

Trends in farm murders and an analysis of arrests and prosecutions 2016–2021

(including statistics on farm attacks and murders for 2021)

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A report by AfriForum Research

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Prologue

In late July of 2020 I received a telephone call from a family member in the Northern Cape. The tone of her voice was something I had never experienced from her before — a mixture of fear, anxiety and uncertainty.

There had been a farm murder. Or “another” murder, as media outlets often refer to farm murders.

Those fortunate enough to have never experienced such a telephone call from a loved one who was affected by crime (and violent crime in particular) know in the back of their minds that a telephone call like this may someday become a reality – many people claim that it is not a question of *if*, but *when*. Unfortunately, such telephone calls have become commonplace in South Africa. A case in point is that the South African Police Service (SAPS) recorded just over 4 million police-related emergency calls during the 2019/2020 fiscal year,¹ which is roughly three times the population of the Northern Cape. Of these emergency calls that were made in 2019/2020, some were most likely made as a result of farm murders and attacks.

This report presents analysis and statistics about farm murders and attacks. It is however not a report about statistics, it is a report about real people that were the victims of farm murders and attacks, their families and their loved ones.

Introduction

Since its inception in 2006, AfriForum has been actively involved in preventing farm attacks and responding to farm murders. The organisation has been raising awareness both locally and internationally through various campaigns, amongst others by

- addressing the United Nations;
- petitioning the government to recognise farm murders as a priority;
- establishing a trauma unit to support victims of farm attacks;
- creating neighbourhood watches across the country; and
- providing support services to and working together with the SAPS, organised agriculture and other security companies to monitor and respond to attacks.

¹ South African Police Service. 2020. *Annual report 2019/2020*, p. 139. Available at https://www.gov.za/sites/default/files/gcis_document/202012/south-african-police-service-annual-report-20192020.pdf. Accessed on 21 October 2021.

The primary object of this report is to investigate and determine the conviction rates of perpetrators of farm murders for 2016 to 2020. Understanding the link between farm murders and farm murder prosecutions can deepen our understanding of the criminal justice system and contribute to raising awareness of the plight of the farming community. In addition, the report may contribute to the growing area of research within the field of farm attacks and offer opportunities for renewed awareness of unsolved murder cases.

Definition of farm attack

A definition of *farm attack* is fundamental to framing and reporting farm attacks. To ensure consistency in the collection of statistics on farm attacks, a definition for attacks on farms and smallholdings was developed by law enforcement.² Before 1997, a satisfactory definition of farm attacks was lacking. Earlier definitions of farm and smallholding attacks failed to address the nature and nuances of these attacks adequately. As a result, the Rural Protection Plan (RPP) defined in 1997 what a farm attack entails. Since then, the National Rural Safety Strategy (NRSS) provides the current definition of a farm attack, which is the definition that AfriForum Research uses for the purpose of this report:³

...[a]cts of violence against person(s) living in rural areas, including farms and smallholdings, refer to acts aimed at person(s) residing in, working in, or visiting rural areas, whether with the intent to murder, rape, rob or inflict bodily harm.

In addition, all acts of violence against the infrastructure and property in the rural community, which are aimed at disrupting farming activities or other commercial concerns, whether the motive(s) are related to the commission of other crime(s), ideology, land disputes, land issues, revenge, grievances, racist concerns or intimidation are included in this definition.

The definition excludes cases that are related to domestic violence or alcohol abuse, cases that result from commonplace social interaction between people, or any labour disputes. The definition has not been without its detractors. Various NGOs have cited several shortcomings regarding the terminology and interpretation of the NRSS's definition. However, most of the key stakeholders who are involved in investigating and reporting farm attacks use the above definition.⁴

² Human Rights Watch. 2001. *Unequal protection: State response to violent crime on South African farms*. Available at https://www.hrw.org/reports/2001/safrica2/Safarms7.htm#_1_33. Accessed on 16 February 2021.

³ South African Police Service. 2019. *The National Rural Safety Strategy*, p. 7. Available at https://www.saps.gov.za/resource_centre/publications/national_rural_safety_strategy_2019.pdf. Accessed on 30 September 2021

⁴ Roets, E. 2018. *Kill the Boer: Government complacency in South African's brutal farm murders*. Pretoria: Kraal Uitgewers, p. 22–25.

Methodology

An ongoing challenge in determining the scope of farm attacks and murders is a lack of comprehensive statistics by the government and previous failures by the SAPS to release statistics. Although these shortcomings were already highlighted in 2017, it has not yet been resolved.⁵ Moreover, government statistics on crime levels will never truly reflect the reality because some crimes go undetected.⁶ As a result, AfriForum developed its capacity in 2019 to monitor and evaluate farm attacks and murders.

The data that relate to the section “Farm attacks and murders 2021” was verified. The information was collected from various sources, including media outlets, private security companies and AfriForum’s community safety network, as well as social media and the SAPS.

Regarding the section “Prosecution of perpetrators of farm murders (2016–2020)”, an open-source media analysis approach was used, based on available historical data on farm murders that AfriForum has. AfriForum Research formally requested statistics on the conviction of perpetrators of farm murders from the office of the Crime Registrar in October 2021. The Office informed AfriForum that, although the data could be made available, the National Commissioner must approve any request for the release of these statistics to external stakeholders. AfriForum then made various requests to the office of the National Commissioner, but to no avail.

AfriForum therefore opted for a media analysis approach. Data was collected from news articles on the conviction of perpetrators of farm murders. However, it is important to consider that the media may not cover all the arrests, court proceedings and convictions. Consequently, the statistics on the arrests and convictions for perpetrators of farm murders in this report must be interpreted with caution: It is a conservative estimate of the number of prosecutions and results could not be verified against the National Crime Information’s administration system.

It is also important to note that the farm murder statistics that are used in this report are subject to change. This is because information sometimes only becomes available long after the incident has occurred or because of insufficient or conflicting information regarding a case.

Notwithstanding these limitations, it is worth reviewing the debate on the prioritisation of farm murders.

⁵ Burger, J. 2017. *Accurate statistics are needed for the SA farm murder debate*. Institute for Security Studies. Available at <https://issafrica.org/iss-today/accurate-statistics-are-needed-for-the-sa-farm-murder-debate>. Accessed on 7 February 2022.

⁶ Du Plessis, A, & Louw, A. 2005. The tide is turning: The 2003/04 SAPS crime statistics. In *South African Crime Quarterly* 12, pp. 1–8. DOI: <https://doi.org/10.17159/2413-3108/2005/v01i2a1014>.

Overview of farm murders (2016–2021)

An overview of farm murders and incidents where farm murders were committed per calendar year over the past six years is presented in figure 1.⁷ When reviewing recorded murders, the most noteworthy is the decrease (-27%) in the number of farm murders from 2018 to 2019, and an increase (40%) from 2019 to 2020. What is concerning about the figures is that there appears to be no steady decline in the numbers of attacks on farms and smallholdings.

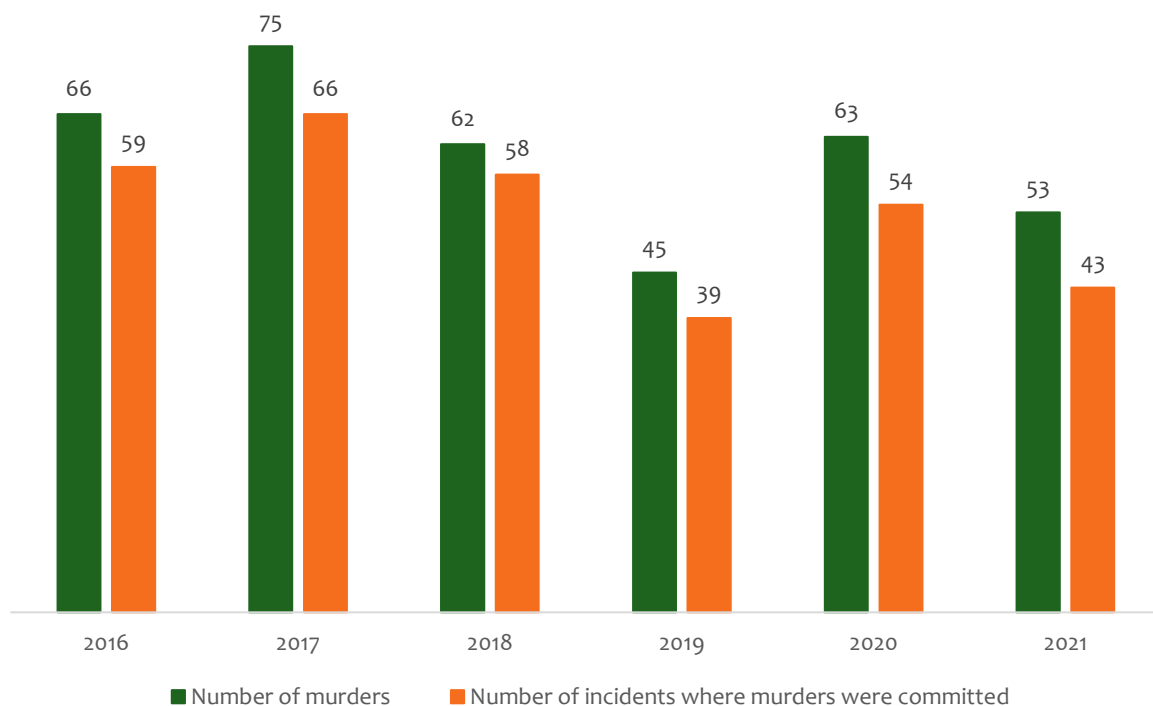


Figure 1: Number of farm murders and murder incidents per year

The number of farm murders per province and the percentage of total farm murders that occurred for each province are depicted in figure 2. Gauteng had the highest number of documented farm murders (22% of all recorded farm murders), followed by KwaZulu-Natal (16%). As can be seen, the Northern Cape had the lowest number of farm murders, accounting for only 4% of all farm murders committed from 2016 to 2021.

