MONTCLAIRE		NYANGA		THOKOZA		TOTAL	
	No.	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**
Robberies	18	86	6	75	36	86	17	94	26	79	14	74	**117**	83
Burglary and theft	1	5	1	13	3	7	1	6	2	6	1	5	**9**	6
Rape or sexual assault	0	–	1	13	2	5	0	–	1	3	2	11	**6**	4
Kidnapping	0	–	0	–	0	–	0	–	1	3	1	5	**2**	1
Other	2	10	0	–	1	2	0	–	3	3	1	5	**7**	5
Total crimes (excluding murder)	21	100	8	100	42	100	18	100	33	100	19	100	**141**	100
%	100		100		100		100		100		100		**100**	
Total incidents	**21**		**8**		**41**		**17**		**30**		**17**		**134**	

In five other cases, the murder was linked to more than one other offence (two offences in three cases, three offences in two cases) so that the total number of criminal offences listed in Table 40a (141) is greater than the number of incidents (134). The cases that involved more than one offence are listed in Table 40b below.

TABLE 40b: Cases involving more than one other offence linked to the murder

AREA	COMBINATION OF OFFENCES
KwaMashu (2 offences)	Any other robbery and sexual assault (suspected indecent sexual fondling of victim)
Montclaire (2)	Car hijacking and any other robbery
Nyanga (2)	Car hijacking and other: abduction
Nyanga (3)	Rape or sexual assault; car hijacking; other: abduction
Thokoza (3)	Rape/sexual assault; car hijacking and kidnapping

9.1 Robbery

TABLE 41: Detailed breakdown of robberies in Category B

	JOHANNESBURG CENTRAL		KRAAIFONTEIN		KWAMASHU		MONTCLAIRE		NYANGA		THOKOZA		TOTAL	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Car hijacking	1	6	0	0	2	6	0	0	3	12	1	7	7	6
Robbery at residential premises	1	6	0	0	13	36	0	0	8	31	3	21	25	21
Robbery at business premises	7	39	0	0	0	0	1	6	3	12	1	7	12	10
Bank robbery or robbery of cash in transit	1	6	0	0	0	0	0	0	0	0	0	0	1	1
Street or other robbery	8	44	6	100	21	58	16	94	12	46	9	64	72	62
Total	**18**	**100**	**6**	**100**	**36**	**100**	**17**	**100**	**26**	**100**	**14**	**100**	**117**	**100**

Table 41 shows that 62% of the fatal robberies in the six areas were in the category "street or other robbery", which overwhelmingly involves robberies of pedestrians who are walking on streets or in other public spaces. Effectively, 54% of incidents in category B were in this category.[1]

Residential robberies accounted for 21% of robberies and were therefore linked to 19% of the murders in Category B. Business robberies accounted for 10% of robberies and 9% of cases in Category B. It may be noted that many people run shops or other businesses such as drinking outlets from their homes and the distinction between "business" and "residence" is not an absolute one.

Car hijacking, which has been the category of robbery that has probably received more attention than any other in South Africa in recent years, accounted for 6% of robberies or 5% of the cases in Category B.

1 Number for Category B in this paragraph and the next is taken as 134, consistent with Table 40a.

9.2 Burglary and theft-related murders

TABLE 42: Detailed breakdown of burglary and theft cases in robberies in Category B

	JOHANNESRURG CENTRAL	KRAAIFONTEIN	KWAMASHU	MONTCLAIRE	NYANGA	THOKOZA	TOTAL
	No.	No.	No.	No.	No.	No.	No.
Housebreaking / burglary at residential premises	1		2				3
Burglary at business premises					1		1
Any other burglary		1	0	1			2
Theft of motor vehicle and motorcycle/any other theft			1		1	1	3
Total	**1**	**1**	**3**	**1**	**2**	**1**	**9**

Table 42 indicates that most of the theft or burglary-related murders were related to incidents of housebreaking at residential premises as well as to incidents of theft of a motor vehicle or motorcycle or other thefts.

9.3 Rape murders

As is apparent from tables 40a and 40b, in the Category B dockets there was one rape-related murder recorded in Category B, in Kraaifontein. In Nyanga there was also one rape-related murder recorded. In this incident the victim had been with her boyfriend in a car. He was murdered by the perpetrators who then took the car (hijacking) and abducted, raped and murdered the woman.[2] In Thokoza there were two rape murders of which one also involved car hijacking and kidnapping. In KwaMashu there was one rape murder and one murder that appeared to have also involved a sexual assault and robbery.

2 The first murder was the subject of separate docket to the second in this case.

9.4 When did the murder take place?

TABLE 43: When during the crime did the murder take place?

	AT THE BEGINNING OF THE CRIME	DURING THE CRIME	AT THE END OF THE CRIME	AFTER THE SUSPECT LEFT THE SCENE OF THE CRIME	OTHER	TOTAL
Total	**20**	**67**	**19**	**2**	**10**	**118**
%	17	57	16	2	8	100

Table 43 presents data from 118 cases in relation to the sequence of events that resulted in the murder. In roughly one out of six cases (17%) the murder took place at the beginning of the crime, meaning that the first thing the suspect did before committing another crime was to kill the victim. This might happen, for instance, in some cases where killing the victim is regarded as a necessary part of carrying out the crime. In one example, a security guard outside a shop was killed before the robbers walked into the shop presumably because they assumed that he would interfere with the robbery.

More than half of the murders (57%) took place during the crime. As discussed further below, many of these would possibly have been cases where the murder was partly motivated by some form of resistance from the suspect. Another 16% of the murders took place at the end of the crime, suggesting that the last thing the suspect did after committing another crime was to murder the victim. This suggests a scenario where the murder was not necessary to carry out the robbery. The victim may have been murdered to prevent him or her from raising alarm. The victim may also have been murdered to ensure that he or she does not identify the suspect to the police, a scenario that is more likely if the suspect/offender was, in fact, known by the victim.

9.5 Reason for the murder

TABLE 44: Why did the suspect/offender kill the victim?

REASON	NUMBER	%
Self-defence 1: the victim drew a gun	2	2
Self-defence 2: the victim physically resisted the suspect but not with a gun	7	8
The victim refused to cooperate with the suspect	20	22
The victim tried to escape	12	13
The suspect killed victim as a way of threatening other victims	4	4
The suspect killed the victim because (s)he was worried about being identified by the victim	3	3
Other	45	48
Total	**93**	**100**

Table 44 provides answers to questions about the perpetrator's apparent motive for killing the victim. After the "other" category, which accounts for almost half of responses (48%), the most significant categories are "the victim refused to cooperate with the suspect" (22%) and "the victim tried to escape" (13%), and these overlap in some way with the cases where the apparent motivation for the killing was overt physical resistance to the crime, either with (2%) or without (8%) a firearm. In cases of physical resistance from the suspect it may be imagined that, from the perpetrator's perspective, the use of retaliatory violence was in some cases at least (from the perpetrator's perspective) a necessity. A case that calls to mind this type of motivation is one where "[it seems] that the suspect/offender suspected that the victim was going to hurt him as he (the suspect/offender) was in other people's residence at night. The suspect/offender thought the victim had some sort of weapon because it was night and dark."

Victims also seemed to have been killed when they took the perpetrator by surprise and therefore were a disturbance to the crime. These killings may have been motivated by anxieties about maintaining control of the situation and pre-empting potential threats to themselves, as in a case where "the suspect/offender was trying to get into the victim's house. The victim investigated the noise and was shot."

If victims manage to escape this would also defeat the purpose of the robbery, so that killing could be mainly a strategy to ensure the success of the robbery, as much as it requires someone of a somewhat callous disposition to view someone who is fleeing from this type of perspective. Similarly callous but nevertheless fairly practical in nature would be situations where the perpetrator killed the victim because (s)he was worried about being identified by the victim, the apparent motivation for at least three of the killings according to the interpretation of survey fieldworkers.

If the perpetrator kills the victim after mistakenly interpreting the victim's movements as the drawing of a firearm, this would also fit under the "necessity" motives referred to above. For instance, notes on one case read: "He was killed when they asked him why he was reaching for his bag..." Another note reads: "He reached for his cellphone. They must have thought it was a gun." Reaching for a cellphone might also be interpreted as an attempt to solicit outside help.

According to Table 44 above, in four cases the act of killing was intended to serve the overtly coercive function of threatening the other victims and making them cooperate, as in a case where: "On realising that there was more than one person in the shop ... the offender shot at the manager because he thought he [would then] ... get the cellphone from the staff members without any resistance."

But these types of explanations do not necessarily explain all the situations where the victim simply would not cooperate or tried to escape. It appears possible that other motives to do with the perpetrator's mental and emotional state, and possibly analogous with the "power and anger" motives discussed in relation to Category A (see Section 8), also play a significant role in killings in Category B. Thus it may be that many of the robbers and possibly rapists place a premium on the need to control victims while carrying out the crime, and that violence is often an expression of anger at the victim's failure to play by the rules of the game as defined by the perpetrator. In this sense, killings may often be punitively motivated — a rebuke to the victim for failing to submit to the perpetrator's authority. Similarly where a victim fails to provide the perpetrator with money, or whatever it is that the perpetrator is looking for, the killing may in some ways be a type of rebuke or form of chastisement of the victim for not fulfilling the robber's needs or expectations. This suggests itself as a motive in a situation where it seemed that "the suspect/offender shot the victim after the victim [said] that they did not have any money, and then [the suspect/offender] left".

Another possible explanation in some cases seemed to be that the perpetrator wanted the victim's gun. In these cases it sometimes seemed that the perpetrator did not necessarily want to kill and may have primarily wanted to incapacitate the victim. This analysis of the reasons for the killings may also make reference to the relative high percentage of victims in Category B who tested positive for blood alcohol (48%). Alcohol consumption may be relevant as an explanatory factor if the perpetrators see this as a sign of vulnerability, possibly indicating that resistance from the victim will be easier to overcome. In some cases having consumed alcohol or being drunk may also promote resistance to the robbery, a factor that may contribute to the robbery becoming a murder. The fact that many victims tested positive for blood alcohol may also simply be a characteristic of the profile of the population that Category B perpetrators prey on, including, among them, local residents or residents of nearby localities who are making their way home after having something to drink.

Finally, it should be noted that the weight of the above discussion of the motives for killings in cases in Category B is that the motivation for the killing is generally one that is related to how the crime unfolds and that the way in which the victim acts frequently plays an important role in this. But this should

not be taken to imply that there are not cases where the victim is powerless to influence events and in which the killing is envisaged as a necessary step to carrying out the crime. A case that springs to mind in this regard is of a security guard killed by robbers as they walked into a shop, presumably because they assumed that otherwise he would interfere with or raise an alarm about the robbery. In other cases, too, as in one of the hijacking-rape cases referred to in Table 40b, it is difficult to escape the impression that the perpetrators simply saw killing as one of the gratifying and unavoidable parts of carrying out the crime.

10. VIGILANTISM OR REVENGE FOR A CRIME

Vigilantism cases are to be found in Category E where they represent the biggest sub-category. As indicated in Appendix 3, the category "vigilantism", which was originally used in this analysis, was expanded to include many cases initially classified as cases of "revenge" but where the act of revenge appeared to be an act of retribution for the commission of a crime. Data on this "expanded" vigilantism category is provided below.

TABLE 45: Distribution of cases of vigilantism by station

POLICE STATION	VIGILANTISM CASES	ALL MURDERS IN KNOWN CIRCUMSTANCES		ALL MURDERS	
		Number	% vigilantism	Number	% vigilantism
Johannesburg Central	4	99	4	187	2
Kraaifontein	0	106	0	194	0
KwaMashu	12	101	12	226	5
Montclaire	3	60	5	140	2
Nyanga	18	119	15	230	8
Thokoza	1	60	2	184	0,5
Total	**38**	**545**	**7**	**1 161**	**3**

As reflected in Table 45, cases of vigilantism or revenge for a crime represented a relatively high proportion of cases in both Nyanga (15% of cases in known circumstances) and KwaMashu (12%). On the other hand, in Thokoza only one case was recorded and no cases were recorded in Kraaifontein.

TABLE 46: Number of victims (fatal and non-fatal) in vigilantism/revenge for a crime cases

NUMBER OF VICTIMS PER CASE	1	2	3	4	5	TOTAL
Number of cases	24	6	2	2	1	38
Number of victims	27	12	6	8	5	58

In terms of the expanded definition of victims (see Terminology on page 8), including those deceased and not deceased, there were 58 victims altogether in 38 of the cases. At 1,5 victims per case, this is the same ratio as that for all incidents in the six areas. However, the proportion of cases where more than one victim was killed (see Table 47 below) is roughly 10%, which is somewhat higher than the proportion of multiple-victim cases in the overall sample.[1]

1 Compared to Table 10 in Section 3.

TABLE 47: Number of deceased victims in cases of vigilantism/revenge for a crime

	TOTAL CASES	TOTAL VICTIMS
1	34	34
2	4	8
Total	**38**	**42**

TABLE 48: Gender of victims in vigilantism cases

GENDER	NUMBER	%
Female	1	3
Male	41	97
Total	**42**	**100**

There was one woman victim in these incidents, while the remaining 41 killed were men. In the case of the female victim, it is suspected that she was killed in her home because she was selling dagga. But further details were not available in the docket.

In terms of racial classification, all victims were African. The average age of victims was 26, the youngest being 14 and the oldest 54.

In two cases, the deceased victims were 14 years of age. In one of these cases, the deceased and three other African men (age not specified) committed a robbery with a toy gun. They were chased by two men who had seen this happen. They caught the deceased and assaulted and stabbed him with a knife, wooden plank and metal pipe. The offenders in this case were adult males, aged 33 and 32. In the other case, a young boy and a friend stole beers at a shebeen. They were chased by an informal gang of older men (one aged 36 years) and the deceased was shot. The other boy escaped after hiding from his attackers.

In the case of the 54-year-old victim, he was beaten to death as the offender accused him of kidnapping the offender's niece.

Out of 33 victims one was married and the remainder (32) unmarried. At least 22 victims (52%) appeared to be residents of the area where they were killed.

In the cases where the nationality of the victim was known, all but one were South African. The non-national was Zimbabwean.

10.1 Use of weapons

Most often a combination of weapons and methods were used in the attacks on the deceased and other victims. This often reflects the fact that there are multiple perpetrators who are sometimes armed but in some cases appear to have made use of whatever weapons came to hand.

In most cases (15) the victims were stabbed or injured with sharp objects, including knives, glass and axes. In 14 cases, the victims were physically assaulted, and in 12 cases they were assaulted with blunt objects (including sjamboks, knobkerries, pieces of wood, steel bars and a crutch). In 10 cases, the victims were shot. In one case, the victim was shot five times, twice in his private parts. In eight cases, the victims were stoned by the offenders, and in two cases the victims fell, or were pushed, from a high floor of a building. The weapons used were not mentioned in four cases.

10.2 Circumstances of the vigilante actions

While the dockets do not always contain sufficient information to understand all the circumstances of the offence, there is often enough information to enable us to understand that vigilante action often takes different forms. There seem to be three types of vigilante action, and examples are given of each:

- Where the offender responds immediately to a crime or perceived threat to his/her property or person or that of another, but does so in a way that the violence perpetrated against the victim exceeds the force necessary to protect life or property or apprehend the person. Other people often joined the offender in his attack on the victim.
  - » The offenders were drinking in a house when they heard glass breaking and saw the deceased victim, whom they assumed was trying to break into the house. They apprehended him and assaulted him and stoned him to death. One of the offenders also cut off the deceased's ear with a knife.
  - » Two young men (the deceased victims, aged 19 and 20) approached one of the offenders outside his brother's house. They threatened him with a gun and took his cellphone and cash. They followed him back to the house where the second offender was. At this point the two young men fled but they were caught and assaulted by both offenders, who were joined by other members of the community. Both men were beaten and hacked to death using stones, bricks and an axe. In this case, one of the offenders stated that they were tired of crime in the area, and of "skollies" (thugs) getting away with things. Both offenders were acquitted in this case.
- Where a person (a victim of an initial crime) or their families or representatives take punitive or retributive action against a person who committed or is alleged to have committed a crime against them. There is often some delay between the initial crime committed by the victim and the attack committed on him by the offender(s).
  - » The deceased robbed one man of his cellphone and sold it. He was later threatened by the victim

of the robbery, who fired warning shots at him. Several days later, the deceased was shot by an unknown African male, and it was alleged that it was the robbery victim.

