

CHAPTER 9

EXPERIENCES OF ASSAULT AND MURDER

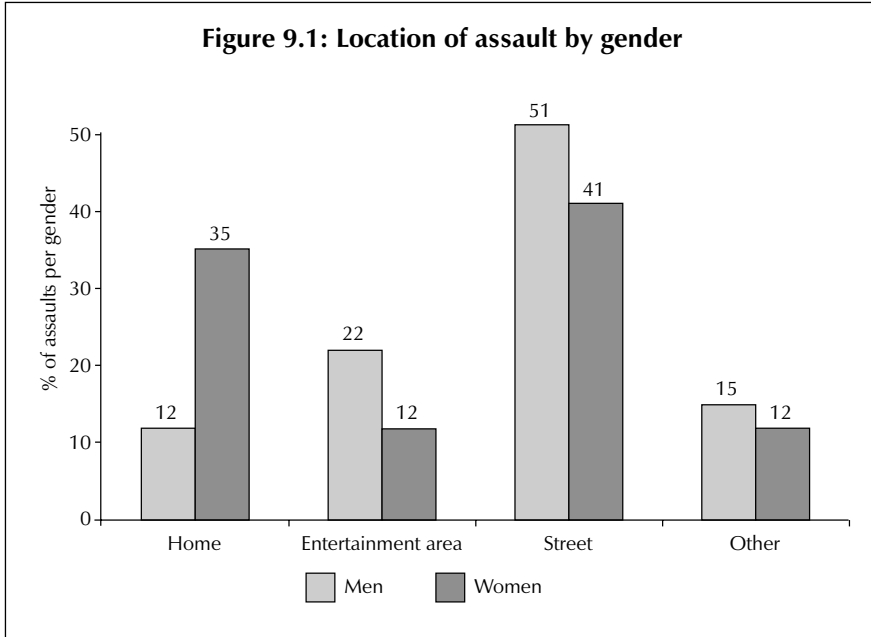
The motivation for robbery and burglary are easy to understand: inner Johannesburg is a poor area with a drug problem, and people need money. But the area also suffers from crimes whose motivation is more difficult to tease out in a quantitative questionnaire. Murders often occur in the commission of acquisitive crime, but much of the time the motivation is far more personal. The spark that sets off a serious assault is frequently financial, but the rage that follows has far deeper roots.

Assault

Twelve percent of the respondents said they had experienced assault in the last year in inner Johannesburg, which means we have 132 cases of assault to analyse. These attacks were mostly very serious, with the majority involving guns (34%) or knives (31%) and 80% involving injuries so severe that they required medical attention. This means that, in the last year, six percent of the survey sample (and, by extension, the resident population of inner Johannesburg as a whole) required medical attention for wounds suffered in a criminal attack.

What is the cause of all this violence? It is impossible to get at all the nuance in a household survey, but trends in the data do suggest a typology of sorts. The identity of the victim, the identity of the perpetrator, the location of the attack, the presence of drugs or alcohol, and the victim's perception of motivation are all factors to consider in trying to distinguish one violent attack from another. This section will first look at assault, then the small number of murder cases.

Victims of assault were no more likely to be unemployed than average, but were more likely to be casual labourers. West Africans and coloureds were more likely than average to be victims. Residents of inner Johannesburg were disproportionately represented among the attacked. While gender has no impact on the likelihood of being a victim, women were far more likely to be