⁷ Data on farm murders from 2016 to 2018 is extracted from earlier research by AfriForum in cooperation with The Transvaal Agricultural Union of South Africa (TAU SA).

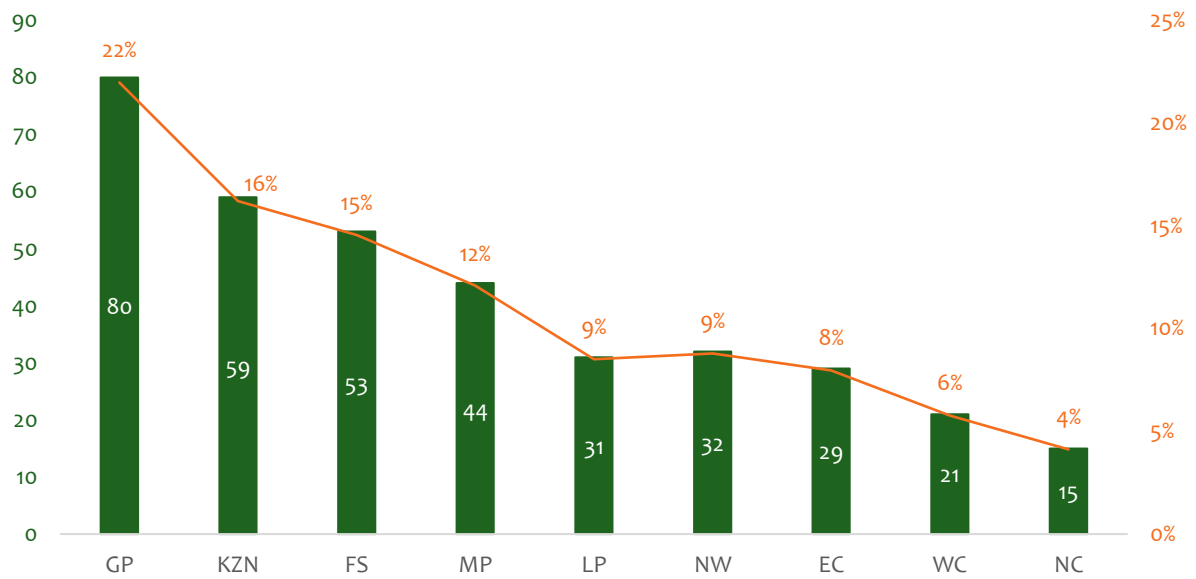


Figure 2: Farm murders per province (2016–2021)

Characteristics of farm murders (2016–2021)

Location of farm murders

The percentage of farm murder incidents that occurred on farms and smallholdings for each year from 2016 to 2021 is shown in figure 3. It is clear that most murders occur on farms and not on smallholdings, with more than 50% of attacks occurring on farms for each year.

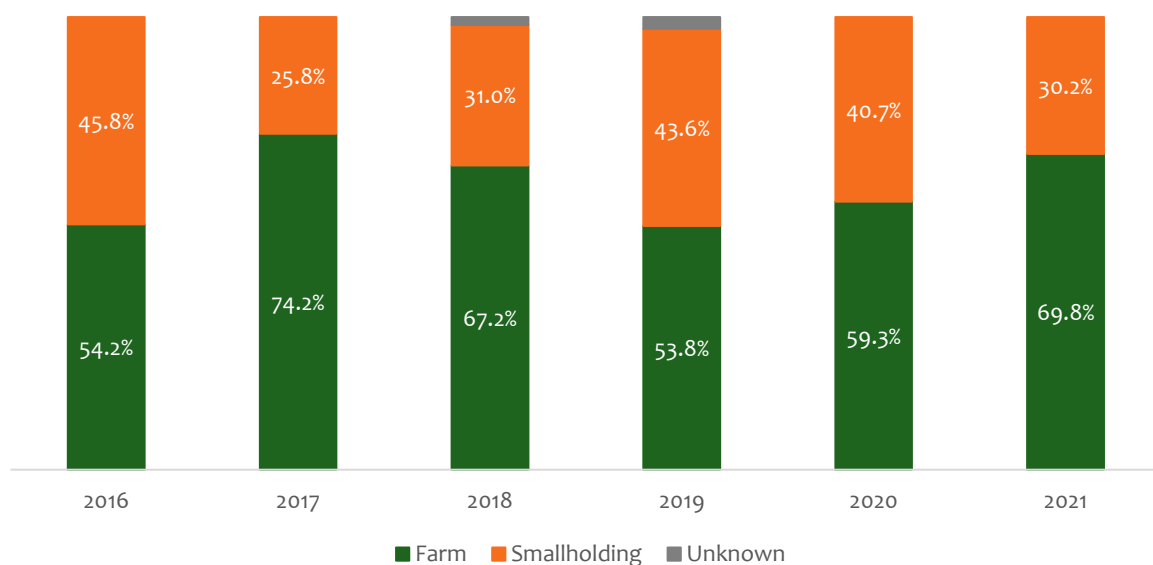


Figure 3: Percentage of murder incidents that occurred on farms and smallholdings per year

There are more smallholdings than farms. This disproportionate occurrence of murders on farms is indicative of the unique safety challenges that are faced by farmers and people who live on farms in general. The use of the term *unknown* in the graph indicates an incident where it is known that the incident occurred either on a farm, or a smallholding but which of these could not be confirmed. When calculating the average for the period 2016 to 2021, approximately 64% of murder incidents occurred on farms and 36% on smallholdings, as can be seen in figure 4.

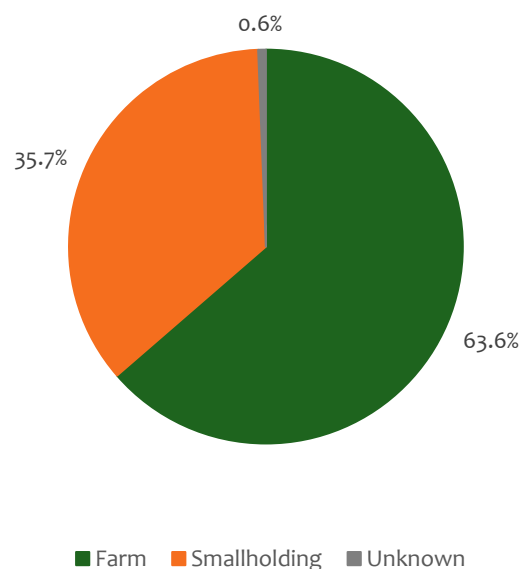


Figure 4: Percentage of murder incidents that occurred on farms and smallholdings (2016–2021)

Months of the year

The number and percentage of murders that were committed per month for the period 2016 to 2021 are indicated in figure 5. When the combined data of the six years under review is considered, it is clear that attacks occurred during every month of the year, with only a 4% difference in the percentage of total murder incidents between the months in which the highest number of murder incidents occurred (February and October) and the month with the least number of murder incidents (September).



Figure 5: Number and percentage of murders that occurred per month (2016–2021)

Time and day of the week

The percentage of murder incidents that occurred during each day is summarised in figure 6. For most years, most of the murder incidents occurred on Fridays, Saturdays and Sundays. Farm murders occurred on each day of the week (with the exception of 2019, when no murders were committed on Wednesdays).