  - » It was alleged that the deceased had burned down the home of his wife's ex-boyfriend (the offender). The offender came to claim compensation from the deceased, who refused to pay. He was then attacked by the offender and a group of people. He was beaten with steel pipes and stones, and subsequently bled to death.
  - » The deceased was alleged to have killed a person. He was looked for by a group of offenders, was apprehended and taken away in a car together with another male. They were beaten. The deceased died after being stoned, stabbed in the head and beaten with an iron object. It is also alleged that the deceased and his friend were members of the 28s gang.
  - » The victim burgled the offender's place of residence. The offender followed the victim and, with the help of three companions, proceeded to stab him several times, causing his death.
  - » Two victims robbed a man of his cellphone and cash in the road and fled. An hour later they were found by the two offenders (one of whom was the initial robbery victim) in a shebeen. The offenders grabbed the victims and demanded the return of the stolen items. The deceased handed back everything except the cash. The offenders then grabbed both the victims and stabbed them several times. One of the victims later died in hospital.
  - » The victim was killed because the offenders (three of them) alleged that he had robbed their friend and had taken his gun. The victim denied this. They took him to the bush and shot him. Two of the offenders were arrested and convicted of murder in this case.

- Where members of the community (not necessarily directly affected by the crime or suspected crime) take collective action against a suspected criminal. This collective action may take place immediately following the crime, or after some delay in time.
  - » The deceased victim went to a hostel, allegedly to attack a woman there. He was disarmed and attacked by a group of hostel residents and shot dead.
  - » The deceased victim was alleged to be pick-pocketing passengers on a bus. He was apprehended by the passengers and assaulted with a knife or sharp object and killed.
  - » The deceased victim was found in possession of a stolen tyre. He was attacked and beaten to death by a group of people.
  - » Two deceased victims were accused of stealing a radio. They were tied up and beaten to death by members of the community, using knobkerries, iron bars, pangas and physical assault. Thirteen people were arrested in this case.
  - » The deceased victim and two other men robbed a taxi driver as he stopped to let passengers out. The taxi driver shot the deceased and then asked members of the community to guard him while he went to call the police. When the police and the taxi driver returned, they found that members of the community had stoned the victim to death.
  - » The deceased victim was kidnapped by 10 men who alleged he had stolen a drill. They took him to various places so that he could locate the missing drill. They took him to the deceased's sister's house, and then later took him off somewhere and assaulted him further. He died in hospital.

11. SELF-DEFENCE (CATEGORY C)

These include not only killing carried out in "self-defence" but also to protect another person whose life is in danger. However, as noted in the discussion of Category A (see Section 8, as well as Appendix 2), many murders that are related to arguments may have elements of self-defence and all argument-related murders are discussed under the argument category and not in the self-defence category.

Note that in law the concept "private defence" is used to apply to situations where one uses force to defend oneself or another person against danger. In addition, it appears that a person may also rely on a defence of "putative private defence" where he or she mistakenly but reasonably believes that he or another person was in danger.

Of the 20 cases, 11 allegedly took place during a robbery or the aftermath of a robbery or attempted robbery. In most cases the victim of the robbery had apparently used lethal force to defend him or herself. In one case some soldiers had apparently pursued the robber and fired back at him when he fired at them.

Other cases took place in a variety of circumstances, including:

- Some security guards became suspicious of a young man who was loitering near a shop after they had apparently been tipped off about a possible robbery. When they approached the young man he fled and pulled a gun to shoot at one of the security guards who was pursuing him.
- A man was attacked after he had "driven into a tearoom". He shot one of his attackers.
- The victim was ostensibly trying to throw the man who killed him from the fourth floor of a building.

In two cases the perpetrator indicated that they shot the victim because they "thought the victim had a gun" and responded with lethal force because of this; however, it subsequently emerged that the victim had not been armed.

- In the other a spaza shop owner phoned his friends about some suspicious young men who were "hanging about" near his spaza shop in the early hours of the morning. The men fled when his friends arrived. During the pursuit the suspect/offender saw one of the young men turning and thought he was pulling a gun and shot at him. This case was referred to an inquest although no outcome was recorded in the docket.

- In one of these cases, for instance, the victim had ostensibly broken into a flat from which he had been evicted. The man who killed him indicated that he thought that he saw the victim drawing a gun.[1] The case went to trial but the man was acquitted.

There were only rudimentary details of another case where the perpetrator was brought to court but was acquitted. This involved a man who intervened in a fight between two groups of boys. The suspect shot one of the boys. Beyond this bare outline it was not possible to ascertain much more detail from the docket.

In two cases the claims of the suspect/offender to have been acting in self-defence were not accepted by the court, or the court found that the individual had exceeded the bounds of self-defence:

- One case involved a violent protest in Nyanga by a community against being relocated to another area. A city official was sent to the protest and he fired in the direction of the crowd when he and his companion were stoned by the crowd. According to the docket he received a sentence of 10–15 years.
- The other involved the theft of a radio and intervention by a father of one of the boys. The father appears to have alleged that the victim (his son's friend) tried to stab him. After an initial shot the victim fled, although it appears that the father still pursued him and killed him. According to the docket he also received a 15-year sentence.

Apart from the four last cases referred to there were no other cases that were the subject of a trial. In most cases the docket indicated that the case had been referred to an inquest. Some of these indicated that the inquest magistrate had decided, for instance, that there was "prima facie no offence", or that the inquest had been "unable to make a finding". Two cases (one of them still open) had apparently been withdrawn in court. It is not clear if they were subsequently referred to an inquest. In one of the alleged robberies the docket, which was still open, merely indicated that the suspect had been arrested. One case had apparently been withdrawn at the police station and there was no inquest report in the docket.

Other data from the study on distribution and other characteristics of deaths in this category can be ascertained from Table 26 in Section 6, as well as the various tables in Section 7.

1 If the perpetrator's version is true, such instances may be taken as cases of accidental (mistaken) killing. However, at the point where the victim acted they believed they were acting in self-defence.

12. A MURDER RELATED TO RIVALRY OR CONFLICT BETWEEN DIFFERENT GROUPS (CATEGORY D)

This section briefly summarises the small amount of data collected relating to conflict between groups. As also mentioned in Appendix 3, this section was supposed to provide for conflict between formalised groups, such as disputes between taxi associations, political parties or "formal" criminal gangs. The emphasis was on relatively formalised structures and this category was intended to exclude, for instance, spontaneous fights between groups of men or youths which would have been discussed under Category A. Similarly, if two members of rival gangs got into an argument this would not necessarily have been regarded as a Category D killing unless the argument was related to rivalry between the two groups.

Table 49: Murders related to conflict between formalised groups

	CONFLICT BETWEEN			TOTAL
	Taxi associations	Two criminal gangs	Two political parties	
Johannesburg Central	2	0	0	2
KwaMashu	0	1	0	1
Montclaire	1	0	1	2
Nyanga	0	1	0	1
Thokoza	2	0	0	2
Total	**5**	**2**	**1**	**8**

As is apparent from data already presented in this report, as well as in Table 49 above, Category D accounted for a total of eight deaths, which constituted in the region of 1% of deaths in known circumstances. Five of the eight deaths were related to conflict within the taxi industry. Examples of these cases included:

- In Johannesburg Central a man was shot dead on the street in what appeared to be a targeted killing. The docket indicated that the deceased, together with other drivers, had been involved in a dispute with their taxi association. This killing was therefore apparently related to conflict within a taxi association rather than between two different taxi associations.
- Another incident in Johannesburg Central involved the killing of a taxi owner who had been sitting with another taxi owner in a taxi in an area where their association didn't operate.
- In Montclaire a taxi owner was killed apparently by hired hit men who had been paid R20 000 by a rival taxi association related to a dispute over routes or the number of taxis opening on one of the routes.
- In Thokoza a man was transporting people from the West Rand to the East Rand and had stopped

at a traffic light where his passengers were getting out when he was attacked by a group of taxi men. Even though he tried to explain that they were not just passengers but a specially hired taxi, he was beaten and kicked and hit in the face with the back of a gun and his car was taken. The victim gave a statement to the police on the day of the assault, went to hospital and was discharged from hospital. He was readmitted to hospital a few days later and died.

One of the cases involving rival gangs was in KwaMashu where the victim was killed apparently for killing one of the rival gang members. The details of the case from Nyanga are less clear, but they seem to have involved two groups, called the Kawurta and the Mambushs, and a quarrel over a gun. One of the cases, which was classified in Category A but could perhaps equally have been classified in this category, was in Kraaifontein. Apparently the argument between the two had to do with the numbers gangs – the 26s and the 28s. The suspect/offender claims that the victim "asked him about his numbers" and it turned out they came from opposing numbers gangs and then started fighting.

The details of the apparently politically related case in Montclaire are rudimentary but apparently had to do with things that were said at a meeting that some people were not happy with.

13. CIRCUMSTANCES OR MOTIVES UNCLEAR (CATEGORY F)

This is a category that was created in the data-cleaning process (see the discussion of methodology in Appendix 1, and the discussion of the categorisation of murder in Appendix 3). Initially it was assumed that cases would either be classifiable as "circumstances and motives unknown" (what is now Category G), or would be classifiable in one of the other categories.[1] However, during analysis of the questionnaires it emerged that there was a number of questionnaires that did not fit into Category G because they contained some information about some or other detail of the killing. At the same time it was not possible to classify these cases in terms of their motives or circumstances because of the nature of the information provided in the docket.

These questionnaires in the end constituted the third-biggest category of the seven categories (at 140 cases there are three more cases in this category than in Category B). As noted elsewhere, this category was particularly prominent in Thokoza, where it accounted for 29% of all cases as opposed to the other five areas, where it accounted for an average of 9% of cases.

The following is an overview of some of the variations in types of cases that are grouped together in this category. It must be accepted, though, that, by definition, these cases are at best ambiguous in nature.

- One example of a case in this category was of a man and woman who had hired a hotel room in inner-city Johannesburg one evening. In the early hours of the morning he went down to the hotel foyer saying that he was going out to buy some food but did not return. When the hotel staff forced their way into the room they found that the woman had been strangled. The docket indicated that she could not be identified.
- In one case a man was found shot dead next to his car. It appeared that this may have been an attempted hijacking but this was not clear.
- In one case a man had been burnt in his shack. There were suggestions that the shack had been set alight by his girlfriend but this was not confirmed.
- In one case someone had knocked on the door of someone whom he knew and was then shot.
- In another case a man appeared to have been deranged in some way when he killed someone, although it was unclear whether this was, for instance, a drunken rage or whether he was mentally disturbed.
- In another case three people were killed by a group of seven others in circumstances where it seemed possible that this was some type of act of revenge or punishment but could also have been a robbery.

1 Many of these were recorded under an "other" category, which was one of the subcategories in Category E intended for cases that did not fit into one of the defined categories.

- In one case there was a straightforward difficulty in choosing between contradictory accounts of the murder, with one suggesting that the suspect/offender had acted in self-defence but the other indicating that he had shot at someone who had committed a crime but that he had not acted in self-defence and that this was effectively an illegal use of force "for arrest".
- In one case the information was that the perpetrator was believed to be a "known gangster" but nothing else explained why the victim had been killed.

In two cases in Thokoza the information appeared to indicate that the deaths could be linked to conflict in the taxi industry. In one case a man was shot eight times next to his taxi and the information indicated that nothing was taken. In another case a man was killed in front of his taxi. His wife said he had once been approached by a man with a gun who told him that he had been paid to kill him.

An enduring question was about a potential subcategory of cases that would have been suitable for classification in Category G (as unknown) but where there was information that something had been taken from the person when their body was found. For instance, there were five cases that stated that the victim's gun, wallet or cellphone was missing at the time when their body was found, or that pockets had been turned inside out. There was a strong temptation to treat these as cases of robbery but for the equally strong possibilities that the body had been searched and items taken by people other than the killer while it was lying "undiscovered" or even that the gun or other items had been taken by the killer as an afterthought but that the killer had carried out the killing for other reasons.

Several other cases involved people being shot in circumstances that suggested that it may have been related to a robbery or attempted robbery, but there was insufficient information to confirm this. For instance, a man was shot near his house while leaving in the early morning for work. But from the information one could not confirm that this was a robbery or even an attempted robbery. One of the alternative possibilities in such a case may be that this was a premeditated killing of some kind where the victim had been singled out to be killed.

Just as circumstances where one or other item of property had been taken from someone could not be taken necessarily to imply a robbery, the fact that someone retained some property could not necessarily be taken to imply that this was not a robbery. Other items may have been taken, or it may have been an attempted robbery where the perpetrators decided to flee for some reason without having time to search the body. Nevertheless, killings in such circumstances, where there is also no information about a preceding argument, invite the conclusion that this is some kind of premeditated killing. However, premeditated killings may frequently only be confirmed through exposing the conspiracy or thinking behind them. In the absence of such information, defining such a case as premeditated remains a speculative act. In one case, for instance, an undertaker was shot at his business and nothing was taken.

Just as there was a number of cases where it seemed that they may have been robberies or arguments, there were other cases where it seemed possible that they were arguments but the information provided

did not confirm this. For instance, in one case a woman was stoned to death by a man but there was no information about an argument or dispute preceding this.

Finally, the absence of information in some cases about a motive for the killing seemed to suggest that these may indeed be purely "senseless" killings, where the person was killed for no concrete reason. In one case a man was walking from a tavern on his way home in the Johannesburg Central area when he was killed. In another case in Thokoza the victim was approached and shot at while crossing the veld with a friend; in another similar case, also in a stretch of open veld, the victim was forced to lie down and then killed but there was no apparent reason for this. In another case in Thokoza the information was that the perpetrator had asked the victim why he was running and then shot him. In two cases, in KwaMashu and Nyanga, the information was that the victim, or someone whom he was with, had greeted, or "saluted" one of the perpetrators or people that he was with.

14. CIRCUMSTANCES OR MOTIVES UNKNOWN (CATEGORY G)

Category G refers to killings that took place in unknown circumstances. It is the biggest of the seven categories used in this report, and accounts for 41% of deaths among the cases analysed in the six areas. The contribution of Category G was particularly prominent in KwaMashu and Montclaire, where it contributed 51% and 54% of cases respectively.

While there are variations to this rule, in general the characteristic of deaths in Category G was that a body was found somewhere, often on the street or in open veld or another public space. In some cases it involved people who were fatally injured and died in hospital, or even were discharged from hospital but then died shortly thereafter. In 55 (12%) of the 476 cases, the victim was not actually identified by name in the police docket. But in the large majority of cases the victim is identified and, as a result, though nothing is known about the circumstances, there is reasonably good information about the victims of killings in Category G, including not only details about their sex and race but also regarding age and employment status.

Furthermore, information on visible wounds that enable the type of weapon used to be identified, as with any other body taken to the official mortuary, the dockets generally contained the results of blood alcohol tests. Finally details of the day of the week as well as other details, such as the time of day when the body is discovered, are usually also recorded.

As clarified above (see, for example, Table 26 in Section 6) categories A and B are the biggest contributors to deaths in known circumstances, accounting cumulatively for 79 of all such deaths. It seems reasonable to hypothesise, therefore, that killings of the type found in categories A and B are important contributors to the high number of deaths in Category G.