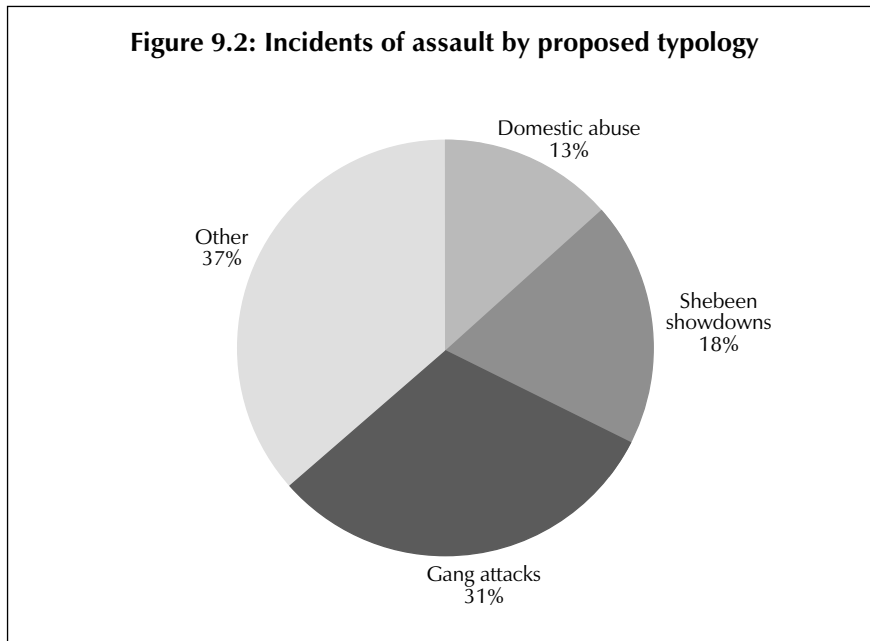


assaulted in the home than men. Men were more likely to be assaulted on the street or attacked in a shebeen than women (Figure 9.1).

Nature of the offence

There are many different circumstances in which people attack one another. While the results and the criminal charge are the same, the circumstances and motivation behind them vary considerably. Before discussing prospects for policing and crime prevention, it is essential that some sort of typology be gleaned from the available data. This can be done by looking at the identity of the perpetrator and the location of the offence.

While a sizable minority remain unclassified, at least three distinct patterns can be discerned. Clearly, a good portion of the attacks on women in the home were incidents of domestic violence, while shebeen attacks form a genre of their own. These two combined constitute a minority of the crimes (32%), however. Attacks on the street involving unknown assailants were distressingly common, with 39 recorded incidents (30%) (Figure 9.2).



Domestic abuse

There were 17 cases of women attacked at home where the sole perpetrator was identified as the victim’s spouse or lover. These cases could fairly be categorised as domestic abuse cases. In 14 of these incidents, the victim described the perpetrator’s motive as jealousy. In 15, the victim said her partner was under the influence of alcohol or drugs, and in five cases, the victim admitted to being under the influence as well.

In seven cases (40%), the victim reported the crime to the police. It is unlikely that this represents the reporting rate for domestic abuse, because many victims who would not report to the police would not report to a survey-taker either because they do not regard the incident as assault or because they consider the matter personal. Three of the women who did not report said they were too embarrassed to do so, while four said they used other means to resolve the situation.

Twelve women (71%) said that the injuries they sustained as a result of this attack required medical attention, which indicates the level of seriousness of

the assault required before the victim chose to report the crime to the surveyor. Half of the women requiring medical attention reported the crime to the police, while only one woman who did not require medical attention reported. Of the seven women who reported the crime, five were satisfied with the police response, which is very reassuring. Four of these responses included an arrest and in two cases, there was a conviction and a prison sentence.

Five of the 17 women said they fought back, and four felt they had provoked the attack. Eight said they thought that their lover would attack them again.

There were an additional six attacks in the home in which the attacker was another relative or household member, including one attempted rape, one firearm assault and three stabbings.

Shebeen showdowns

Victims described the location of the attack as a 'shebeen or other entertainment area' in 24 cases (18% of all assault cases). In 18 of these incidents (75%), the victim admitted being under the influence of drugs or alcohol at the time. In 17 of these, the perpetrator was also believed to be under the influence and their motivation was sudden personal anger towards the victim. These incidents are likely some form of bar dispute gone bad.

In 13 of the 18 cases, the victims were men. Weapons were used in ten of the attacks, and in 11 cases the injuries required medical attention. Ten men and all five of the women said they tried to fight back during the assault. Only four felt they provoked the attack.

The fact the victims felt aggrieved is supported by the fact that the attack was reported to the police in eight cases. Of these, one conviction and jail term was secured, and two cases are still pending.

Gang attacks

In half the cases, the victim did not know the perpetrator. The 39 cases in which multiple, unknown people attacked the victim on the street or in some other open area represent a particularly distressing form of violence. Some of these crimes were reckoned by the victim to be botched rapes, robberies, or

other financially motivated attacks (35%), but they believed the rest involve a range of motives. Four of these were thought to be based in an ethnic or political motivation, while 19 involved unknown or undisclosed motives.

Local police commanders believe that alcohol plays a large roll in these attacks. They argue that even if the motive was not made explicit, most are attempted robberies where force was used in advance and only after was it discovered that the victim had nothing to steal. But in only 17% of the cases was the victim able to say that the attackers were under the influence of alcohol or drugs.

A gun was used in 40% of the cases, and a knife in another 28%. Thus, 68% were clearly assaults with the intent to inflict grievous bodily harm. Nearly 90% involved more than one attacker. There were witnesses in two thirds of the cases, but they failed to help almost 60% of the time. Experience as either a victim or a witness to these crimes can be expected to leave residents with strong insecurity about their own safety, even in public places.