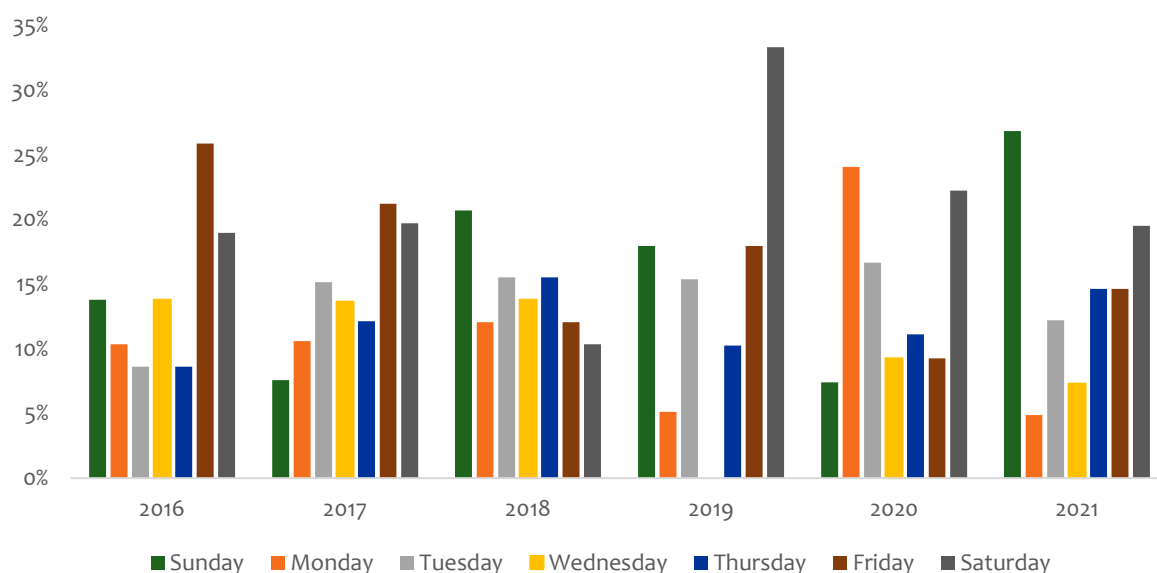


Figure 6: Number and percentage of murders that occurred per day (2016–2021)

The percentage of murder incidents that occurred in each three-hour time slot in a 24-hour cycle per year is summarised in figure 7. Most murder incidents occurred between 18:00 and 20:59, with a large number of attacks also occurring between 21:00 and 23:59, and 00:00 and 02:59 time slots. It is clear that murder incidents occurred during any time of day.

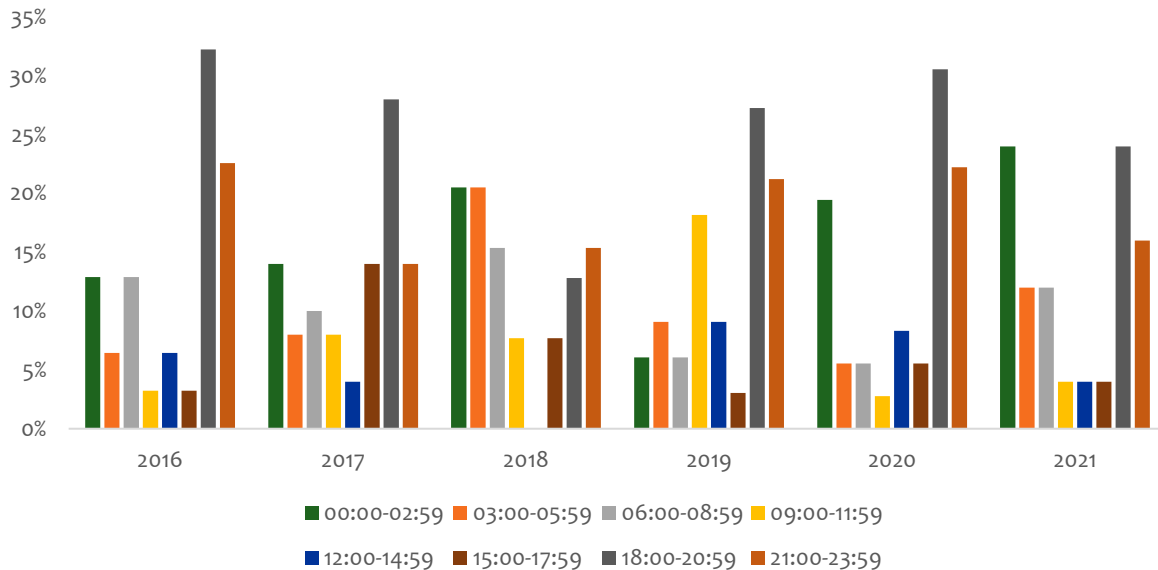


Figure 7: Time of murder incidents per year

The outcome of combining the data for the years 2016 to 2021 and calculating the number of murder incidents in each three-hour time slot in a 24-hour cycle per day are indicated in figure 8. Most murder incidents occurred during the 18:00 and 20:59 time slot, except for Sundays, when most occurred between 00:00 and 02:59. A large number of attacks also occurred between 21:00 and 23:59, and 00:00 and 02:59, which confirms the findings of the analyses per year. Again, attacks occurred during all three-hour slots of most days (with the time slot of Wednesday 09:00 and 11:59 being the exception).

People who live on farms must be constantly vigilant and should not let down their guard from 18:00 to 23:59. The data indicates that it is of paramount importance to also keep doors locked and alarm systems activated during this time, times which are mostly spent with family or friends around the dining table or in the sitting room.

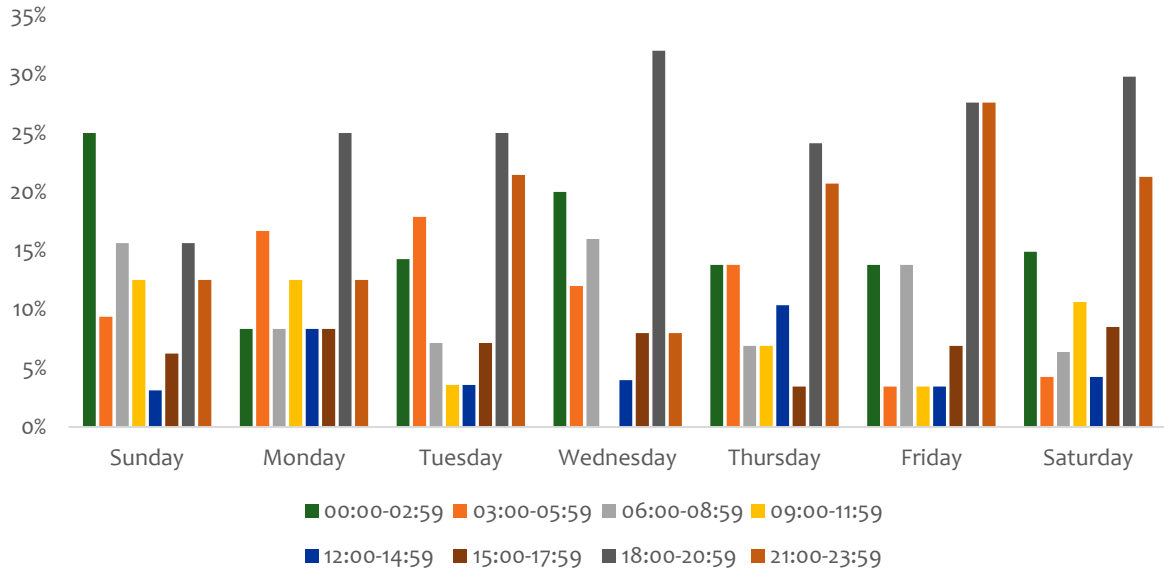


Figure 8: Time of murder incidents per day

Number of attackers

A summary is provided in figure 9 of the number of attackers who were involved in murder incidents. More than one attacker was involved in most murder incidents.



Figure 9: Number of incidents where one or more attackers were involved

Two, three, four and five attackers were respectively involved in 55 (17%), 57 (18%), 42 (13%) and 27 (8%) of murder incidents. The involvement of between six and twelve attackers in some murder

incidents emphasises the uniqueness of farm attacks and the safety difficulties that are faced by families who live on isolated farms. The number of attackers is unknown in 94 (29%) of farm murder incidents.

Number of victims

The total number of incidents where murder was committed per total number of victims (both those who survived and those who were killed) are summarised in figure 10. 46% of incidents involved one victim only, while 36% of incidents involved two victims. Incidents that involved three or four victims are 8% and 5%, respectively. In 3% of incidents the total number of victims are unknown.

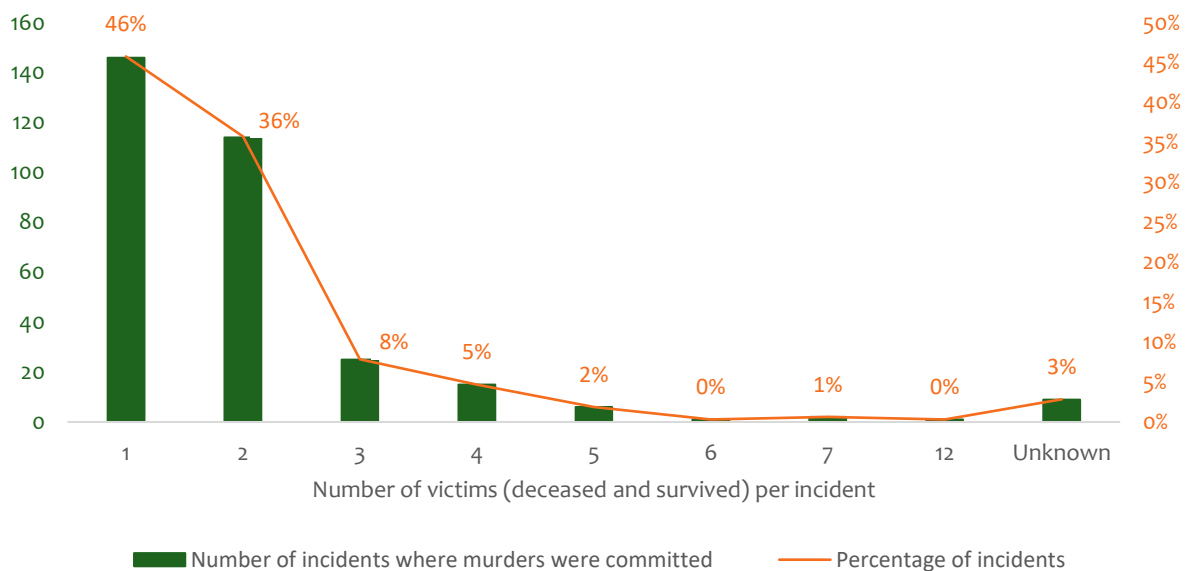


Figure 10: Number of incidents where there was one or more victims (deceased and survived)

The number of incidents where one or more murder was committed are depicted in figure 11. In 285 incidents (i.e. 89% of incidents in which murder was committed), a single person was murdered, while 28 incidents (9%) resulted in two persons who were murdered.