Related to this hypothesis, however, is also the assumption that Category G should not be seen as a mirror image of deaths in known circumstances. One example that illustrates this point clearly concerns questions to do with the relationship between victim and perpetrator, as reflected in Table 33 (see Section 7). A common feature of the argument-type murders in Category A is that, in most cases (75%), there was evidence that the victim and perpetrator were known to each other in some way. On the other hand, in 87% of cases in Category G the data on the relationship is not available. It therefore appears unlikely that the majority of Category G murders would be arguments between people who are known to each other. This implies then that while there may be Category A-type murders among those in Category G, it is likely that they constitute a much lower proportion of murders in Category G than they do among murders in known circumstances.

On the issue of relationship, Category G would appear to have more in common with Category B, where a minority of victims were said to have known the perpetrator and where the bulk of responses are divided between the "stranger" and "not recorded/unknown" category.

There is therefore a slightly greater resemblance between categories B and G than between categories A and G. At the same time data on relationship alone does not appear to demonstrate any particularly powerful connection between either Category A or Category B. It may be more meaningful to try and explore the relationship between categories A, B and G more systematically by looking at a number of different data variables. This is what is done in Table 50 below, which compares the three categories using 16 different variables selected from the tables in Section 7.

Table 50: Comparison of categories A, B and G: selected data

	CATEGORY A	CATEGORY B	CATEGORY G
% victims female	18	8	8
% victims African	80	89	94
% victims Coloured	19	7	6
% victims 30 years and older	35	59	53
% victims single	78	58	68
% victims unemployed	51	42	54
% positive blood alcohol tests	74	48	48
% victim perpetrator relationship not recorded or unknown	15	31	87
% deaths in December	11	11	11
% on murders on "long weekend" (Friday, Saturday and Sunday)	73	61	62
% where time of actual murder is given	77	66	39
% of murders taking place or body found on street	32	43	48
% taking place at victim's, offender's or other residence	35	27	17
% identified as residents of area where they were killed	74	55	51
% death caused by gunshots	26	81	59
% deaths caused by knife or sharp object	61	15	27

Comparing these 16 variables in relation to the degree of correspondence between categories A, B and G, it is apparent that:

- In relation to six variables Category G corresponds very closely with B but not with A. These are:
  - » % of victims female (in both B and G the figure is 8%, while A is 18%).
  - » % victims Coloured (G is 6%, B is 7% and A is 19%).
  - » % positive blood alcohol tests (both G and B are 48%, A is 74%).
  - » % of murders on "long weekend" (B is 61%, G is 62%, A is 73%).
  - » % of murders taking place or body found on street (G is 48%, B is 43%, A is 32%).
  - » % identified as residents of area where they were killed (G is 51%, B is 55%, A is 74%).
- In relation to another seven variables the correspondence between categories B and G is not necessarily very close but is nevertheless substantially greater than that between A and G. These are:
  - » % victims African.
  - » % victims 30 years and older.
  - » % victim-perpetrator relationship not recorded or unknown.
  - » % cases where time of actual murder is given.
  - » % of murders taking place at victim's, offenders or other residence.
  - » % of deaths caused by gunshot wounds (a difference of 22% between B and G, and 33% between A and G).
  - » % of deaths caused by knife or sharp object (a difference of 12% between B and G, and 34% between A and G).
- In relation to two variables Category G is either the same as categories B and A or equidistant from them:
  - » % victims single (there is a difference of 10% between G and both A and B).
  - » % deaths in December (all 3 categories are 11%).
- In relation to one variable — % victims unemployed — there is a greater correspondence between A and G (3%) than between B and G (12% points).

The comparative exercise conducted above therefore suggests that there is a far greater correspondence between categories B and G than that between categories A and G. This is not to say that there is not other data among the tables in Section 7 in which A resembles G more closely than A. For instance, if one looks at the percentage of victims 19 years of age and younger (Table 30), the figure for categories A and G is much the same (13% and 12% respectively), while that for Category B is much lower (3%). But the similarity falls away in the older age groups.

In terms of the original hypothesis, therefore, it would appear reasonable to say that killings of the type found in categories A and B are indeed important contributors to the high number of deaths in Category G. However, the comparative exercise carried out above suggests strongly that:

- Category B-type murders probably make up a far greater proportion of murders in Category G than they do of murders in known circumstance.
- Category A murders probably make up a much lower proportion of murders in Category G than they do of murders in known circumstances.

In the same way that killings in Category G are not a mirror image of killings in known circumstances, it is likely that the Category B-type killings in Category G are probably not a mirror image of those in Category B itself. One point that may illustrate this is the data on unemployment, which suggests that the proportion of victims who are unemployed in Category G is in fact higher than that in Category B.

While Category B robberies probably include a significant proportion targeted at people who appear to be relatively affluent by the standards of these areas, robberies in Category G possibly include a higher proportion that are highly opportunistic and that impact on the type of poorer people who may be found on the streets of the six areas at night where the takings may be often more meagre. In common with Category B the victims of robberies in Category G may be people who are generally older than the victims in Category A but, as opposed to the average victim in Category B, they may be on average somewhat poorer.

15. INTIMATE PARTNER VIOLENCE

The general category of "intimate partner violence" is not used as a category of analysis prior to this point in this report. While intimate partner violence is recognised as a key form of violence in South Africa, the analysis in this report is based on the circumstances of murders rather than the relationship between the suspect and perpetrator.

Nevertheless, it is interesting to look at intimate partner killings and what the data generated by this study tells us about their relative prevalence and circumstances of occurrence.

TABLE 51: Intimate partner killings in the six areas

RELATIONSHIP	JOHANNESBURG CENTRAL	KRAAIFONTEIN	KWAMASHU	MONTCLAIR	NYANGA	THOKOZA	TOTAL
Husband / wife	–	3	–	–	3	–	**6**
Ex-husband / wife	–	–	1	–	–	–	**1**
Boyfriend / girlfriend	6	15	9	4	6	4	**44**
Ex-boyfriend / girlfriend	2	1	1	1	–	–	**5**
Love triangle	–	–	–	–	2	–	**2**
Total	**8**	**19**	**11**	**5**	**11**	**4**	**58**
Total number of murders in sample	188	194	225	139	228	184	**1 158**
% of all murder incidents	4	10	5	4	5	2	**5%**

As is apparent from Table 51, intimate partner killings made up roughly 5% of murders in the sample. The vast majority of these (76%) were in relationships described as boyfriend/girlfriend relationships. In Kraaifontein these killings made up a far higher percentage of killings (10%), with the 19 intimate partner killings in Kraaifontein constituting one-third (33%) of all intimate partner killings in the six areas.

TABLE 52: Intimate partner killings by category

RELATIONSHIP	CATEGORY A	CATEGORY E	CATEGORY F	CATEGORY G	TOTAL
Husband / wife	4			2	**6**
Ex-husband / wife		1			**1**
Boyfriend / girlfriend	28	9	4	3	**44**
Ex-boyfriend / girlfriend	5				**5**
Love triangle	1			1	**2**
Total	**38**	**10**	**4**	**6**	**58**
%	66	17	7	10	**100**
All killings in this category	297	83	140	476	**996**
% intimate partner killings	13	12	3	1	**6**

Two-thirds of the intimate partner killings (66%) were recorded in Category A, while 17% were related to the subcategory of Category E described as "premeditated killings of a current or former intimate partner". Intimate partner killings, therefore, made up roughly equal percentages (13% and 12% respectively) of these two categories.

Killings in Category F (4) and G (6) were also identified as intimate partner killings, although they made up relatively small percentages of these categories. None of the known intimate partner killings that took place were classified in categories B, C or D.

TABLE 53: Killings by women of their male intimate partners, by category

CATEGORY	JOHANNESBURG CENTRAL	KRAAIFONTEIN	KWAMASHU	MONTCLAIR	NYANGA	THOKOZA	TOTAL
A	1	4	3	2	2	1	**13**
E		1					**1**
F					1	1	**2**
G				1	1		**2**
Total	**1**	**5**	**3**	**3**	**4**	**2**	**18**
All intimate partner killings	8	19	11	5	11	4	**58**
% women killing male partner	13	26	27	60	36	50	**31**

Table 54 reflects data indicating that 18 of the 58 (31%) of intimate partner killings in the six areas involved women killing their male intimate partner. The range is quite considerable, varying from 13% of intimate partner cases in Johannesburg to 60% of those in Montclaire. However, the latter figure in particular is derived from a very low base and is not necessarily representative of general trends in the area.

Of the total number of 128 female victims among the cases analysed in this study, 40 (31,25%) were victims of intimate partner killings. This figure is lower than the 41% of cases of "intimate femicide" identified in a study of the killings of women in 1999 (Mathews, et al.).

16. SUSPECTS/OFFENDERS

Related to the circumstances in which murders occur, there are quite substantial differences between the different categories in terms of the proportion of cases in which suspects/offenders are identified. As illustrated in Table 54, alleged perpetrators were identified in 82% of cases in Category A but in only 30% of cases in Category B. The Category A cases where suspects were identified in fact make up the majority (53%) of cases where such persons are identified.

Category E accounts for the next largest proportion of cases where perpetrators are identified, even though it accounts for a smaller number of cases overall than categories G, F and B.

There also appear to be variations in the number of perpetrators who are linked to each case. In Category C this tends to be an individual perpetrator, while in Category A roughly 12 perpetrators are identified for every 10 cases where a perpetrator is identified. In Category B, on the other hand, the ratio is slightly higher at roughly 15 perpetrators for every 10 cases where a perpetrator is identified.

TABLE 54: Number of people identified as suspects

CATEGORY	NUMBER OF PEOPLE	%	NUMBER OF CASES	%	TOTAL NUMBER OF CASES IN THIS CATEGORY	% OF CASES WHERE SUSPECT IDENTIFIED
A	291	49	245	53	297	82
B	62	10	41	8	137	30
C	19	3	19	4	20	95
D	12	2	5	1	8	63
E	81	13	57	12	83	69
F	69	12	51	11	140	36
G	63	11	47	10	476	10
Total	**597**	**100**	**465**	**100**	**1 161**	**40**

16.1 How were the suspects caught?

TABLE 55: How suspects were caught

CATEGORY	THE SUSPECT WAS CAUGHT BY POLICE IN THE ACT OR AT THE SCENE	THE SUSPECT WAS CAUGHT BY POLICE AFTER INVESTIGATION	THE SUSPECT WAS CAUGHT BY OTHER PEOPLE IN THE ACT OR AT THE SCENE	THE SUSPECT WAS CAUGHT BY OTHER PEOPLE AFTER THE CRIME	OTHER	TOTAL
A	122	42	18	5	57	**244**
%	50	17	7	2	23	**100**
B	35	3	2	2	4	**46**
%	76	7	4	4	9	**100**
C	4	4	0	0	6	**14**
%	29	29	0	0	43	**100**
D	5	0	0	0	0	5
%	100	0	0	0	0	**100**
E	39	11	3	1	9	**63**
%	62	17	5	2	14	**100**
F	30	0	3	1	12	**46**
%	65	0	7	2	26	**100**
G	26	1	4	0	3	**34**
%	76	3	12	0	9	**100**
Total	**261**	**61**	**30**	**9**	**91**	**452**
%	58	13	7	2	20	100

In Category B, 83% of suspects were caught by police, with the vast majority of them caught in the act or at the scene. By contrast, in Category A 67% were caught by police with the "other" option (which would have included, among others, situations where the suspect handed him or herself over to the police) playing a significant role, being cited in 23% of cases.

16.2 Gender of suspects

TABLE 56: Gender of suspects by category

CATEGORY	FEMALE	MALE	TOTAL	% FEMALE	% MALE
A	28	282	310	10	90
B	0	80	80	0	100
C	0	19	19	0	100
D	0	12	12	0	100
E	6	76	82	7	93
F	1	74	75	1	99
G	1	62	63	2	98
Total	**36**	**605**	**641**	**6**	**94**

Table 56 provides a breakdown for 641 perpetrators in terms of their gender. The table indicates that female perpetrators made up roughly 6% of known perpetrators, including a relatively high proportion (10%) of perpetrators in Category A and Category E (7%).

TABLE 57: Gender of suspects by station

	FEMALE	MALE	TOTAL	% FEMALE
Johannesburg Central	6	129	135	4
Kraaifontein	15	100	115	13
KwaMashu	3	121	124	2
Montclaire	2	52	54	4
Nyanga	8	122	130	6
Thokoza	2	76	78	3
Total	**36**	**600**	**636**	**6**

Table 57 indicates that female perpetrators constituted a far higher proportion of known perpetrators in Kraaifontein than in any other area, accounting for 42% of all known female perpetrators in the six areas.

TABLE 58: Relationship of victim gender to perpetrator gender

VICTIM	PERPETRATOR		
	FEMALE	MALE	TOTAL
Female	10	71	81
%	18	72	100
Male	21	403	424
%	5	95	100
Total	**31**	**474**	**505**
%	**6**	**94**	**100**

Table 58 looks at 505 cases where the gender of victim and perpetrator was known. Consistent with tables 56 and 57, the perpetrator was also a woman in 6% of cases.

- In 80% (403) both victim and perpetrator were male.
- In 14% (71) the perpetrator was male and the victim was female.
- In 4% (21) cases the perpetrator was female and the victim male.
- In 2% (10) cases both the victim and perpetrator were female.

The figures above, however, distort the picture slightly as the percentage of female victims is slightly higher than in the data overall, where women made up 11,2% of victims and men 88,8%. The figures below are adjusted relative to these figures and may give a more accurate reflection of the relationship between gender and victim-perpetrator roles in murders in the six areas:

- In 84% both victim and perpetrator were male.
- In 10% the perpetrator was male and the victim was female.
- In 4% of cases the perpetrator was female and the victim male.
- In 2% of cases both the victim and perpetrator were female.

16.3 Race of suspects

TABLE 59: Race of suspects

CATEGORY	AFRICAN	COLOURED	ASIAN	WHITE	OTHER	TOTAL
A	237	58	1	0	3	**299**
%	79	19	0	0	1	**100**
B	67	1	1	1	2	**72**
%	93	1	1	1	3	**100**
C	17	0	0	1	0	**18**
%	94	0	0	6	0	**100**
D	11	0	0	0	0	**11**
%	100	0	0	0	0	**100**
E	69	8	0	1	4	**82**
%	84	10	0	1	5	**100**
F	62	8	0	0	0	**70**
%	89	11	0	0	0	**100**
G	66	1	0	0	0	**67**
%	99	1	0	0	0	**100**
Total	**529**	**76**	**2**	**3**	**9**	**619**
%	85	12	0	0	1	100

The overall racial profile of the suspects in Table 59 in some ways reflects the racial profile of the six areas as reflected in 2005 census data (see Table 18 in Section 6), with Africans making up 85% of the population and of identified suspects. Coloureds appear to be overrepresented, constituting 12% of suspects but only 9% of the population. This is heavily influenced by the fact that coloureds are strongly represented in Category A. As pointed out above, Category A makes a far greater contribution to the statistics on arrestees than does any other category.

16.4 Nationality

TABLE 60: Nationality of suspects

CATEGORY	SOUTH AFRICAN	OTHER	TOTAL
A	262	7	**269**
B	48	2	**50**
C	14	0	**14**
D	7	0	**7**
E	70	4	**74**
F	50	1	**51**
G	51	0	**51**
Total	**502**	**14**	**516**
%	97	2	100

Very few of the suspects (2%) were identified as non-South African. Twelve of the foreign suspects were in Johannesburg Central and two in KwaMashu.