These group attacks were also seen in the overall sample, including cases where the victim knew the offenders. Only 28% of the cases overall involved one attacker, with another 27% involving two and nearly half involving three or more.

Reporting

While the police are often accused of treating assaults as less serious crimes, particularly domestic violence, performance on assault cases in inner Johannesburg was impressive. In the overall sample, 47% said they reported this crime to the police. This is higher than most assault reporting rates seen elsewhere, but may be tied to the fact that these assaults were quite severe. In some cases, reporting may have been linked to seeking medical attention, as police investigate gunshot wounds and the like presenting at the local trauma units.

Of those who did report, 55% were satisfied with the initial police response, a rate higher than for robbery or burglary. Objective factors also point to exceptional police performance, as 92% received a case number. This is particularly good given that, unlike property crimes, case numbers are not required for insurance claims in assault cases.

All this may be tied to the likelihood of a conviction, however. Since 53% of the perpetrators were known by the victims prior to the assault, arrests were made considerably easier for these crimes than others.

Follow-up

In 53% of the cases, detectives followed up, and in 39% of the cases, an arrest was made. Both of these figures are much higher than for robbery and burglary, and is no doubt due to the fact that the crime is interpersonal, with victims knowing the whereabouts of the perpetrators.

Fifty-eight percent of those whose assailant was arrested attended court, which is about the same as the other offences reviewed. Of these 14 victims, four attended twice, four attended three times, four attended four times, and two attended five times. The reasons for these multiple appearances are unclear, given that testimony in these cases should be straightforward, but the problem of multiple witness appearances was highlighted in a recent ISS survey of those attending court.²⁵

There was a conviction in ten of 24 cases where an arrest was made, with nine acquittals and five cases still pending. This rather unimpressive record is difficult to explain with the present data. It is possible that the victims referred to cases as 'acquittals' that were withdrawn due to their own lack of cooperation. In nine of the ten convictions, the accused was sent to prison, which reflects the seriousness of the assaults.

Overall, 27% of the victims polled were satisfied with the final outcome of the case, which is higher than either robbery (22%) or burglary (19%). About half of those contacted by a detective were satisfied with the state's response to the case, while none of those who were not contacted by a detective were satisfied. About 40% of those who were contacted by a detective but were not satisfied blamed the detective and about 40% the uniformed police, with 13% blaming prosecutors and 7% the courts.

Murder

While the sample size is much smaller, interesting insights can still be gleaned from those households that had experienced murder.

A total of 22 people said someone who slept in their household every night (a blood or marital relation in 90% of the cases) had been murdered in the last 12 months in inner Johannesburg. Because the number of cases is so small, raw numbers instead of percentages are used in the discussion below.

A similar typology can be seen for murder as for assault. Four were believed to be cases of spouses or lovers killing either their mate or another out of jealousy. Five apparent attempted robberies and one attempted rape resulted in the death of the victim. Alcohol or drugs were believed to have been involved in six killings. In four instances, the murder was thought to be the culmination of a problem that started outside inner Johannesburg. In six cases, the surviving household members did not know who killed their loved one, or why.

Alarmingly, more than half (14) of these incidents occurred on the streets, while five occurred in or in front of the home. Nineteen cases involved a gun, three involved a knife. These are noisy public killings, similar to many of the assaults, and, similarly, they must leave the community with a deep sense of insecurity.

Twelve people, more than half, said they thought they knew who committed the crime. Three actually witnessed the murder, three relied on police reports, four relied on the evidence of others who witnessed the killing, and two based their claim on general community knowledge. In nine cases, the murderer was believed to be from outside inner Johannesburg. In 11 cases, the murder was felt to be part of an ongoing problem in which more people are likely to die. Of course, the victim may have interpreted this to include the ongoing crime situation. In four cases, the death was seen as part of a problem originating outside inner Johannesburg.

Implications

The survey results suggest a few ideas about assaults in inner Johannesburg and the appropriate police response:

- Since most of the assaults reported to the fieldworkers were very serious, it is likely that many lesser assaults are not even considered criminal matters in inner Johannesburg, and public education campaigns aimed at increasing awareness of, in particular, domestic abuse will likely raise reported assault levels.

- Given the important role alcohol appears to play in a variety of assaults, bars and shebeens that serve visibly intoxicated people should be treated as 'bad buildings' and shut down, either through asset forfeiture or administratively, while proprietors should have their licenses revoked.
- Enforcing the relatively minor offences of public intoxication and weapons possession could avert more serious incidents.
- The nature of the many gang attacks and unclassified assaults needs to be researched, as does possible faction fighting from outside the area (particularly from KwaZulu-Natal) that manifests itself in inner Johannesburg.