It is deeply disturbing that incidents occurred where three, four or even five people were murdered.

When comparing figure 10 and figure 11, it is clear that there are victims who survive incidents where farm murders are committed. These survivors have to go through life with the trauma of this experience.

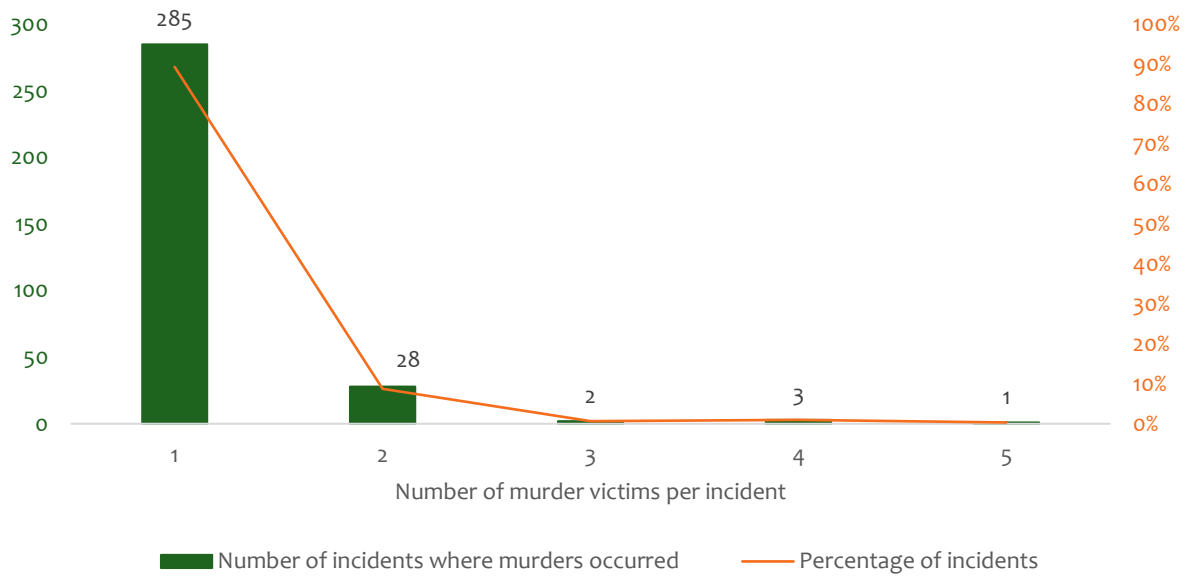


Figure 11: Number of incidents where one or more murders occurred

Occupation of victims

The occupations (or relations) of farm murder victims are summarised in figure 12. Most farm murder victims (120, or 35% of all murder victims) were reported to be farmers, while 87 murder victims (24%) were reported to be property owners. Due to the lack of availability of detailed information about each farm murder incident, it is unknown how many of the victims reported as farmers were also owners. 41 farmworkers (11%) and 36 family members of farmers (or farm owners) (10%) were victims of farm murderers.

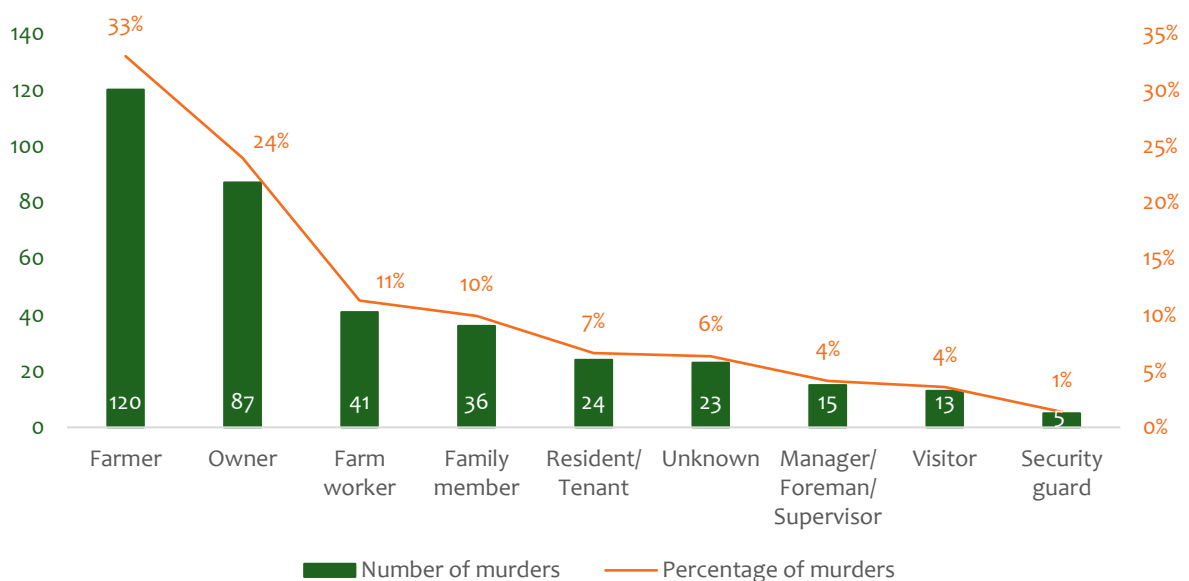


Figure 12: Occupations or relations of farm murder victims

People who reside on farms, supervisors or farm managers in farming activities and even visitors also fell victim to farm attackers. Five security personnel (1%) were also murdered on farms during this period. It is clear from the data that all people involved in farming or staying on farms were victims of farm murderers. Farmers and owners are murdered in disproportionate numbers, however.

The successful implementation of a strategy to prevent farm murders will therefore benefit all people who are involved in farming and living on farms, including farmers, family members of farmers, farmworkers, residents and visitors.

Age and gender of victims

The age and gender of farm murder victims are summarised in figure 13. Kayla (9) and Nompumelelo (6) were two girls who fell victim to farm murders. Hantie Geldenhuys, a woman at the ripe age of 94, was shot through a window during an attack in August 2021. 57 people in the 70–79 age group and 21 people in the 80–89 age group were murdered. The reason for the murder of people aged 70 and above must be investigated, as these people are unlikely to be a threat to farm attackers. In most age groups, more men than women fell victim to farm murderers. The average age of victims is 57, while the median age of victims is 60.

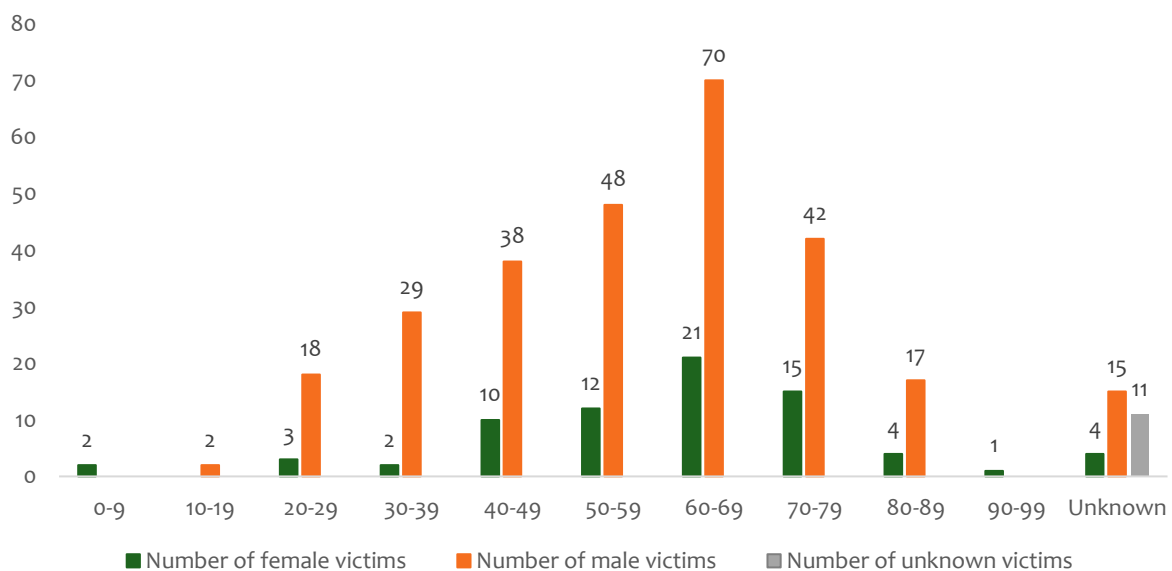


Figure 13: Demographic information of farm murder victims

Cause of death

The causes of death of farm murder victims (for murders where the cause of death is known) are summarised in figure 14. For 48 murder victims (13% of the total number of murder victims) the cause of death is unknown. 165 victims (or 52% of murder victims for which cause of death is known) were shot. It is important to note that the category “shot” includes “shot multiple times”.