16.5 Age of suspects

TABLE 61: Age of suspects by station area

STATION AREA	19 YEARS AND YOUNGER	20–29 YEARS	30 YEARS AND OLDER	TOTAL
Johannesburg Central	8	50	40	**98**
%	8	51	41	**100**
Kraaifontein	23	56	27	**106**
%	22	53	25	**100**
KwaMashu	22	44	21	**87**
%	25	51	24	**100**
Montclaire	5	24	16	**45**
%	11	53	36	**100**
Nyanga	34	47	37	**118**
%	29	40	31	**100**
Thokoza	7	21	21	**49**
%	14	43	43	**100**
Total	**99**	**242**	**162**	**503**
%	20	48	32	100

As reflected above (see Table 54), the data on suspects is heavily loaded towards suspects in categories A and E that, together, contribute two-thirds of the total number of suspects on whom data is available. This is therefore likely to have a strong impact on the data in Table 61 above, which shows the age of suspects by station. Notable here is quite a significant variation in the proportion of suspects of 30 years and older, accounting for 24% of suspects in KwaMashu and 25% in Kraaifontein as opposed to 43% in Thokoza and 41% in Johannesburg Central.

In the 20–29 age category, which accounts for roughly half of all suspects, four of the stations record percentages of either 51% or 53%, while Nyanga (40%) and Thokoza (43%) record much lower proportions. Johannesburg Central and Montclaire, the areas that recorded the lowest proportions of victims in this category, also record the lowest proportion of suspects in this category.

Nyanga records the highest proportion of suspects in the 19 and younger age category (29%), which is consistent with the fact that the station also recorded the highest proportion of victims in this category (19%).

TABLE 62: Age of suspects compared to age of victim by category

CATEGORY		19 YEARS AND YOUNGER	20–29 YEARS	30 YEARS AND OLDER	TOTAL
A	Victims	13	52	35	100
	Suspects	21	45	34	100
B	Victims	3	38	59	100
	Suspects	31	51	18	100
C	Victims	21	64	15	100
	Suspects	0	60	40	100
D	Victims	0	79	51	100
	Suspects	0	67	33	100
E	Victims	24	46	30	100
	Suspects	12	47	41	100
F	Victims	12	38	50	100
	Suspects	23	47	30	100
G	Victims	12	35	53	100
	Suspects	16	60	23	100
Total	**Victims**	**11**	**42**	**47**	**100**
	Suspects	**20**	**48**	**32**	**100**

Table 62 compares data on the age of the suspect with that of victims from Table 30 (Section 7). Interestingly, while the victims of Category B murders tend to be older than those of Category A murders, the ages of perpetrators appear to be the opposite. Well over half of victims of Category B murders (58%) were 30 years or older, while the proportion of suspects is only 18%. By contrast, in Category A the percentages of victims and perpetrators of 30 years and older are fairly evenly matched. This is another case where the data in Category G also much more closely resembles that in Category B than

in Category A, with more than half of victims (53%) but only 23% of suspects falling into the 30 years and older age category.

In Category B suspects of 20–29 years make up 51% of suspects, while the proportion of suspects of 19 and younger is, at 31%, far higher than any other category — dramatically higher, for example, than the 3% of murder victims in this age group in Category B.

16.6 Marital status

TABLE 63: Marital status of suspects

	A	B	C	D	E	F	G	TOTAL
Single	217	46	10	6	52	39	34	**404**
%	70	56	53	46	60	48	33	**58**
Married	32	2	2	0	11	5	5	**57**
%	10	2	11	0	13	6	5	**8**
Divorced / separated / widowed	2	0	0	0	2	0	0	**4**
%	1	0	0	0	2	0	0	**0**
Living with someone	6	0	1	0	3	1	1	**12**
%	2	0	5	0	3	1	1	**2**
Not recorded	53	34	6	7	19	36	64	**219**
%	17	41	32	54	22	44	62	**31**
Total	**310**	**82**	**19**	**13**	**87**	**81**	**104**	**696**
%	100	100	100	100	100	100	100	100

Table 63 indicates that roughly 70% of those in Category A were single, while 10% were married. Consistent with the data above, of the relatively low age of those in Category B, only two of the 82 perpetrators were identified as married; however, in a large percentage of cases this information was not recorded.

TABLE 64: Employment status of suspects

	A	B	C	D	E	F	G	TOTAL
Unemployed	116	36	2	5	32	21	30	**242**
%	37	44	11	38	37	26	29	**35**
Blue-collar; factory	32	1	2	0	9	5	2	**51**
%	10	1	11	0	10	6	2	**7**
Domestic worker / gardener	3	0	0	0	2	1	1	**7**
%	1	0	0	0	2	1	1	1
Formal trader; shop owner	0	0	0	0	0	0	1	**1**
%	0	0	0	0	0	0	1	**0**
Informal trader; seller	3	0	1	0	3	2	0	**9**
%	1	0	5	0	3	2	0	**1**
Police, private security	18	0	7	0	5	2	0	**32**
%	6	0	37	0	6	2	0	**5**
Professional, doctor, nurse	1	0	0	0	3	0	0	**4**
%	0	0	0	0	3	0	0	**1**
White-collar; secretary	1	0	0	0	0	0	0	**1**
%	0	0	0	0	0	0	0	**0**
Student (school and tertiary)	23	2	0	0	3	5	2	**35**
%	7	2	0	0	3	6	2	**5**
Other (specify)	43	4	6	4	10	4	5	**76**
%	14	5	32	31	11	5	5	**11**
Not recorded	70	39	1	4	20	41	64	**239**
%	23	48	5	31	23	51	61	**34**
Total	**310**	**82**	**19**	**13**	**87**	**81**	**105**	**697**
%	100	100	100	100	100	100	100	100

As reflected in Table 64, a significant proportion of perpetrators in Category A were involved in blue-collar jobs (10%) or employed as police or private security guards (6%), while roughly 3% held other formal or informal jobs; 14% of them held employment classified as "other". By contrast, five of the 82 Category B suspects (6%) held either a blue-collar job or work classified as "other".

16.7 Criminal records of suspects

TABLE 65: Previous convictions of suspects

CATEGORY	NO (docket indicates (s)he has no previous convictions)	YES (there are previous convictions referred to in the docket)	TOTAL
A	200	47	247
%	81	19	100
B	39	7	46
%	85	15	100
C	12	1	13
%	92	8	100
D	5	1	6
%	83	17	100
E	52	15	67
%	78	22	100
F	34	11	45
%	76	24	100
G	34	6	36
%	94	17	100
Total	**376**	**88**	**464**
%	81	19	100

Overall, 19% of identified suspects for whom there was data on this issue had a criminal record. As may be expected, the category where criminal records were least to be found was Category C, which involved people acting in self-defence. The fact that a smaller percentage of those in Category B had criminal records (15%) than in Category A (19%) may be related to the fact that those in Category B are on average slightly younger than those in Category A.

In 36 cases, suspects were also under investigation, had been arrested or were on trial for other offences not connected to the murder incident. Altogether 19 of these cases were in Category A and eight in Category B.

16.8 Outcome of cases

TABLE 66: Outcome of closed cases

	A	B	C	D	E	F	G	TOTAL
At least one conviction for murder	51	18	2	0	9	10	3	**93**
%	19	15	12	0	13	8	1	**9**
At least one conviction for culpable homicide	30	0	0	1	4	2	0	**37**
%	11	0	0	20	6	2	0	**4**
All suspects acquitted	32	4	2	0	7	7	3	**55**
%	12	3	12	0	10	6	1	**5**
Referred to inquest	86	70	9	3	27	84	330	**609**
%	32	59	53	60	40	70	77	**59**
Unfounded (there was no murder)	0	0	0	0	1	1	3	**5**
%	0	0	0	0	1	1	1	**0**
Withdrawn at police station	2	0	1	0	0	0	0	**3**
%	1	0	6	0	0	0	0	**0**
Unsolved / untraced	13	19	1	0	8	7	62	**110**
%	5	16	6	0	12	6	14	**11**
Withdrawn at court	30	5	2	1	5	6	10	**59**
%	11	4	12	20	7	5	2	**6**
Other (specify)	22	1	0	0	6	3	11	**43**
%	8	1	0	0	9	3	3	**4**
Not recorded / unclear	3	1	0	0	1	0	7	**12**
%	1	1	0	0	1	0	2	**1**
Total	**269**	**118**	**17**	**5**	**68**	**120**	**429**	**1 026**
%	100	100	100	100	100	100	100	100

Table 66 deals with the outcome of 1 026 closed cases. Altogether 9% resulted in convictions for murder and four convictions for culpable homicide, providing a conviction rate of 13%. Including the 5% of cases that resulted in acquittals, this means that 18% resulted in a court verdict of some kind, providing a conviction rate of 70% of cases that went to trial.

In Category A, 19% of cases led to a conviction of murder, 11% to a conviction of culpable homicide, providing a conviction rate of 30%. Including the 12% of cases that resulted in an acquittal, this means

that 42% of cases resulted in a court verdict of some kind, providing a conviction rate of 72% of cases that went to trial.

In Category B, 15% of cases led to a conviction of murder, which is also the conviction rate as there were no convictions for culpable homicide. Including the 3% of cases that resulted in an acquittal, this means that 18% of cases resulted in a court verdict of some kind, providing a conviction rate of 82% of cases that went to trial.

The 69 convictions of murder in categories A and B account for 74% of all murder convictions, although these two categories account for 38% of the total number of cases.

The 30 culpable homicide convictions in Category A account for 81% of all culpable homicide convictions.

When combined, categories A and B account for 76% of all 130 culpable homicide and murder convictions.

In six of the murder cases where there was a conviction, two suspects were convicted, including two cases in Category F and two in Category E and one each in categories A and B.

16.9 Mortality of suspects

TABLE 67: Is the suspect/offender still alive?

	A	B	C	D	E	F	G	TOTAL	%
The suspect/offender is alive	272	59	19	8	76	56	56	546	95
Suspect/offender died in vehicle crash while fleeing	2	1	0	0	0	0	0	3	5
Suspect/offender killed himself shortly after murder	6	0	0	0	3	0	0	9	
Suspect/offender was killed by another person during or shortly after murder	1	1	0	0	0	0	2	4	
The suspect/offender died in unknown circumstances	2	3	0	0	1	3	1	10	
Total	**283**	**64**	**19**	**8**	**80**	**59**	**59**	**572**	**100**

As indicated in Table 67 above, relative to 572 identified suspects, almost 5% were believed to have died, including four who were killed by another person during or shortly after the murder and nine who killed themselves immediately after carrying out the murder. As reflected Table 68 below, these nine suspects were all men who killed themselves after killing a woman, usually a current or former intimate partner.

TABLE 68: Suspects who killed themselves, by gender of victim

SUSPECT'S GENDER	VICTIM'S GENDER	
	FEMALE	TOTAL
Male	9	9
Total	**9**	**9**

17. GANG MEMBERS AS VICTIMS AND PERPETRATORS OF MURDER

This section briefly summarises the data that emerged from the report relating to formal gang membership.

Many of the incidents involved, including, in particular incidents in Category B, groups of perpetrators, but this section is concerned with the link between gang membership of formal (named) gangs and its relationship to the incidents of murder in the six areas.

In eight cases in Nyanga, two in Kraaifontein and one in KwaMashu the victim or perpetrator, or both, appeared to be linked to some kind of formalised or semi-formalised gang. In at least six of these cases the victim was the person who was identified as a gang member. In three cases the perpetrator was identified as a gang member. These cases include one where both the victim and the perpetrator were identified as gang members. In the latter case the victim was a Coloured man but, apart from this instance, all other gang members were African.

The 28s are referred to as the gang in five cases and the 26s in two cases. These cases mostly involve a gang member as the victim, with the gang member being a suspect in only one case. This latter case (involving two individuals who purportedly argued "over numbers") and two others have already been discussed in Section 12.

Other incidents in which gang members were victims included one where a gang member was killed for killing someone else, one where a gang member was shot after being warned that someone was coming to shoot him, and another where a purported member of the 26s was killed in an argument over a television set.

Incidents where gang members were alleged perpetrators included one where a man who was said to be a member of the Sader gang shot someone for stealing a beer.

Overall, gangs did not seem to be a particularly prominent role player in the murders in these areas. However, the relative absence of formal gang membership as an apparent factor in murders in these areas does not necessarily mean that they are not more of a factor in other areas.

18. HOSTEL-RELATED MURDERS

One of the unique features of the six areas studied is that three of the areas — Thokoza, KwaMashu and Montclaire — each have large hostels that accommodate quite substantial numbers of people (see Appendix 2 for more details). It may be worthwhile to reflect on the data relating to these hostels, partly as hostels have been in the news again lately in South Africa related to the upsurge of xenophobic violence.

However, it should be noted that the recent surge of violence did not have a major impact in KwaZulu-Natal while the vast majority of hostel-related murders recorded in this study (75 out of 82) took place in KwaMashu and Montclaire in KwaZulu-Natal, with Thokoza in Gauteng only accounting for six of the hostel-related murders.[1]

TABLE 69: Distribution of murders in hostels, by category

CATEGORY	NUMBER	PERCENTAGE
A	21	26
B	5	6
C	0	0
D	1	1
E	3	4
F	3	4
G	49	60
Total	**82**	**100**

One of the distinctive features of the murders recorded in hostels is that, as reflected in Table 69, 60% were recorded in Category G. This high concentration of murders in this category is likely to be linked to the fact that a culture of intimidation and silence prevails in the hostels; considering that these are high-density living areas it is unlikely that such a high proportion of murders can take place without there being any witnesses to them. This suggests that the hostels in KwaMashu and Montclaire at least are territories that, to some extent, operate outside the reach of the formal legal system, an impression that is reinforced by Table 70 below, which indicates that two out of 77 cases (3%) in the hostels resulted in a conviction.

1 The data also records one hostel-related murder in Nyanga.

TABLE 70: Convictions in hostel-related murders

	NUMBER	%
At least one conviction for murder	1	1
At least one conviction for culpable homicide	1	1
All suspects acquitted on all charges	2	3
Referred to inquest	54	70
Unsolved / untraced (the suspect could not be located)	6	8
Withdrawn at court (e.g., insufficient evidence)	6	8
Withdrawn at police station	1	1
Other	6	8
Total	**77**	**100**

It may also be noted that three hostel-related murders were recorded in Category F; it seems, therefore, that the culture of hostels is not a factor contributing to the high number of murders in Thokoza in this category.

19. DISCUSSION

19.1 Relevance of the study

This study is intended to build on work that was previously done in South Africa around analysing and understanding murder and violent crime. It focuses on six police station areas in the vicinity of three of South Africa's major urban centres: Johannesburg, Durban and Cape Town. These are a fraction of the more than 1 100 police station areas in South Africa.

The six areas all have substantial populations, although these vary from about 38 000 people in Johannesburg Central to 287 000 in KwaMashu, according to 2005 population projections. All six areas, relative to their populations, have very high rates of murder, which, according to data used for this study, place them all in the top 6% of stations in terms of their per capita murder rates. Altogether, the six areas recorded 4 828 murders during the five-year period 2001 to 2005, and it was 1 190 (25%) randomly selected dockets dealing with these murders that formed the basis of this study.

Notwithstanding the problems that the study encountered in terms of sampling (discussed in Appendix 1), there is little doubt that the research process has made sophisticated use of the material in these dockets in order to construct a picture of the nature of murder in these six areas. This report, therefore, provides an advanced descriptive account of murder in these areas in the 2001–05 period.

But one question that must flow from this report is: What is the relevance of the report to the understanding of murder in South Africa more generally? In Section 6 of the report we provide an account of the types of variations between the six areas in terms of the type of murder patterns that they experience, and this can help us reflect on the extent to which the picture presented in this study is very specific to the six areas, and on the extent to which it may speak to broader trends.