When the remainder of the causes of death is analysed, it is shocking that the action of taking the life of the victim was done at close range and required close contact with the victim. For 58 victims the cause of death is stabbed. It is once again important to note that “stabbed multiple times” is included in the “stabbed” category.

What is most concerning, however, is the number of murder victims who suffered excessive violence: 33 victims were bludgeoned to death; 18 victims were strangled; 12 victims had their throats slit or cut; seven victims were hacked to death; and four victims were set alight. The burnt bodies of Adam Hefer (87) and Johanna Oosthuizen (84) were found in a room of their smallholding home with a Bible between them.

This excessive use of violence during the murdering of mostly senior citizens warrants serious attention and research to understand this concerning and shocking phenomenon.

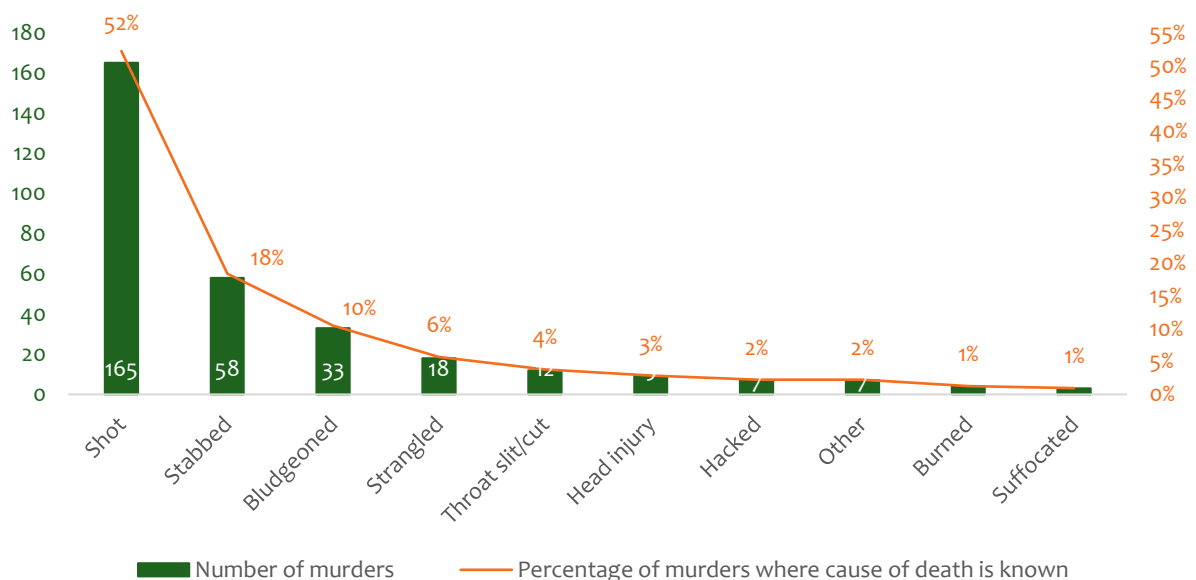


Figure 14: Cause of death of farm murder victims

The percentages of causes of death of murder victims (where the cause of death is known) are summarised in figure 15. The percentages of causes of death that involved excessive and close contact are concerning.

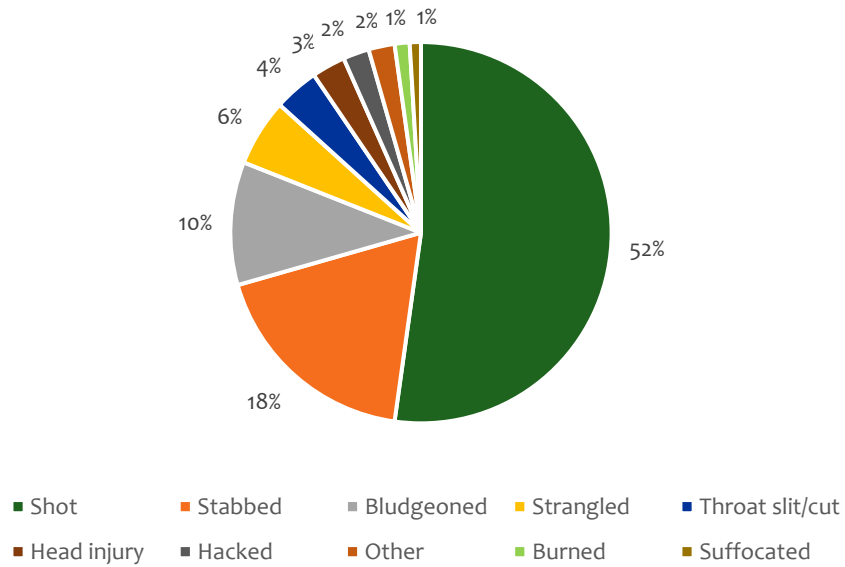


Figure 15: Percentage of cause of death of farm murder victims

Torture

The percentage of murder victims who were tortured is summarised in figure 16. The fact that there is not a single year in which torture did not occur and the fact that on average 15% of murder victims are tortured are extremely concerning and warrants urgent attention.

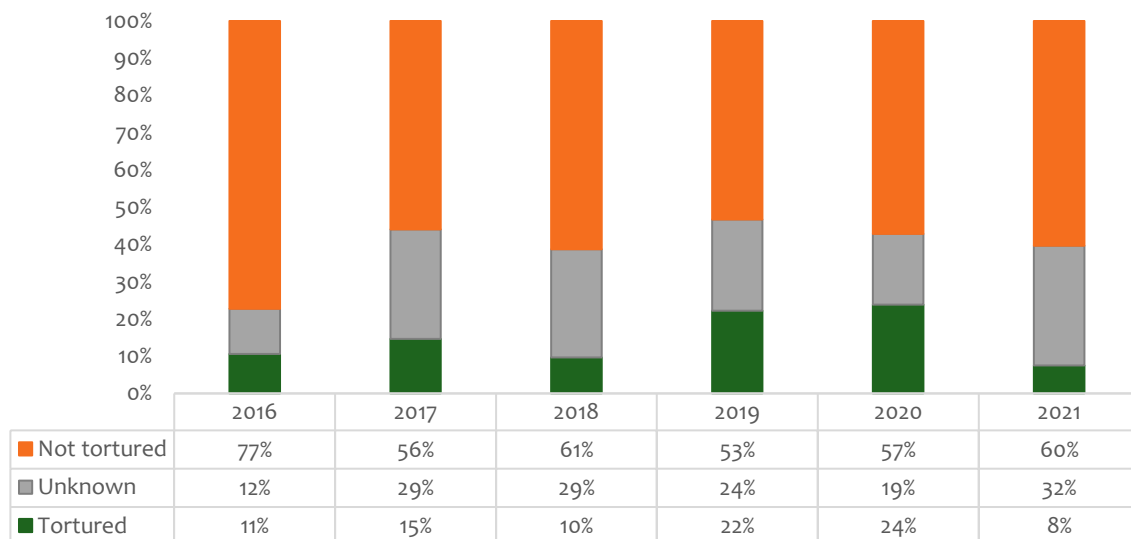


Figure 16: Percentage of victims that was tortured

Items stolen and weapons used

Offenders used various weapons, including knives, sharp objects, pangas, crowbars, firearms and blunt instruments such as steel pipes.

The most common items that were stolen were cell phones, vehicles, money and firearms. Vehicles accounted for 22% of property that was stolen; moreover, 9% of the victim's vehicles were later found abandoned by the SAPS or by private security networks.

Prosecution of perpetrators of farm murderers (2016–2020)

The debate on farm murders and the South African criminal justice system again gained prominence when two suspects in a high-profile farm murder case were found not guilty in 2021.⁸ Reports and research to date tend to focus mainly on the incident itself and its prevalence rather than on the convictions of the farm murderers.

While research on the prevalence of farm attacks is of paramount importance, it can be argued that experts have not treated the conviction rate with the same level of attention. This situation is not unique to farm murders, however. As criminologists point out,⁹ few studies investigate convictions systematically, partly due to the availability of resources and because South Africa does not have an integrated criminal justice system that links cases between law enforcement agencies and courts. For example, the Australian Bureau of Statistics has accessible, comprehensive data sets on crime and criminal courts, whereas South Africa does not.¹⁰

In South Africa, murder refers to “the unlawful and intentional killing of a human being.”¹¹ In the context of crime statistics, murder is sometimes referred to as the gold standard for measuring crime trends since it is 1) the least likely of reported crimes to be undercounted, 2) is consistently defined and 3) is not subject to many variations over time.¹² Also, from a media analysis point of view, information about murders is more readily available to the public than for example prosecutions in the case of sexual assault.

⁸ Bhengu, C. 2021. AfriForum considers private prosecution after accused in Brendin Horner murder case found not guilty. *TimesLIVE*, 22 November. Available at <https://www.timeslive.co.za/news/south-africa/2021-11-22-afriforum-considers-private-prosecution-after-accused-in-brendin-horner-murder-case-found-not-guilty/>. Accessed on 7 February 2022.

⁹ Kriegler, A. & Shaw, M. 2016. *Citizen's guide to crime trends in South Africa*. Johannesburg: Jonathan Ball Publishers, p. 35.

¹⁰ Simkins, C. 2020. *Crime and punishment in contemporary SA I – The system and the data*. Helen Suzman Foundation, 2 June. Available at <https://hsf.org.za/publications/hsf-briefs/crime-and-punishment-in-contemporary-south-africa-i-the-system-and-the-data> Accessed on 7 February 2022.

¹¹ South African Police Service. 2022. *Common law offences – Definitions*. Available at <https://www.saps.gov.za/faqdetail.php?fid=9>. Accessed on 7 February 2022.

¹² Kriegler, A. & Shaw, M. 2016. *Citizen's guide to crime trends in South Africa*. Johannesburg: Jonathan Ball Publishers, p. 35.

The process from when a crime is committed to the case's legal outcome can be summarised as follows:

1. When an alleged crime is committed, the SAPS must conduct investigations and arrest suspects. Throughout the investigation, the SAPS collects forensic evidence related to the crime. This evidence is presented via SAPS docket to state prosecutors.¹³
2. Based on the evidence and other information in the SAPS docket, prosecutors must then decide if the case warrants charges. If charges are instituted, the courts must evaluate the case and pass judgment.¹⁴
3. The South African National Prosecuting Authority (NPA) serves as a critical connection between the SAPS and the courts in South Africa. At the same time, in criminal cases – as opposed to civil cases where evidence rests on a balance of probability – prosecutors must prove to courts that the accused is guilty beyond any reasonable doubt.¹⁵
4. Besides the high standards that are set by this legal rule, a positive working relationship between the investigating officers and the prosecutors is curatorial.¹⁶

Altogether, there are numerous links in the criminal justice chain. Moreover, while the criminal justice system's institutions must adhere to the principle of the separation of power, it is clear that a productive working partnership between these institutions is essential to curb crime.¹⁷

Before considering the successful convictions of farm murders, it is important to take note of the *sieve effect*. As explained above, there are several stages from when a crime is reported until a suspect is convicted. However, most reported crimes do not end up in court, much less result in a conviction.¹⁸ Therefore, it can be expected that the number of crimes will always be higher than the number of prosecutions. However, it is the task of the criminal justice system to ensure that the successful conviction of violent crimes is as high as possible.

¹³ The Institute for Security Studies. 2020. *Understanding the National Prosecuting Authority*. Available at [https://issafrica.org/crimehub/analysis/fact-sheets/understanding-the-national-prosecuting-authority#:~:text=The%20National%20Prosecuting%20Authority%20\(NPA,evaluate%20cases%20and%20pass%20judgments](https://issafrica.org/crimehub/analysis/fact-sheets/understanding-the-national-prosecuting-authority#:~:text=The%20National%20Prosecuting%20Authority%20(NPA,evaluate%20cases%20and%20pass%20judgments). Accessed on 7 February 2022.

¹⁴ *Ibid.*

¹⁵ *Ibid.*

¹⁶ Geldenhuys, K. 2017. The importance of a strong partnership between the investigating officer and the prosecutor. In *Servamus* 110(3), pp. 16–19. DOI: <https://journals.co.za/doi/abs/10.10520/EJC-57fa8dba7>. Accessed on 15 February 2022.

¹⁷ Geldenhuys, K. 2017. Prosecutor-led investigations. In *Servamus* 113(4), pp. 10–15. DOI: <https://journals.co.za/doi/10.10520/EJC-1c4ab48f32>.

¹⁸ Legget, T. 2003. The sieve effect: South Africa's conviction rates in perspective. In *South African Crime Quarterly* 5, pp. 11–14. DOI: <https://doi.org/10.17159/2413-3108/2003/voi5a1060>.

Arrests and convictions over time

AfriForum recorded 311 farm murders that were committed during 276 incidents for the five years from 2016 to 2020. An estimated 671 attackers were involved in these murders; of these, 318 were arrested, while 107 were sentenced.

The number of murder incidents, number of incidents resulting in arrests and the number of incidents resulting in convictions are indicated in figure 17 for each year from 2016 to 2020. The calculation of the number of arrests and convictions is based on the successful apprehension and conviction of murderers (not on instituted charges).¹⁹

Convictions and sentencing are grouped together in figure 17. For example, arrests were made for 31 of the 59 murder incidents that occurred, but convictions (or sentencing) only occurred for 15 of the murder incidents that occurred.

It is important to note that arrests that were made in a specific year did not necessarily all result in convictions in the same year. For example, only three murders in 2016 resulted in convictions in the same year.

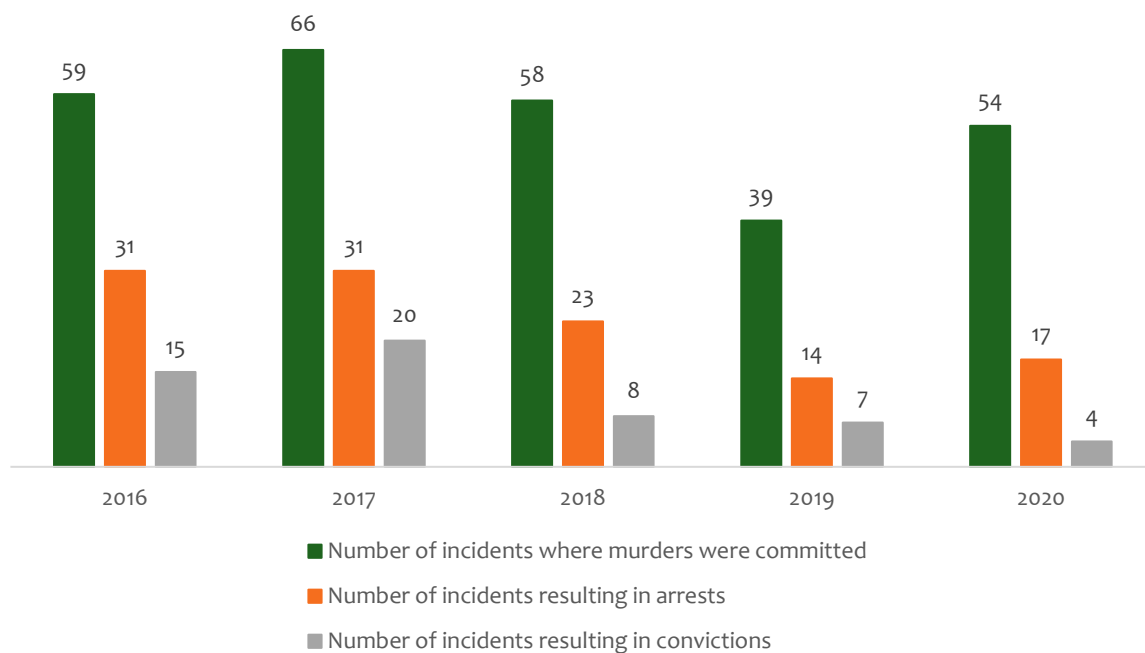


Figure 17: Number of incidents, arrests and convictions for incidents that occurred in a specific year

The percentage of murder incidents that resulted in arrests, as well as the percentage of murder incidents that resulted in convictions are indicated in figure 18. The fact that the percentage of

¹⁹ In one case for 2016 a suspect shot himself and in 2017 a suspect died in custody. These were not recorded as convictions.

incidents that resulted in arrests shows a downward trend is concerning. The low percentage of incidents that resulted in the conviction of perpetrators, which calculates to an average of 19% for 2016 to 2020, warrants urgent attention and further research.

When murder incidents occur and perpetrators are not arrested and convicted, more of the same crimes can be committed by the perpetrators. Civil organisations, private security companies, the SAPS and the prosecuting authority can all contribute to improve the situation. However, it remains the primary responsibility of the SAPS and the prosecuting authority to ensure that criminals are brought to justice and prevented from committing crimes again.

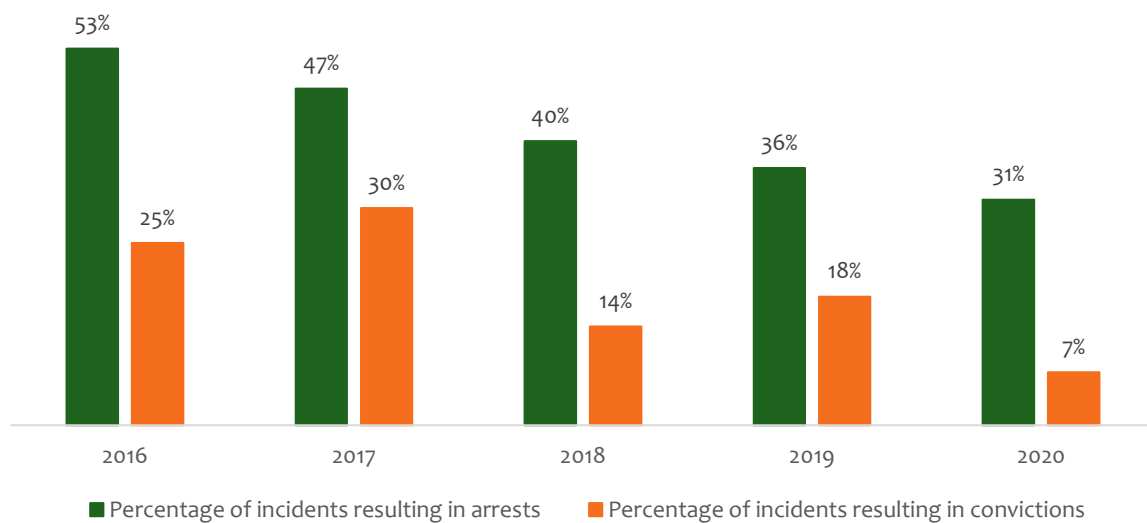


Figure 18: Percentage of incidents resulting in arrests and convictions

In figure 19, the number and percentages of attackers, arrests and convictions are depicted.