One of the questions here concerns the seemingly unique character of Kraaifontein. Kraaifontein shows strong similarities with several of the other areas, for example, in the age profile of its population. But among the six areas, the murder data for Kraaifontein is very distinctive. It apparently brings to the fore a phenomenon of very high levels of victims testing positive for blood alcohol, along with a phenomenon of high levels of knife or other sharp instrument injuries that contribute to very high levels of Category A murders. Corresponding with this are low levels of murders in, for example, Category B, and no recorded murders related to vigilantism. However, while the murder patterns in Kraaifontein appear quite exceptional by comparison with the other five areas that are the focus of this study, murder patterns in Kraaifontein may have a lot in common with murder patterns in many other police station areas in South Africa.

19.1.1 Aggravated robbery to assault GBH ratios (the robbery to assault ratio)

Category B killings usually involve robberies. Similarly, Category A-type killings may be seen to have a lot in common with cases of assault with intent to inflict grievous bodily harm (assault GBH), which often follow from arguments of one kind or another. It seems reasonable to hypothesise that there will therefore tend to be a relationship between the ratio of Category B to Category A-type killings in an area and the ratio of cases of aggravated robbery and assault GBH. In the following discussion this issue is explored.

With reference to the following section and tables 71 and 72, note that:

- The numbers provided for robbery to assault ratios are in each case numbers that reflect the number of aggravated robbery cases for each case of assault GBH in the station area or other jurisdiction referred to. For example, the number 2.4 for Johannesburg Central indicates that there were 2.4 aggravated robberies for each case of assault GBH recorded by the police (or 24 aggravated robberies for every 10 cases of assault GBH).
- Similarly, the numbers provided for Category B to Category A ratios are in each case numbers that reflect the number of Category B cases for each Category A case in the jurisdiction referred to. Therefore, in Johannesburg Central the number 0.4 indicates that there were 0.4 Category B cases for each Category A case in that area (or four Category B cases for every 10 Category A cases).

As illustrated in Table 71, the ratio of cases of aggravated robbery to assault GBH (henceforth "the robbery to assault ratio") cases recorded by the police strongly predicts the ratio of killings in Category B to those in Category A ("the Category B to Category A ratio") in three of the six areas. Thus, in KwaMashu (1.1) and Thokoza (0.6) the ratios are identical. Similarly Kraaifontein records both a very low ratio for the murder categories (0.1) and a very low robbery to assault ratio (0.3). Nyanga presents an exception to this rule, but in that area there is nevertheless a fairly strong resemblance between the murder categories ratio (0.5) and the robbery to assault ratio (0.9). In other words, in four of the six areas the ratio of cases of aggravated robbery to cases of assault GBH appears to predict the ratio of Category B to Category A killings.

TABLE 71: Ratio of aggravated robbery to assault GBH, compared with the Category B to Category A ratio in the six areas, 2001–05

POLICE STATION AREA	CRIMES RECORDED BY THE SAPS			MURDERS IN THE SAMPLE		
	Assault GBH	Aggravated robbery	Aggravated robbery to assault GBH ratio	Category A murders	Category B murders	Category B to Category A ratio
Johannesburg Central	4 853	11 878	2.4	51	21	0.4
Kraaifontein	4 705	1 229	0.3	85	8	0.1
KwaMashu	6 647	7 165	1.1	40	42	1.1
Montclaire	865	1 655	1.9	32	17	0.5
Nyanga	6 678	5 912	0.9	61	32	0.5
Thokoza	3 497	1 929	0.6	28	17	0.6
Total	**27 245**	**29 768**	**1.09**	**297**	**137**	**0.5**

Source: SAPS crime statistics. Murder figures are for the calendar year. Other figures are for the five-year period April 2001 to March 2006, the biggest part of which (57 out of 60 months) overlaps with the period covered by the murder figures.

The data in Table 71, therefore, can be taken to partially confirm something that appears self-evident: that the prevalence of specific types of murders in any area is likely to be a reflection of broader patterns of serious violent crime in that area.

The exception to this rule appears to be that an increase in the proportion of aggravated robberies does not necessarily directly translate into an increase in the proportion of Category B-type murders. The four areas where this rule appears to be evident are all areas that are predominantly residential. The exceptions to this rule, Johannesburg Central and Montclaire, are both areas with aggravated robbery rates that are significantly higher than their assault GBH rates. Although each has a significant residential population, both are partly commercial centres that also serve as access points to other nearby commercial centres. Many of the victims of robbery in these areas would be people who are in the area for work or commercial (shopping) purposes, or commuting through the areas for similar reasons. As people who implicitly have financial means of some kind, they would be seen by perpetrators of robbery as preferred robbery targets. However, in both of these areas the robbery to assault ratio did not translate into high Category B to Category A ratios, and both Johannesburg (0.4) and Montclaire (0.5) have Category B to Category A ratios that are similar to the overall average (0.5) for the six areas. Thus the problem of murder in these areas may to some extent be concentrated in the residential populations rather than taking the main part of its toll on people working or shopping in these areas. By comparison with Johannesburg and Montclaire, KwaMashu is the area that has the next highest robbery to assault ratio, as well as the highest Category B to Category A ratio, suggesting that increases in the proportion of robberies is sometimes associated with an increase in Category B-type murders.[1] *(Footnote on page 112.)*

As can be seen from Table 72, the six areas that are the focus of this study are from the three provinces that have the highest aggravated robbery to assault GBH ratios. Within these provinces they are also all from policing districts[2] *(footnote on page 112)* that have the highest (in the case of Gauteng among the three highest) robbery to assault ratios.

TABLE 72: Aggravated robbery to assault GBH ratios, 2001–05

PROVINCE	DISTRICT*	AGGRAVATED ROBBERY TO ASSAULT GBH RATIO (2001–05)
Gauteng		1.1
	Johannesburg (includes Johannesburg Central)	1.9 (Johannesburg Central, 2.4)
	East Rand (includes Thokoza)	1.0 (Thokoza 0.6)
	Pretoria	1.0
	Soweto	0.7
	West Rand	0.7
	Vaal Rand	0.7
	North Rand	0.5
KwaZulu-Natal		0.8
	Durban North (includes KwaMashu)	1.6 (KwaMashu 1.1)
	Durban South (includes Montclaire)	1.1 (Montclaire 1.9)
	Umfolozi	0.7
	Midlands	0.6
	Uthukela	0.4
	Umzimkhulu	0.3
	Ulundi	0.2
Western Cape		0.4
	West Metropole (includes Nyanga)	1.0 (Nyanga 0.9)
	East Metropole (includes Kraaifontein)	0.5 (Kraaifontein 0.3)
	Boland	0.1
	Southern Cape	0.1
Mpumalanga		0.3
North West		0.3
Free State		0.2
Eastern Cape		0.2
Limpopo		0.2
Northern Cape		0.1
South Africa (national)		0.5

* See footnote 2 on next page.

The table is compiled with the raw figures for assault GBH and aggravated robbery from statistics provided on the SAPS website for the period April 2001 to March 2006. The sum of robberies in each area is divided by the sum of cases of assault GBH to provide the ratio.

Kraaifontein, therefore, has a low robbery to assault ratio by comparison with the other five station areas, and relative to the district within which it is situated. But its robbery to assault ratio of 0.3 is only slightly lower than that for the Western Cape (0.4), and is higher than that in other, more rural, districts in the Western Cape, such as Boland (0.1) and Southern Cape (0.1). It is also the same as the robbery to assault ratio in Mpumalanga and North West, and higher than that in the Free State (0.2), Eastern Cape (0.2) and Northern Cape (0.1).

This, then, suggests that the pattern of murders demonstrated in Kraaifontein (low Category B, high Category A) is probably prevalent in many parts of South Africa outside the major metropolitan areas, and is probably even more accentuated (with hardly any robbery-related murders) in many areas. The converse of this is that the murder pattern in the other five areas should probably then be seen as more closely aligned with that in urban, and particularly the major metropolitan, areas. The murder pattern in KwaMashu, Nyanga and Thokoza possibly has much in common with that in heavily populated urban residential neighbourhoods in these areas. On the other hand, the murder pattern in Johannesburg Central probably has more in common with that in other central business district areas. Similarly the murder pattern in Montclaire is in some ways linked to its status as a centre of small industry and commerce, although the hostels in Montclaire obviously also have a major impact on the murder rate, accounting for a third of the murders in Montclaire in this study.

19.1.2 Other points of comparison

In addition there are various points in this report where we indicate similarities and, in some cases, differences between the data generated from the six areas and data that has emerged from other data-collection processes. For instance:

- In Section 2 we discuss the correspondence and differences between the study data and data from the NIMSS on rates of murder in December, the degree of concentration of murders over the weekend period, the time of day during which murders occur, proportions of positive blood alcohol findings, and the weapons used in the murder. In Section 3 we also compare the data to NIMSS data on the age profile of victims.
- We also compare the study data to SAPS data from dockets collected from across the country for a study of dockets closed in 2001 (SAPS, 2004*b*) on factors such as month, day of the week, time of day and the location of the murder.

1 Distinctively KwaMashu is, among the six areas, the one with the highest Category B to Category A ratio, as well as with the highest proportion of residential robberies (Table 41).

2 The term "districts" used here is not what they are commonly known as in South Africa. The districts were previously known as "Areas", with each Area including a number of stations and each province including a number of Areas. However, the term "districts" is used here to avoid confusion with the six station areas that are the subject of this paper.

The enduring impression that emerges from this comparison is that there is a high degree of resonance between this study of the six areas and the picture of murder that is provided by these other sources. It would therefore seem that, while one must avoid treating this study as a study that is representative of the national picture of murder, it is nevertheless highly relevant to the understanding of murder in South Africa more generally and is particularly important in engaging with the phenomenon of murder in high-murder areas in South Africa's urban centres.

19.2 Main findings: argument (Category A), type of crime (Category B) and unknown circumstances (Category G) murders

19.2.1 Comparison between Category A and Category B-type killings

The approach to the classification of incidents of murder as used in this report is discussed in Section 5.1 and further in Appendix 3. As is apparent from this discussion the process of classification involves making active choices as to the parameters of each category used. As highlighted in Appendix 3, the main category of murders in known circumstances that is used in this report — Category A — is defined quite broadly. As noted in Appendix 3, there are overlaps between this category and other categories used, including Category C, Category D, and both the "vigilantism" and "premeditated killing of a current or former intimate partner" subcategories of Category E.

Similarly, the distinction between Category A and Category B-type killings is not necessarily watertight. Nevertheless, the comparison between these two categories of killing highlights the fact that they each seem to demonstrate characteristics that, in some way, distinguish them from each other. Some points of comparison between the two categories in the six areas include the fact that:

- As noted above, Category A was a particularly prominent contributor to the overall death toll in Kraaifontein, where it contributed to 85% of murders in known circumstances. By contrast, Category B only accounted for 8% of the deaths in Kraaifontein. Category B took the biggest toll in KwaMashu, where it contributed to 42% of deaths in known circumstances, slightly more than the 40% of deaths in Category A.
- Category A was the biggest contributor to female deaths among the seven categories, accounting for 41% of these deaths. Of murders in Category A, 18% involved female victims while Category B overwhelmingly involved male victims, with 92% of victims being male and 8% female. It is perhaps not surprising that two-thirds of the intimate partner killings (66%) were recorded in Category A while none were recorded in Category B.
- Category A was associated with positive results in blood alcohol tests conducted on victim in 75% of cases. Category B was associated with positive blood alcohol results in 48% of cases.

- Category A involved people who were known to each other in 75% of cases, of which 14% were people involved in intimate relationships. In 45% of Category B killings, the perpetrator was identified as a stranger. Compared to Category A, Category B recorded a relatively high number of cases classified as "not recorded/unknown'.
- A higher proportion of Category A killings (73%) took place over the "long weekend" (Friday, Saturday, Sunday) as opposed to Category B (61%).
- The concentration of murders in Category A, both in the 18h00 to 24h00 peak period and in the longer 15h00 to 03h00 peak period, was slightly lower than that in Category B (a difference of five to eight percentage points).
- Altogether just less than half (49%) of killings in Category B took place on the street or in open veld or in some other kind of open public space, while 27% took place at the residence of the victim or another person. The corresponding figures for Category A killings are correspondingly lower (33%) for public space, and higher (35%) for the victim's or another person's residence.
- Alleged perpetrators were identified in 82% of cases in Category A but in only 30% of cases in Category B. The Category A cases where suspects were identified in fact make up the majority (53%) of cases where suspects were identified in all seven categories of murder.
- Female perpetrators made up roughly 10% of known perpetrators in Category A but none of those in Category B.
- Category A was heavily concentrated in the 20–29 years of age category, with this group accounting for 52% of Category A deaths. Category B was heavily concentrated in the 30 years and older age category, with this group accounting for 59% of Category B deaths.
- While the victims of Category B murders tend to be older than those of Category A murders, the ages of perpetrators appear to follow the opposite trend. In Category A the percentages of victims and perpetrators of 30 years and older are fairly evenly matched (34 or 35%). While well over half of the victims of Category B murders (58%) were 30 years or older, the proportion of suspects in this age group is only 18%, with a high proportion of suspects (31%) being 19 years and younger.

19.2.2 The "dark" figure of murder: killings in unknown circumstances (Category G)

One of the biggest questions hanging over this report is what to make of the "dark" figure of 41% of murders in Category G where the circumstances were unknown. The two biggest categories of murders in known circumstances (see Table 26) were categories A and B. Of murders in known circumstances, Category A contributed to 54% overall, while Category B contributed to 25%. However, of the seven categories the biggest overall was Category G, which accounted for 41% of murders overall as opposed to Category A, which contributed to 26% of killings and Category B to 12% of killings.[3]

3 Note that Category F (see the discussion below of murders in circumstances that are unclear) in fact accounted for 140 killings as opposed to the 137 recorded in Category B, making Category B the fourth biggest category.

The fact that there is no information on the circumstances of such a large proportion of the killings raises a serious challenge for anyone who attempts to generalise about the circumstances of murder in these areas. But while there is no information in the dockets on the circumstances of the killings in Category G, there is nevertheless information about the identity of victims, about the time and place of the murders, about blood alcohol, and about the weapon used as reflected in the type of injuries sustained by the victim. In Section 14 of the report (see, in particular, Table 50), we compare this data for categories G, A and B. As indicated in that section, this comparative exercise suggests that there is a far greater correspondence between Category B and Category G than there is between Category A and Category G.

Though its significance seems to be relatively small, as discussed in Appendix 1, the study also underrepresents open dockets; it appears that if open dockets had been better represented there may have been a marginal increase in the proportion of murders in Category B as opposed to those in Category A.

In combination these two factors suggest that Category B-type murders in fact make up a much higher proportion of murders in the six areas, and in areas of this kind, than is reflected in an examination of known murders. While the impact of better-represented open dockets may have been quite marginal, Category G is the biggest of the seven categories of murder used in this study. If a high proportion of murders in Category G are in fact Category B-type murders, the implication is that Category B-type murders may account for a number of murders in areas of this kind, which is equal to or greater than the proportion of Category A-type murders.

19.2.3 Rape murders

One issue that seems worthwhile to discuss — although it has not been discussed previously in this report — are the implications of this report for the prevalence of "rape murders" in South Africa. The issue is partly raised by a recent report that indicates, on the basis of a study of homicides of women in 1999, that 16% of murders of women were accompanied by the rape of the murder victim, suggesting that rape homicides constituted 11% to 22% of murders of women at the 95% confidence interval (Abrahams, et al., 2008).

In Category B, six of the 137 murders (4%) were identified as being linked to a rape or sexual assault. These six murders constituted 5% of the 128 murders of women in this report, which appears to contradict the findings of the study cited above. However, in line with the argument that a high proportion of murders in Category G were Category B-type killings, it seems plausible that a high proportion of the 34 murders of women that are recorded in this category (see Table 28) may also have involved rape homicides. This would not have been picked up in the current study as it did not involve detailed examination of the post mortem report, or other methodologies such as interviews with police, both of which were part of the female homicide study. The current study, therefore, may not have picked up all data relevant to revealing the possibility of rape homicide in cases of murders of women. It is highly likely

that many of the killings of women recorded in Category G also involved rape or sexual assault. The possibility should be noted that some of the killings of women that were recorded in Category A also involved rape. The findings of the current study may therefore be regarded as compatible with the 16% figure.

19.3 Murders in unclear circumstances (Category F)

The evidence emerging from witnesses or other sources relating to the circumstances of a murder is not always necessarily clear, and will inevitably be confusing in some cases. So it is not surprising that there should be a category of murders in unclear circumstances. However, the number of murders in this category varies quite substantially between stations, with Thokoza recording a percentage of cases in this category (29%) that is more than double that in any other area.

But it is likely that the lack of clarity that leads to many cases being classified as unclear (Category F) in this study is not necessarily always a characteristic of the original event or of the witness evidence — it may be a result of the quality of statement-taking and overall murder investigation by the police. Thokoza was characterised not only by a high percentage of cases in Category F, but also by an exceptionally low percentage of cases where blood alcohol tests were conducted (5%). It generated the lowest proportion of identified suspects relative to murders,[4] while also having the smallest proportion of open murder dockets among the sample selected when compared to the other five stations (see Appendix 2).

It appears reasonable to ask whether the fact that only 5% of murder victims in Thokoza were tested for blood alcohol is indicative of problems with official service delivery in the area during the period covered by this study, and whether these problems were also a significant contributing factor to the high proportion of cases in Category F and the low proportion of suspects whose ages are given?

This suggests that the characterisation of the circumstances of a murder is impacted on by the quality of policing and, particularly, crime investigation at police stations. At some stations the investigation of murder may be a more cursory affair, with investigations being completed quickly and even the inquest process often completed without much delay.

4 This is implied by Table 60. Age data would only be available if suspects had been positively identified, while data on the sex of suspects (as in Table 56) does not depend on such data.

20. CONCLUSION AND RECOMMENDATIONS

Argument-type (Category A) killings are clearly a major contributor to the overall murder rate. The study therefore confirms the conclusions of previous studies of murder in South Africa (notably SAPS, 2004*b*) to the effect that these are major generators of the murder rate. The data in this report confirm findings that guns are the major weapons used in murder, and gun-control measures should therefore be strengthened as an important contributor to addressing violence. Nevertheless, this report indicates that gun-control measures will be inadequate in addressing argument-type killings.

RECOMMENDATION 1: In so far as there is the intention to prevent killings of this type, control measures should focus more on other weapons (most notably the possession of knives/sharp instruments), as well as addressing the use of and availability of alcohol.

The study also strongly suggests that robbery and other crime-related killings (Category B) are of comparable significance to argument-type killings in contributing to the overall homicide rate in high-density areas in the major metropolitan areas that are affected by high levels of violence. However, in these areas the robberies or other crimes that lead to fatalities are much more likely to target pedestrians on the street or in open veld or other open public space as opposed to car hijackings or residential or business robberies. This suggests that the current tendency to focus resources on the latter three categories or robbery is to some extent misplaced, particularly when responding to violence in this kind of area.

RECOMMENDATION 2: There is a need for greater attention to be paid to robberies and other crimes in public space as part of policing and other crime-prevention policy.

Finally, a relatively minor aspect of this report but one that is worth giving some emphasis to is the evidence that some hostels continue to function outside of the reach of the formal legal system and are dominated by a culture of intimidation.

RECOMMENDATION 3: In areas where hostels of this kind are located, one of the policy priorities should be to extend the reach of the law into these environments.

NOTE: This study will feed into a broader study on the violent nature of crime in South Africa. A preliminary set of recommendations was provided in the initial concept paper submitted in June 2007, and these recommendations should be read alongside those. A full set of final recommendations will also be submitted as part of the final report of the study, which is due in November 2008.

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APPENDIX 1: METHODOLOGY

1. The research process

The research process included the following steps:

- Negotiating research access with the SAPS — this included provision for 10% of the dockets analysed to be open dockets.
- A preliminary scan of research and information relating to murder, and focusing on the analysis of the circumstances or categorisation of murder, was carried out. Issues to do with the categorisation of murder are discussed further in Section 5.1 of the report and in Appendix 3.
- A questionnaire was developed. This included sections dealing with:
  - » General details of the murder, including details of the numbers of victims and perpetrators.
  - » Data on the victim and their relationship with the perpetrator.
  - » The time and place of the murder and weapon used.
  - » Basic information on witness statements and the identification of suspects and offenders in the docket.
  - » Information on known suspects/offenders who were involved in committing the murder.
  - » The status of the docket and outcome, if any, of the investigation, prosecution or inquest.
  - » The classification of the murder in terms of the framework discussed in Section 5.1 of the report and in Appendix 3.
  - » Specific questions relating to murders classified either in categories A, B, C, D or E.
  - » Questions regarding whether the murder involved exceptional circumstances or violence.[1]
- For the purpose of selecting the police stations we requested data from the GIS unit at the Human Sciences Research Council on murder rates relative to population for each of the police stations in South Africa. Using this data, six stations (from among the top 6% of stations) in South Africa were selected. The selection of stations is discussed further below.
- Lists of the case numbers for murder rates at each of the six stations, covering the 2001-05 period, were provided to us by the SAPS. The sample was selected from these lists. The sampling procedure is discussed further below.
- Briefing meetings were held with the station commissioner and head of detectives, where available, at each of the stations.
- A fieldwork team was appointed and a preliminary training session was conducted in preparation for the piloting of the questionnaire.
- The questionnaire was piloted at Johannesburg Central police station early in August 2007 and modifications were made to the questionnaire on the basis of the pilot.
- Fieldwork commenced in Johannesburg and a fieldwork team was appointed in Durban and training conducted and fieldwork commenced in August 2007.

1 This will be dealt with in the final project report.

- On the basis of problems experienced with some of the questions in the questionnaire a second version of the questionnaire was developed. This strictly followed the structure and numbering of the previous questionnaire though certain questions were modified for the purpose of clarity. The Johannesburg and Durban fieldwork teams were provided with additional training relating to this questionnaire.
- Early in September 2007 a Cape Town fieldwork team was appointed, trained and commenced with data collection.
- Data was generally collected directly from the dockets. However, in the case of a small number of the open dockets the method of data collection involved interviewing the investigating officer about the dockets. Issues to do with data collection are discussed further below.
- Data entry, cleaning and selective recategorisation of the data was completed early in 2008.

2. Ethical issues

The process of examining police murder dockets, including some open dockets, raises a number of issues with ethical and potentially legal implications. The research process could in theory interfere with the work of the police and prosecution service, and thereby disrupt the criminal justice process. This would be most likely to be a factor in relation to open dockets, and the proportion of open dockets was deliberately minimised to 10% of the overall sample in order to minimise disrupting the work of investigators and prosecutors. Researchers who publish details of the investigation or information on the identity of persons who are referred to in the docket could also be disclosing sensitive or confidential information. Apart from information on the age, race, gender, occupation and general information about residence (whether they were a resident of the area in which they were killed), no information on the identity of victims was collected. In the case of suspects or offenders no information on criminal records was collected. In addition, all of the fieldworkers signed a confidentiality undertaking and no copies were made of dockets or the information contained therein.

The process of data collection also involved exposing those involved in the fieldwork to information, and sometimes to photographic material, which was generally disturbing and potentially traumatic for those involved. To prevent any of the fieldworkers from suffering longer-term traumatic consequences, regular debriefings were conducted by experienced trauma professionals with each of the fieldwork groups.

3. Selection of stations

Data on the murder rates (as against population)[2] at all police stations in South Africa[3] during the 2001–05 period was used to rank police stations from those with the lowest to those with the highest murder rates. All of the stations were selected from the top 6% of stations in terms of their murder rates (see Table 1). Stations also had to have a high overall number of murders during the 2001–05 period in order to ensure that it would be possible to examine a sample of roughly 200 dockets at each station. In each of the provinces one of the areas selected was a township, reflecting the fact that a significant proportion of the areas with high rates and volumes of murder are areas of this kind. The other areas were selected in order to give some variety to the areas focused on, and included a central business district area (Johannesburg Central) and two mixed-race areas, one in the Western Cape, with a substantial Coloured and White population (Kraaifontein), and one in KwaZulu-Natal, with a substantial White and Indian population (Montclaire). Each of the areas selected was also in or close to one of the major metropolitan areas as it was anticipated that this would simplify the logistical component of the project, particularly the appointment and transport of fieldwork teams.

TABLE 1: National ranking of six areas in terms of annual murder rates, 2001–05

POLICE STATION	PROVINCE	ESTIMATED POPULATION, 2001	ESTIMATE POPULATION, 2005	RECORDED MURDERS, 2001–05	AVERAGE ANNUAL MURDER RATE (per 100 000)	RANKING BY MURDER RATE AGAINST 1 176 POLICE STATIONS
Johannesburg Central	Gauteng	45 141	38 020	611	271	5
Nyanga	Western Cape	130 344	158 990	1 727	265	6
Montclaire	KwaZulu-Natal	33 115	34 605	222	134	22
Kraaifontein	Western Cape	116 870	120 241	578	99	56
KwaMashu	KwaZulu-Natal	274 111	286 826	1 330	97	60
Thokoza	Gauteng	77 309	87 144	372	96	61

Data on population is from Statistics SA census data and projections. It was aligned with police station areas by the GIS unit at the Human Sciences Research Council. Figures for number of murders are from the SAPS.

2 In so far as there are doubts about the reliability of population estimates, this would obviously raise issues about the ranking of police station areas in terms of their murder rates. Nevertheless, it would seem that there is ample room for confidence that these are all areas with, by South African standards, relatively high murder rates.

3 There are currently over 1 100 police stations in South Africa, but the number has been increasing steadily over recent years, with new police stations being built and opened to provide for areas that were previously neglected or where new settlements have emerged. The database that we used recorded data on 1 076 police stations.

3. Sampling[4]

It was initially envisaged that we would analyse 200 dockets at each of the six police stations. However, due to the fact that there was substantial variation in the total number of murders at each of the stations during the 2001–05 period, it was decided to modify the number of dockets to be analysed at each station in order to ensure that the error rate at each of the stations was roughly the same (that is, within five to six percentage points) (see Table 2).[5]

TABLE 2: Proposed sample at each station

STATION	TOTAL MURDERS, 2001–05	PROPOSED SAMPLE	CONFIDENCE INTERVAL (%)	ERROR RATE (%)
Johannesburg Central	611	200	95	5,7
Thokoza	372	190	95	5
KwaMashu	1 330	230	95	5,9
Montclair	222	140	95	5
Nyanga	1 727	240	95	5,9
Kraaifontein	578	200	95	5,6

3.1 Open and closed dockets

It was envisaged that this study would include both open and closed dockets as a way of trying to address concerns (see, for example, Altbeker, forthcoming) that studies which focus exclusively on closed dockets in some ways distort the overall picture.

Closed dockets are dockets that have been closed and then filed away in police docket-storage facilities. A docket that has been opened as a murder docket should not be closed until at least either a trial or an inquest has been completed. All deaths that are not from natural causes, and are not the subject of a criminal trial, are supposed to be the subject of an inquest, if not the subject of a criminal trial. However, if, for instance, the autopsy finds that the person died of natural causes, and this is consistent with other evidence that the police have before them, then the case may be closed as "unfounded", meaning that there was no murder.

4 This section draws on notes provided by Lindiwe Madikizela of CASE.

5 With random sampling the sample should have provided an error rate of less than 6% at the 95% confidence interval at each of the stations.

Open dockets are dockets that are still the subject of an investigation, prosecution or inquest. In practice many open dockets may not be the subject of an active investigation but no decision has been made yet to close them. Murder dockets are on average kept open for much longer than dockets for most other types of crime. This is probably partly to do with the fact that they, on average, receive more investigative attention, but also has a lot to do with the delay pending the completion of an inquest.

Based on SAPS statistics on the number of murder dockets carried forward each year, it was estimated that roughly 30%–40% of dockets from the time period that we are covering would be open. For the purpose of docket analysis, access to closed dockets is far easier than that for open dockets. Open dockets may be with the investigator or in court, and docket analysis using open dockets is potentially disruptive for investigators and prosecutors. For these reasons this research project deliberately limited the number of open dockets, seeking to examine open dockets at only 10% of the overall sample (see Table 3). This approach was also based on an assumption that there would be a significant number of open dockets in the most recent years (2004 and 2005), but very few open dockets for the period preceding that.[6]

TABLE 3: Proposed number of open and closed dockets at each station

	TOTAL	CLOSED (X number)	OPEN (Y number)
Johannesburg Central	200	180	20
Thokoza	190	171	19
KwaMashu	230	207	23
Montclaire	140	126	14
Nyanga	240	216	24
Kraaifontein	200	180	20
Total	**1 200**	**1 080**	**120**

The intention was that in examining the data we would attempt to extrapolate from the sample of open dockets (which is fairly small) whether the distribution of types of murder tends to be different from that for closed dockets.

6 This assumption was not borne out in the sample as a majority of the closed dockets were dockets from the initial three-year period, though the proportion was somewhat lower than in the overall sample. Compared to the 76% of dockets in the overall sample in the years 2001, 2002 and 2003, 58% of the open dockets from this period.

3.2 Sampling procedure

The sampling procedure was as follows:

- From the initial list of dockets for each station (the A list) we drew a randomly selected list of dockets (the B list). The latter list was 50% greater than the number of dockets required at each station.
- The latter lists were submitted to each station and they were asked to indicate which dockets on the list were:
  - » Closed dockets that they were able to provide.
  - » Closed dockets that they could not provide.
  - » Open dockets.
- In relation to closed dockets:
  - » If the B list provided more closed dockets than the number required it was assumed that the necessary dockets could simply be selected from this list.
  - » If there were fewer closed dockets than necessary on this list a further random list of dockets would have to be drawn to supplement those on the original list.
  - » It was envisaged that the required closed dockets would be drawn for the fieldwork teams from the docket storerooms, by members of the SAPS at each station.
- In relation to open dockets:
  - » Similarly it was envisaged that the list of open dockets would be drawn from the B list on the basis of information provided by the stations. It was then envisaged that we would need to identify where each docket was (with which prosecutor or investigator) in order to access the docket or, alternatively, interview the investigator who had knowledge of the circumstances of murder as dealt with in the docket.

For example, at Johannesburg Central police station we received a list with a total of 585 case numbers from 2001 to 2005. From this list we randomly selected 297 cases. A list of 297 cases was faxed to Johannesburg Central for case identification. The station was asked to indicate how many of the cases on the random list are still open and how many had been closed. The Johannesburg Central list came back with 228 closed cases and 69 open cases. These cases were entered separately in a spreadsheet and sorted in descending order, using random number intervals. From the list of closed dockets we then selected the first 180 cases and from the list of open dockets we selected the first 20 cases to make up a sample size of 200 dockets. This procedure was repeated for all stations.

3.3 Difficulties in achieving the sample

Relative to the intended outcome, a number of factors impacted on the eventual sample that was achieved.

Firstly, the experience at the police stations was that the proportion of open dockets varied dramatically between the different stations (see Table 4). At some of the stations (most notably Thokoza) we were unable to make up the 10% of the sample of open dockets with more than 90% of dockets being closed. At others, most notably at Nyanga (70%) and Kraaifontein (44%), a large proportion of the dockets for the overall period were still open (some of them under investigation or in court, but many also awaiting the conclusion of an inquest).