For example, for the 66 farm murders that were committed in 2016, 57% of the 141 known attackers were arrested for these murderers; of those arrested, 41% were convicted.

As can be seen in figure 19 perpetrators who were arrested for murders that were committed in 2019 had the highest conviction rate (45%); however, it had the lowest percentage (33%) of arrests for farm murders that were committed in that year.

The highest percentage of arrests was recorded for murders committed in 2016 (57%), although only contributing to the third-highest percentage of convictions (41%). An average of 47% of attackers arrested and an average of only 33% of the arrested perpetrators convicted (both calculated over the five years from 2016 to 2020) is indicative of a serious challenge to bringing perpetrators of farm murders to justice.

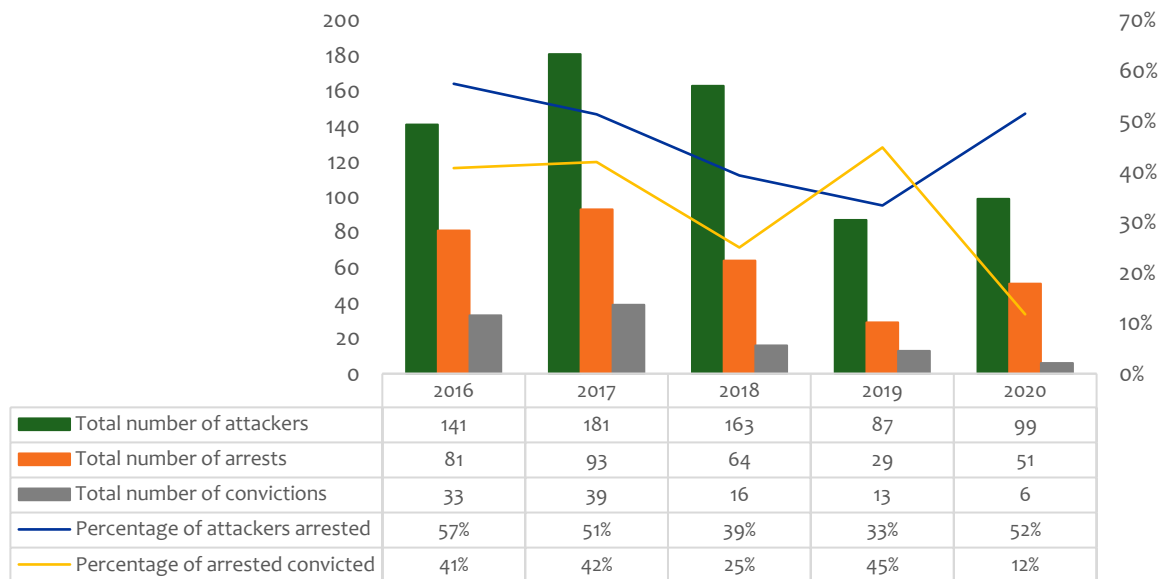


Figure 19: Number and percentage of attackers arrested and convicted²⁰

A direct comparison between murders and farm murders is difficult to make – the NPA’s data is documented and reported for a specific financial year, whereas this report documents calendar years. Furthermore, this report lists convictions not in the year that the court proceedings was finalised, but in the year in which the murder was committed (while NPA data lists convictions in the year in which the conviction was made). It is noteworthy that the conviction rate of murders overall was 77,7% (2017/2018),²¹ 78%,4 (2018/2019),²² 80,1% (2019/2020)²³ and 79,3% (2020/2021),²⁴ according to the NPA. This may point to a conviction rate for perpetrators of farm murders that is well below the national murder conviction rate.

Arrests and convictions per province

A breakdown is provided in figure 20 of the number of attackers during farm murders in relation to the number of suspects apprehended in each province. A similar comparison is given in figure 21 between the number of suspects 1) arrested and 2) convicted in each province.

²⁰ Only the known number of attackers is included in the graph. Note that the percentage of attacks where the number of attackers is unknown for murder incidents was 29% for 2016, 21% for both 2017 and 2018, 31% for 2019, 35% for 2020.

²¹ National Prosecuting Authority. 2018. *Annual report 2017/2018*, p. 59. Available at <https://www.npa.gov.za/sites/default/files/annual-reports/NDPP%20Annual%20Report-%202017-18.pdf>. Accessed on 22 February 2022.

²² National Prosecuting Authority. 2019. *Annual report 2018/2019*, p. 44–45. Available at <https://www.npa.gov.za/sites/default/files/annual-reports/NDPP%20Annual%20Report%20-2018-19.pdf>. Accessed on 27 January 2022.

²³ National Prosecuting Authority. 2020. *Annual report 2019/2020*, p. 63. Available at https://www.npa.gov.za/sites/default/files/annual-reports/NPA%20Annual%20Report%202019-2020_o.pdf. Accessed on 27 January 2022.

²⁴ National Prosecuting Authority. 2021. *Annual report 2020/2021*, p. 63. Available at https://static.pmg.org/NPA_Annual_Report_2020_2021.pdf. Accessed on 27 January 2022.

The Northern Cape province had the highest arrest rate (75% of known attackers were arrested). However, it also had the lowest percentage of convictions (11%). In addition to the lowest conviction rate, the Northern Cape also recorded the least murders (see figure 20). The Western Cape had the second-lowest arrest rate in the country (27%); however, it had the highest conviction rate (67%), based on the number of suspects who were apprehended. KwaZulu-Natal’s arrest rate was 74% but it had a conviction rate of only 39%. Although Gauteng had the lowest arrest rate (only 17% of known attackers were arrested), it achieved the third-highest conviction rate of 56%.

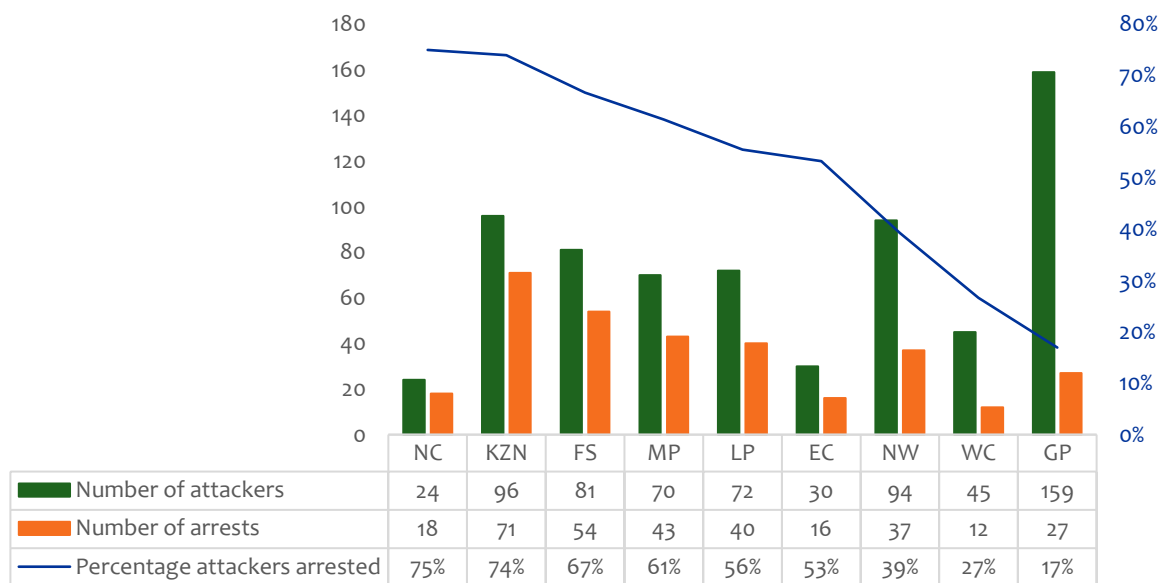


Figure 20: Number of attackers and arrests, and percentage of attackers arrested²⁵

It is clear from figure 20 that conviction rates are lower than desirable. Although the reason for the low conviction rates in some provinces is unknown, various causes such as a lack of resources, financing, and training, a strained working relationship between the SAPS and the NPA, or a combination of all of these factors, may contribute.