TABLE 4: Docket selection process (B list 1)

POLICE STATION	TOTAL NUMBER OF CASES, 2001–05	TOTAL NUMBER OF RANDOMLY SELECTED CASES (FIRST LIST)	TOTAL CASES IDENTIFIED AS CLOSED (FIRST LIST)	TOTAL CASES IDENTIFIED AS OPEN (FIRST LIST)	SELECTED CLOSED DOCKETS	SELECTED OPEN DOCKETS
Johannesburg Central	585	297	228	69	180	20
KwaMashu	1 354	319	221	98	207	23
Nyanga	1 721	365	107	258	Short of 109	No sample drawn
Thokoza	369	290	275	15	No sample drawn	Short of 4
Montclair	226	209	166	43	126	14
Kraaifontein	578	301	169	132	Short of 11	
Total	**4 833**	**1 781**	**1 166**	**615**	**513**	**57**

As a result we could not draw the final desired sample size as outlined in Table 2. In such cases we ran another random selection of cases and compiled another list for case identification. The stations again were asked to indicate which of the cases on the list were open or closed. Information on case status from both lists (the first and second lists) was entered into a spreadsheet for random selection. The same procedure as reported above was followed in selecting the final sample for analysis. Table 5 illustrates a breakdown by station on the second sampling.

TABLE 5: Docket selection process (B list 2)

POLICE STATION	TOTAL NUMBER OF CASES ON B LIST 2	TOTAL CASES IDENTIFIED AS CLOSED	TOTAL CASES IDENTIFIED AS OPEN	SELECTED CLOSED DOCK-ETS	SELECTED OPEN DOCKETS
Nyanga	393	125	265	216	24
Thokoza	72	71	1	175	15
Kraaifontein	101	52	49	180	20
Total	**566**	**248**	**315**	**569**	**60**

However, an additional problem that manifested in all stations was that a significant number of the closed dockets we selected by random sampling could not be found in the docket storage facility. We were not able to examine the reasons for this but it appears that explanations may include weaknesses in the administration of docket filing systems (in some cases this may have meant that the dockets were in the storeroom but could not be found), dockets forwarded to other units or not returned from the trial or inquest court, dockets deliberately destroyed or removed from the filing system (potentially a result of corruption) and the impact of processes of restructuring (for example, investigators taking dockets with them when sent to work in other units or stations).

A similar problem was experienced with open dockets. Here there was generally a more substantial explanation for the absence of the docket, such as that the docket was with the investigating officer/detective, the docket was in court, or that the case had been transferred to other police stations or other specialised units.

In all stations we therefore had open and/or closed dockets from our lists that could not be located. The list for substitution was drawn from the existing list of identified cases, the list that was used to compile the first list of open and closed dockets. A further random list of dockets was selected and used to substitute the dockets that were unavailable. As indicated in Table 6, a total of 186 dockets could not be located; these were substituted with other dockets in 176 cases so that 10 dockets altogether were not substituted.

TABLE 6: Breakdown of substituted dockets by type of docket and station

POLICE STATION	OPEN DOCKET TO SUBSTITUTE	CLOSED DOCKETS TO SUBSTITUTE	SUBSTITUTED OPEN DOCKETS	SUBSTITUTED CLOSED DOCKETS
Johannesburg Central	4	32	4	31
KwaMashu	3	41	3	40
Nyanga	8	40	8	6 (+31 with open dockets)
Thokoza	8	27	8 (with closed dockets)	22
Montclair	5	10	5	10
Kraaifontein	0	8	0	8
Total	**28**	**158**	**28**	**148**

At Nyanga police station this procedure could not be followed because the station did not have enough closed dockets to be used for substitution. This station had more open dockets than closed dockets. Open dockets were then used to substitute closed dockets. The desired sample size was reached but the breakdown on type of dockets is different when compared to the breakdown for other stations. Of the 240 dockets analysed at Nyanga police station, 183 (76%) were closed and 57 (24%) were open. In this respect the experience in Nyanga was markedly different from that at other stations where, due to the difficulty of accessing investigators, it generally proved difficult to obtain the necessary number of open dockets.

On the other hand, at Thokoza there were only 15 identified open dockets on the original B list, short of the target of 19 open dockets. We therefore increased the sample size for closed dockets from 171 to 175. Of the 15 identified open dockets, only one docket was found at the station, while five were with the investigating officers at Thokoza police station. Five interviews were conducted with the investigating officers. The remaining nine dockets could not be found, apparently due to the fact that they were either in court or with other investigators from specialised units. Eight of these were substituted with closed dockets. The sample size for Thokoza police station ended up being made up of 179 (97%) closed and six (3%) open dockets.

3.4 The eventual sample achieved

Eventually, therefore, 11% of the dockets examined were open dockets, although this number varied quite substantially between the different areas: the percentage in Nyanga was well over the required 10%, while in Thokoza and, to a lesser extent, Montclaire it was noticeably below this number (see Table 2 on page 19 of the main report).

The decision to limit the number of open dockets to 10% of the sample and the above difficulties in the sampling procedure were likely contributing factors to the fact that the sample was in some ways skewed towards dockets from the earlier part of the five-year period, with 66% of the murders during this period but 76% of the sample being from the first three years (2001, 2002 and 2003) (see Table 7). Nevertheless, the distribution of murders in the sample is in some ways comparable to the original pattern of murders in the six areas with, for instance, 2002 being the year where most murders were recorded in the six areas (24%) and where there were most murders in the sample (28%).

TABLE 7: Distribution of murder cases and sample of dockets by year

YEAR	MURDER CASES IN THE SIX AREAS — % DISTRIBUTION BY YEAR	SAMPLE — % DISTRIBUTION BY YEAR	DIFFERENCE — %
2001	21	25	+4
2002	24	28	+4
2003	21	23	+2
2004	17	13	-4
2005	17	11	-6
Total	100	100	

3.5 The accuracy of the sample

From the discussion above it is therefore apparent that the original objective of using random sampling of murder dockets in order to examine the occurrence of murder in the six areas was only partially achieved. As indicated this is potentially for two reasons:

- On the one hand a decision was made to limit the number of closed dockets.
- On the other hand, for various reasons that are only partially understood, 186 (16%) of the original target of 1 200 randomly selected dockets could not be found or were not available to the researchers.

Both of these factors may have introduced systematic biases into the data. However, while it is not possible to comment on what the systematic bias arising from the missing 186 dockets may be, it appears possible to at least speculate about the impact of the underrepresentation of open dockets.

3.6 Projecting a more representative sample

As is apparent from Table 4 above, roughly 65% of the dockets of the initial "long shortlist" of dockets submitted to each of the stations were closed (1 166 out of 1 781), indicating that the overall estimate of 30%-40% of dockets closed had been correct.

As is apparent from Table 8 below, the distribution of the different categories varied significantly between closed and open dockets with, for instance:

- Category A accounting for more closed (26%) than open (21%) dockets.
- Category B accounting for fewer closed (11%) than open (16%) dockets.
- Category G accounting for more closed (42%) than open dockets.[7]

TABLE 8: Comparison of distribution of different categories between open and closed dockets

	CLOSED DOCKETS	OPEN DOCKETS	TOTAL
A	270	27	297
%	26	21	26
B	118	19	137
%	11	15	12
C	18	2	20
%	2	2	2
D	5	3	8
%	0,5	2	0,69
E	70	13	83
%	7	10	7
F	119	21	140
%	12	16	12
G	433	43	476
%	42	34	41
Total	**1 033**	**128**	**1 161**
%	**100**	**100**	**100**

In Table 9 the number of closed dockets is adjusted to make up 65% of the sample (755 dockets). Similarly, the number of open dockets is adjusted to make up 35% of the sample (406). The percentage distribution (correct to two decimal places) of open and closed dockets across the different categories, as

7 It may be noted that the reason why Category A has a greater proportion of closed than open dockets may be quite different to the reason why Category G has a similar pattern. In relation to Category A, this may be because solving cases is relatively straightforward due to the fact that witnesses, and often perpetrators, are often easily identifiable, and therefore cases are solved relatively easily. On the other hand, in relation to Category G, cases may be closed after relatively little delay largely because there is no evidence.

reflected in Table 8, is however retained in Table 9. This is intended to provide a "projected total", indicating what the overall picture may have looked like if open dockets had not been underrepresented.

TABLE 9: Project representative sample (weighting open and closed)

CATEGORY	PROJECTED CLOSED DOCKETS	PROJECTED OPEN DOCKETS	PROJECTED TOTAL	ACTUAL TOTAL AS PER SAMPLE (% ONLY)
A	197	86	283	
%	26	21	24	26
B	86	60	146	
%	11	14	13	12
C	13	6	19	
%	1,74	1,56	2	2
D	4	10	14	
%	0,48	2,34	1	1
E	51	41	92	
%	6,78	10,16	8	7
F	87	67	154	
%	11,52	16,41	13	12
G	317	136	453	
%	41,92	33,59	39	41
Total	**755**	**406**	**1 161**	
%	100	100	100	100

The implication of Table 9 is that better representation of open dockets in the sample would have had a relatively small, but not insignificant, impact on the overall sample – decreasing, for instance, the share of Category A from 26% to 24%, and that of Category G from 41% to 39%, but increasing the share of both categories B and F from 12% to 13% each. It should be noted, however, that Table 9 provides an overall projection for the six areas, but that the situation would be more varied if the analysis was conducted on a station-by-station basis. Thus, the impact would potentially have been much greater at stations like Nyanga and Kraaifontein, where there were much greater proportions of open dockets, while it would have been very limited in Thokoza where there were fewer open dockets.

The fact that the proportion of murders related to Category A is slightly smaller among the open dockets while that for Category B appears to be higher, appears to imply that a more representative sample would have narrowed the gap between categories A and B from 14 percentage points (the difference between 26% and 12%) to 11 percentage points (the difference between 24% and 13%) as a proportion of all murders. On the other hand, the decrease in the proportion of murders in unknown and unclear

circumstances (categories F and G) as a proportion of all murders is only a decrease from a total of 53% to 52% of all murders, due to the fact that the decrease in the proportion of Category G is offset by an increase in the proportion of Category F.

4. Dockets as a data source

It is important to make a note of some of the difficulties of dockets as a source of data, particularly as this study has primarily used quantitative methods to analyse data from police dockets.

A police murder docket is a folder containing assorted documents; it is compiled when a person has been killed and the available information indicates that the killing amounted to, or *may* have amounted to, an act of murder. There are several reasons why the reliability of dockets as a source of information should be questioned:

- The compilation of a docket is itself an act of interpretation of a set of circumstances where investigators may impose their own reading of events onto the facts at hand. For various reasons, among them the fact that the motivation of the murderer may involve subjective reasoning that is not within the realm of understanding of the investigator, the investigator may misinterpret the information.
- As is apparent from this study, in a large proportion of cases the police appear to be unable to recreate anything about the circumstances of or motivation for the murder.
- Statements in the docket may be badly taken so that the information in them is confusing or misleading.
- Witness evidence contained in the docket may also be unreliable. The witness may not have a good ability to accurately recall the original incident, may misrepresent the sequence of events or may have motivations of some kind for wanting to distort the facts that are known to him or her.
- Therefore, possibly related to the factors referred to above, dockets may sometimes contain information that is contradictory.

This study was therefore conducted with the understanding that the information provided in dockets was not necessarily reliable. Nevertheless, the approach taken was to treat the information in each docket at face value, what we called the "best version" approach, so that the understanding that we extracted from each docket about the circumstances of the murder was based on the narrative that seemed to make most sense. While, when they are used in criminal trials, the information contained in dockets is supposed to be subjected to more rigorous tests of its reliability, this was not the approach taken in this study.

Coming to a conclusion about the "best version", therefore, itself involves a process of interpretation. It was envisaged that there may be situations where it would be difficult to classify some of the murders and provision was made for this in the questionnaire. But fieldworkers were nevertheless prevailed

upon to, in consultation with the fieldwork supervisors, make a call as to how the murder should be classified. However, as reflected in the discussion of the classification of murder in Appendix 3, during the process of "cleaning" the data it emerged that there was a class of murders that could not be classified as "circumstances and motives unknown", due to the fact that there was generally some kind of information on the circumstances of the murder but which nevertheless defied categorisation due to the quality of the information provided. As a result, an additional category was created to provide for murders in "unclear" circumstances.

5. Limitations

There are therefore several limitations to this study that need to be borne in mind in analysing the data provided. These include:

- The study is focused on six areas with high rates of murder and therefore needs to be seen as informing understanding of the nature of murder in South African society rather than as providing a full picture of the phenomenon.
- Potential distortions arising from inaccuracies in the dockets as well as the inherent limitations of docket analysis. In particular, this may tend to mean that certain murders — such as those that are premeditated and where the reason for the murder is not apparent at the time it occurs, as well as potentially murders that are virtually motiveless — are not properly accounted for in the data, due to the fact that those involved in compiling the docket are themselves unable to explain the murders.
- There is some uncertainty about the accuracy of sample. In particular, it is possible that there is some distortion of the picture arising from the fact that roughly 16% of the dockets were not available and it is possible that this introduces systematic distortions into the data. While open dockets were selected they were also underrepresented in the study, although an attempt was made to account for what the implications of this would have been. Nevertheless, the study used random sampling techniques to select the dockets that were available and it is reasonable to understand the study as providing a reliable view of the nature of murder in these areas from available dockets.
- Finally, there was also inevitably an element of inconsistency and subjectivity to the study as it relied on the members of three different fieldwork teams to analyse the dockets and categorise the murders. However, this element of subjectivity would have been strongly moderated by the training that was provided to the fieldworkers, by the process of fieldwork supervision, and by the later process of "cleaning" the data before the final analysis was conducted.

APPENDIX 2: SELECTED SOCIOECONOMIC FEATURES OF THE SIX AREAS

Thokoza, KwaMashu and Nyanga are all residential areas (former "townships") with overwhelmingly African populations. They include a mixture of formal dwellings (often with "backyard shacks") and informal dwellings. Thokoza is situated some distance to the east of the Johannesburg CBD, adjacent to the township areas of Katlehong, in the metropolitan area known as Ekurhuleni. KwaMashu is situated in the north of the Durban Metropolitan area in KwaZulu-Natal. Nyanga is situated in the eastern part of greater Cape Town. Kraaifontein is a, to some extent, racially mixed area with a significant African and Coloured population and a smaller White population, though situated on the periphery of the greater Cape Town area. The three townships and Kraaifontein are overwhelmingly residential, which correlates in Table 1 with the fact that they are the areas that have the greatest proportion of their populations younger than 25 years.

Montclaire is a racially mixed area situated a modest distance to the south of the Durban central business district. While it also has a significant residential aspect, it is also semi-industrial in nature, has its own trading centre and serves as an entry point for some of the trading centres in adjacent suburbs such as Clairewood and Chatsworth. Nyanga is also an important transit point for catching taxis to other Cape Town townships.

As is suggested by its name, Johannesburg Central is the "old" Johannesburg central business district. It is partly a residential flatland, particularly along a corridor stretching along its east side, but also has numerous retail outlets and office blocks, a large number of street traders, various (minibus) taxi ranks, a large bus terminus, and a railway station. As a central business district, it also has a transport hub both for the daily movement of people to and from work in the city, for people commuting to work in other parts of the city through the CBD, and for people arriving and departing from the city. It is therefore characterised by major fluctuations of population on a daily basis (though it quietens down considerably on Sundays). Household surveys, such as the census, therefore exclude many regular visitors and potential victims of murder in areas like Johannesburg central. The demographic profile is also not necessarily the same as that of residents.

The six areas include some that are to some extent racially mixed (Montclaire, Kraaifontein and to some degree Johannesburg Central). Nevertheless, the groups that are best represented in these areas are the African and Coloured sectors of the population. This is consistent with the profile of police station areas in South Africa that are characterised by high rates of murder and may be related to the apparent higher incidence of death by homicide among the African and Coloured sectors of the population (see also Table 19a in Section 6.3). National Injury Mortality Surveillance System data relating to non-natural deaths, based on data from 15 mortuaries in 2000, indicates that among deaths at those mortuaries,

50% of Coloured deaths, 49% of African deaths, 26% of Asian deaths and 17% of White deaths were linked to homicide.[1] For 2001, based on data from 32 mortuaries, the NIMSS indicates that, among deaths at those mortuaries, 51% of Coloured deaths, 48% of African deaths, 27% of Asian deaths and 18% of White deaths were linked to homicide.[2]

TABLE 1: Six station areas — selected socioeconomic data

	JOHANNESBURG	KRAAIFONTEIN	KWAMASHU	MONTCLAIR	NYANGA	THOKOZA
Population 2001	45 138	116 870	274 109	33 114	130 343	77 310
Population estimate 2005	38 129	120 312	287 412	34 690	158 972	87 166
Estimated change in population: 2001–05 (%)	-15	+3	+5	+5	+22	+13
% female (average 2001 and 2005)	43	50	49	49	51	49
% African (A), Coloured (C), Asian (As) and White (W) inhabitants (2005)	85 – A; 3 – C; 11 – As 1 – W	36 – A; 46 – C; 18 – W; As <1	99+ – A 0,5 – As	40 – A; 38 – W; 20 – As 3 – C	96 – A; 4 – C	99+ – A; C, As and W < 1
% of population under 25 (2005)	40	49	51	40	53	47
% of population under 35 (2005)	77	70	73	60	76	70
Total number of households	12 359	29 317	72 131	8 969	35 841	26 116
Average inhabitants per household	3,1	4,1	4,0	3,9	4,4	3,3
% household ownership (2001)	8	67	57	73	32	40
% employment (2001)	54	47	28	55	30	31
% households no income (2001)	17	20	33	7	34	30
Type of residences — house on separate stand (%) (2001)	7	61	47	68	40	51
Types of residences — informal / shack (%) (2001)	2	25	37	2	52 –	37
Other main residence types (%) (2001)	82 – flats		7 – flats	12 – flats; 10 – town / cluster / semi-detached house		

Source: Data from Statistics SA aligned with police station areas by the Human Sciences Research Council.

According to census data, the majority of residents in the six areas speak one or more official South African languages, although 4,5% of residents in the Johannesburg Central area speak another language. It is probable that the census figures for Johannesburg Central, and possibly the other areas, under-represent the number of foreign-language speakers. For instance, in a survey conducted by Leggett in the Hillbrow and Johannesburg Central areas, nearly a quarter of residents identified themselves as foreign-born (2003: 26); however, it may be that the foreign-born population is a bit more heavily concentrated in Hillbrow than in the Johannesburg Central area.[3]

TABLE 2: Language profile of the six areas

STATION	OFFICIAL SOUTH AFRICAN LANGUAGE	OTHER LANGUAGE	TOTAL POPULATION	% OTHER LANGUAGE
Johannesburg Central	43 120	2 023	45 143	4,5
Kraaifontein	116 695	157	116 852	0,1
KwaMashu	273 985	118	274 103	0,04
Montclaire	32 482	628	33 110	1,9
Nyanga	129 967	375	130 342	0,3
Thokoza	77 139	172	77 311	0,2
Total	**673 388**	**3 473**	**676 861**	**0,5**

Source: Data from Statistics SA aligned with police station areas by the Human Sciences Research Council.

Montclaire, KwaMashu and Thokoza all have a number of hostels situated within their boundaries. KwaMashu hostels accommodate in the region of 18 500 people (*Business Day*, 2007). The SJ Smith, Glebelands and Tehuis/Umlazi Lodge hostels in Montclaire are said by some to accommodate an estimated 30 000 people, some of whom sub-let rooms from official tenants. In Thokoza there are three hostels: Madala, Buyafuthi and Khuthuza. The hostels provide cheap, high-density accommodation to migrant workers and others, and many of them offer only single-sex accommodation. Hostels have historically been linked to political (see Segal, 2001) criminal and other forms of violence (see, for example, *Business Day*, 2007). More recently, the xenophobic violence that flared up in South Africa in May 2008 was also believed to be linked partly to hostel residents, although not to the hostels referred to in this study.

1 National Injury Mortality Surveillance System, 2001: 18.

2 National Injury Mortality Surveillance System, 2002: 8.

3 On the other hand, the Leggett survey came up with results identical to the 2001 census in terms of the gender breakdown of residents, with both finding that 57% of the population were male.

1. Violent crime in the six station areas

Table 3 provides police statistics on selected categories of violent crime from the six areas during the 2001–05 period. All of the stations recorded a large number of reported crimes under the various categories during the 2001–05 period. Out of a total of 73 367 incidents recorded in these categories in the six areas, 7% were incidents of murder, 9% were incidents of rape, 37% were incidents of assault GBH, and 41% were incidents of aggravated robbery.

TABLE 3: Five-year police statistics on selected categories of serious violent crime in the six station areas over the five-year period[4]

POLICE STATION		TOTAL MURDERS (2001–05)	ATTEMPTED MURDER	ASSAULT WITH INTENT TO INFLICT GRIEVOUS BODILY HARM ("ASSAULT GBH")	AGGRAVATED ROBBERY	RAPE	TOTAL CASES RECORDED IN THESE CATEGORIES
Johannesburg Central	No.	611	651	4 853	11 878	862	18 855
	%	3	3	26	63	5	100
Kraaifontein	No	578	503	4 705	1 229	857	7 872
		7	6	60	16	11	100
KwaMashu	No.	1 330	1 529	6 647	7 165	2 455	19 126
	%	7	8	35	37	13	100
Montclaire	No.	210	273	865	1 655	218	3 221
	%	7	8	27	51	7	100
Nyanga	No.	1 727	1 427	6 678	5 912	1 717	17 461
	%	10	8	38	34	10	100
Thokoza	No.	372	390	3 497	1 929	644	6 832
	%	5	6	51	28	9	100
Total	**No.**	**4 828**	**4 773**	**27 245**	**29 768**	**6 753**	**73 367**
	%	7	7	37	41	9	100

Source: SAPS crime statistics.

However, the distribution of cases in these categories varies quite significantly. Murder, for example, makes up only 3% of cases in these categories at Johannesburg Central but 10% at Nyanga. Assault GBH makes up 60% of the cases at Kraaifontein, but only a quarter of cases at Johannesburg and Montclaire. Aggravated robbery makes up only 16% of cases at Kraaifontein, but 63% at Johannesburg.

4 Murder figures are for the calendar year. Other figures are for the five-year period April 2001 to March 2006. The bulk of the latter period (57 out of 60 months) overlaps with the period covered by the murder figures.

APPENDIX 3: THE CATEGORISATION OF MURDER IN THIS STUDY

1. Development of the categories

1.1 Initial categorisation

Incidents of murder (defined for the purposes of this study as "the killing of one person by another person") were initially divided into the following six categories:

A. A murder related to an argument, fight or spontaneous anger.

B. A murder committed in the course of, or immediately after, carrying out another crime — such as a robbery, a burglary or a rape — by the perpetrator of the original crime.

C. A killing carried out in self-defence or to protect another person whose life is in danger. This could be during a crime of the type discussed in Category B but does not include murders that fall in Category A.

D. **A murder related to rivalry or conflict between different groups such as gangs, taxi associations, political parties or other groups (including killing of bystanders during such conflict).** This category excludes spontaneous arguments between groups of people, which fall in Category A.

E. **Other motives or circumstances** — this included a list of 21 possible sub-categories as well as an "other" option.

F. **Circumstances and motive unknown**:
   - » Identified body (name of victim is known).
   - » Unidentified body (name of victim is unknown).

During the data analysis we realised that there was a significant number of murders where there was some type of information about the circumstances but no clear indication about the motive (although it was sometimes possible to speculate about the motive for the murders). We therefore added an additional subcategory of "circumstances and/or motives unclear", which became Category F while the original Category F became Category G.

1.2 Final system of categorisation

The final system of categorisation, reflecting the modifications referred to in the preceding paragraph, is outlined in Section 5.1 of the report.

During the process of cleaning and analysing the data, murders that were categorised in Category E were classified into the following subcategories:[1]

- Other accidental killings.
- Vigilantism or revenge for a crime.
- Premeditated murder for financial gain (not falling under Category B).
- Killing linked to a pattern of cruelty towards a child.
- Killing of a newborn infant.
- Elimination of a witness.
- Mental illness or instability on the part of the offender.
- Other revenge.
- Premeditated killing of current or former intimate partner.
- Tavern security guard or bouncer killing (not in self-defence or to protect another person).
- Killed while intervening to protect someone else.

1.3 Unused categories

In addition to the above categories and subcategories, it should be noted that the following subcategories were listed on the questionnaire as subcategories of Category E but that we received no positive responses to them:

- A vehicle accident where another person was killed.
- Shooting of a fleeing/escaping crime suspect by police, security guards or private person.
- Other killings by police (not fitting in above or any other category).
- A premeditated family killing (not falling in category A).
- Killing linked to a pattern of cruelty towards a child (child abuse).
- Killing of a newborn infant/concealment of birth.
- Witchcraft-related violence.
- Initiation related.
- Muti-related.
- Racial hatred.
- Hostility towards homosexuals.
- Hostility towards foreigners (hate crime) but not in Category D.
- Diminished responsibility due to intoxication but not in Category A.
- A killing by a serial killer.

1 This involved modification of a list of subcategories that were initially provided in the questionnaire.

It should be emphasised that a very large number of the killings were ultimately classified as falling under categories F or G. It is not impossible that these might have included murders related to the latter 14, or other unnamed types of circumstances. The circumstances of other murders covered in the study could also have been misrepresented in the dockets (for example, by dishonest witnesses).

2. The meaning of the different categories

We described Category A as "a murder related to an argument, fight or spontaneous anger". In developing the questionnaire we anticipated that this would likely constitute the biggest category of murders. This was informed by the fact that the SAPS report on murder (South African Police Service, 2004*b*) identifies arguments as the largest single cause of murder, accounting for 43% of murders and potentially up to 46% if categories used in the SAPS report such as "jealousy/love triangle", "punishment" or "revenge" are added to it. In addition, reports from other countries also indicate that arguments contribute to a high proportion of murders. For the purpose of this report we regarded all arguments as falling in this category, irrespective of the nature of the relationship between the two parties. As anticipated, this emerged as the single biggest category of murders other than the "circumstances and motive unclear or unknown" category.

However, a degree of caution should be applied in relation to this category. One issue concerns the factor of time and premeditation versus spontaneity. The category of "arguments" may appear to imply that these murders were all relatively spontaneous. Frequently, however, a period of time appeared to have elapsed between an initial argument or confrontation between the two parties and the final fatal incident. Sometimes this may have been a matter of minutes or hours. However, there did not seem to be any appropriate time frame to impose that was not entirely arbitrary. Therefore, any murder that was related to an immediate or previous dispute or argument was included in this category. In some cases this implies that the murders were effectively premeditated. For example, in some cases there would be an initial confrontation and one of the people would leave and return a short, or longer, time afterwards and kill the other party to the argument. In yet other instances the information was unclear. The incident may have roughly followed this type of sequence. However, it was not necessarily clear whether the returning party had returned with the intention to kill the other, or whether some other aspect of their final interaction precipitated the murder.

There are several grey areas between Category A and other categories. One of these concerns questions of self-defence and the associated issue of blameworthiness. One of the assumptions that we made in this study would be that many killings during arguments could potentially in some way be described as killings in self-defence. In so far as arguments involve an escalating conflict between two parties, where the issue of "saving face" is often a central concern, it may frequently be the case that one (and conceivably even both) of the parties may be, at least partly, a reluctant participant who feels him (or her) self to have been forced to act in self-defence. At the same time it was also assumed that the issue

of whether one or another of the parties was acting in self-defence will often not be entirely clear, and that, following an argument-related murder, the perpetrator of the murder may often dishonestly claim to have acted in self-defence. Some effort has been made to address this question in the discussion of argument-type murders (see Section 8.3), but it may nevertheless be assumed that the degree to which any of the "murderers" had been acting in self-defence in "arguments" would not necessarily be entirely apparent. Some of the murders are therefore categorised as a separate "self-defence" or "private defence" category (Category C). However, as indicated above, it was made explicit that Category C was to exclude argument-type killings. Even if the principle motive of the killer appeared to be self-defence, if the killing appeared to be linked to an argument it was categorised in Category A.

Another potential grey area concerns the distinction between Category A and Category D killings. If, for instance, two taxi associations are involved in a conflict, the situation may be seen to resemble an (often protracted) argument. If members of two rival gangs encounter each other in the street, and some source of friction leads to an argument that leads to a killing, this may also be seen as, in many ways, an "argument-type killing". Nevertheless, for purposes of this report both of the latter killings would have been classified in Category D in so far as members of either group could be described as members of a formalised group.

One of the questions that was frequently asked by fieldworkers during the data-collection process was what the difference is between "vigilantism" and "revenge" as these were both subcategories of Category E. During the process of cleaning the data it emerged that a large proportion of the murders that had been classified as acts of revenge were acts of revenge committed in relation to a crime that had previously been committed. Seeing that there seemed no clear definitional distinction between these and acts of vigilantism, we decided to collapse acts of revenge that were motivated by a previous crime into an expanded "vigilantism or revenge for a crime" category. Murders that were classified in this subcategory were therefore generally acts of punishment or revenge for a crime that had been committed. However, a reading of section 8.3 will also highlight the fact that crimes that had been committed also gave rise to some of the arguments that are recorded in Category A, highlighting the fact that there is also not necessarily a watertight distinction between vigilantism and Category A type killings.

As noted, therefore, several murders that had been categorised as incidents of "Revenge" were collapsed into the "vigilantism or revenge for a crime" category. Some cases that had been categorised as cases of revenge also seemed to fit well in the "arguments" category (Category A). A couple of cases of "revenge" nevertheless remained as a standalone subcategory of Category E. This category of revenge is obviously a narrowed-down one that excludes "argument-type" and "vigilantism-type" incidents. One of these, for example, involved an alleged perpetrator who went up to a person and shot him. The suspect said that the victim had told somebody that he (the suspect) had stolen a radio and so he was taking revenge. In other words "revenge" was defined here as a response to an independent action alleged on the part of one of the parties, rather than a continuation of a previous argument between the two.

The distinction between the intimate partner killings recorded in Category A and those recorded in Category E in the "premeditated killing of a current or former intimate partner" subcategory is that, in the latter, there was generally no information indicating that there had been a prior argument between the two. In addition, when the killer approached the victim and killed the victim there was generally no indication of any exchange between the two immediately prior to the killing. However, it may be assumed that there was in general some kind of dispute or difference between the two, and that there had no doubt been one or more arguments prior to the killing. As highlighted above (see the second paragraph of this subsection) the arguments that are the subject of Category A often took place over a more or less protracted period of time. The fact that the Category E intimate partner killings were apparently "premeditated" is therefore not a particularly strong way of distinguishing them from the killings in Category A. As with some of the other categories discussed above, the distinction between Category A — particularly the intimate partner killings in Category A — and this category of "premeditated" killings is not watertight.

Self-defence killings (Category C) were therefore distinct not only from argument-type killings (Category A) but also from "vigilantism or revenge for a crime" (Category E subcategory). Here the distinction that was followed was the legal distinction in that a killing carried out in self-defence (or private defence) was supposed to be in response to a situation where there was a direct threat of serious physical harm to the "suspect/offender" or another person. Acts of vigilantism, on the other hand, would take place when there was no longer an immediate threat but as a form of punishment or a way of "getting rid of" the alleged perpetrator a crime.

Other issues to do with the distinction between how the different categories and subcategories are defined are dealt with in the introduction of the categories in Section 5, as well as in the discussions of specific categories in sections 8 to 15.