However, a higher conviction rate is achievable. Evidence in support of this argument can be found in a 2003 study. Based on information from the Committee of Inquiry on Farm Attacks,²⁶ investigators assessed that the conviction rate for farm attacks in the Eastern Cape was as high as 90% from 2000 to 2001 – higher than the rate for other violent crimes at the time. The article cited three reasons for the high conviction rate: political will, availability of resources (such as

²⁵ Only the known number of attackers is included in the graph. Note that the percentage of attacks where the number of attackers is unknown for murder incidents was 29% for 2016, 21% for both 2017 and 2018, 31% for 2019, 35% for 2020.

²⁶ Mistry, D. 2003. Ploughing in resources: The investigation of farm attacks. In *South African Crime Quarterly* 6, pp. 7–12. DOI: <https://doi.org/10.17159/2413-3108/2003/voi6a1057>.

tracking units and air support) and better investigation techniques like the use of informer networks and employing experienced detectives.

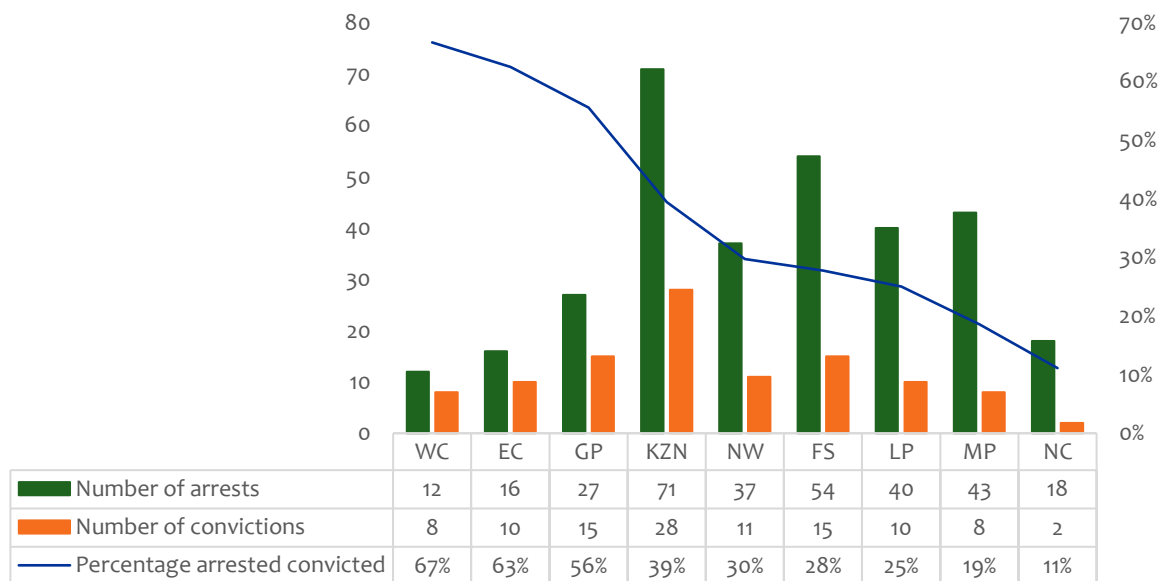


Figure 21: Number of arrests and convictions and percentage of convictions

Incidents per year

The chronology depicted in the following set of tables runs from the date of the arrest to the date of the conviction and/or sentencing.

While multiple arrests were made at different points in time in various cases, only the first date of arrest relating to a case was included in the first column (“Month of first arrest”). In the third column (“Interval between murder and arrest”) the number of weeks between the murder and arrest is given. The date that was used was either the date on which the murder was committed, or when the body of a victim was discovered. The month in which the offenders were either convicted or sentenced is highlighted by the fourth column (“Date of conviction or sentencing”). Finally, in the fifth column (“Interval between arrest and conviction/sentencing”) the number of months is given from the date of the first arrest until the date of the first conviction or sentencing.

2016

In four of the incidents listed in table 1, police reaction was excellent and resulted in same-day arrest. In three of these cases, convictions were obtained within a year. In four incidents, more than two years elapsed before conviction.

Table 1: 2016 arrests to conviction timeline

Month of the first arrest	Murder count	Interval between murder and arrest	Date of conviction or sentencing	Interval between arrest and conviction/sentencing
Jan. 2016	2	Same day	Jul. 2016	6 months
Jan. 2016	1	Same day	Dec. 2016	10 months
Mar. 2016	1	Same day	Mar. 2017	11 months
Apr. 2016	2	1 week	Nov. 2017	18 months
May 2016	1	1 week	Nov. 2018	30 months
Jun. 2016	1	1 week	Jun. 2017	11 months
Jul. 2016	2	3 weeks	Sept. 2017	14 months
Jul. 2016	1	3 weeks	Jun. 2017	10 months
Jul. 2016	1	1 week	Sept. 2017	13 months
Aug. 2016	4	21	Sept. 2017	13 months
Oct. 2016	1	1 week	Jun. 2019	31 months
Oct. 2016	1	Same day	Aug. 2018	21 months

2017

During 2017 seven same-day arrests were made. Also, arrests were made within a week after the murder in six cases. In six cases, securing convictions took more than two years. The longest interval from murder to arrest was approximately 15 weeks. Nevertheless, in this case a conviction was handed down within two years.

Table 2: 2017 arrests to conviction timeline

Month of the first arrest	Murder count	Interval between murder and arrest	Date of conviction or sentencing	Interval between arrest and conviction/sentencing
Jan. 2017	1	4 weeks	August 2018	18 months
Feb. 2017	1	Same day	October 2020	44 months
Feb. 2017	4	Same day	June 2018	16 months
Mar. 2017	2	2 weeks	October 2017	7 months
Apr. 2017	2	Less than 1 week	May 2018	13 months
Apr. 2017	1	40 weeks	September 2019	29 months
May 2017	1	15 weeks	March 2019	21 months
May 2017	1	Same day	June 2018	13 months
May 2017	1	4 weeks	December 2020	42 months
Jun. 2017	1	Less than 1 week	September 2018	15 months
Jun. 2017	1	35 weeks	March 2020	33 months
Jul. 2017	1	Less than 1 week	October 2018	15 months
Jul. 2017	1	Less than 1 week	February 2022	54 months
Jul. 2017 ²⁷	1	10 weeks	June 2020	35 months
Sep. 2017	2	2 weeks	August 2021	47 months
Sep. 2017	2	2 weeks	April 2019	18 months
Oct. 2017	1	2 weeks	February 2019	15 months

²⁷ The exact date of arrest could not be determined. The SAPS's press release indicates that the arrest was made within a few months after the indictment. Therefore, the date of arrest was deemed to be in the middle of July 2017.

Oct. 2017	1	Less than 1 week	September 2018	10 months
Oct. 2017	1	Same day	December 2018	13 months
Oct. 2017	1	Same day	May 2020	30 months
Nov. 2017	1	Same day	January 2018	2 months
Dec. 2017	1	Less than 1 week	November 2018	11 months
Dec. 2017 ²⁸	1	18 weeks	September 2020	21 months
Dec. 2017	1	Same day	May 2019	17 months

2018

The longest case from 2018 took more than three years to finalise.

Table 3: 2018 arrests to conviction timeline

Month of the first arrest	Murder count	Interval between murder and arrest	Date of conviction or sentencing	Interval between arrest and conviction/sentencing
Feb. 2018	1	Same day	Jul. 2019	16 months
Feb. 2018	1	Less than 1 week	May 2018	2 months
Apr. 2018	1	1 week	Dec. 2021	43 months
May 2018	1	1 week	May 2018	Less than 1 month
May 2018	2	1 week	Jul. 2020	26 months
Jun. 2018	2	1 week	Apr. 2019	9 months
Dec. 2018	2	Less than 1 week	Nov. 2019	10 months

2019

It is evident from table 4 that in cases that eventually lead to convictions, the quality of the SAPS's work was exceptionally high. For example, in all but one cases arrests were made within two weeks from the crime.

Table 4: 2019 arrests to conviction timeline

Month of the first arrest	Murder count	Interval between murder and arrest	Date of conviction or sentencing	Interval between arrest and conviction/sentencing
May 2019	1	Less than 1 week	Feb. 2021	21 months
Jul. 2019	1	5 weeks	Aug. 2019	Less than 1 month
Jul. 2019	1	Less than 1 week	Jun. 2020	11 months
Jul. 2019	2	Less than 1 week	Jan. 2022	30 months
Jul. 2019	1	Same day	Nov. 2020	16 months
Sep. 2019	1	Less than 1 week	Jul. 2020	9 months
Sep. 2019	1	Less than 1 week	Jan. 2022	27 months

²⁸ The exact date of arrest could not be determined. The source mentioned that the arrest was in the same year. Therefore, the date of arrest was deemed to be at the end of 2017.

2020

All convictions obtained in 2020 were within two years, as shown in table 5.

Table 5: Timeline for 2020

Month of the first arrest	Murder count	Interval between murder and arrest	Date of conviction or sentencing	Interval between arrest and conviction/sentencing
Feb. 2020	1	Same day	Oct. 2021	20 months
Jun. 2020	1	8	Apr. 2021	9 months
Jul. 2020	1	Less than 1 week	Jun. 2021	10 months
Oct. 2020	2	7	Mar. 2021	4 months

Farm attacks and murders 2021

This section of the report focuses on farm murders and attacks for the 2021 calendar year.

Overview of farm murders and attacks 2021

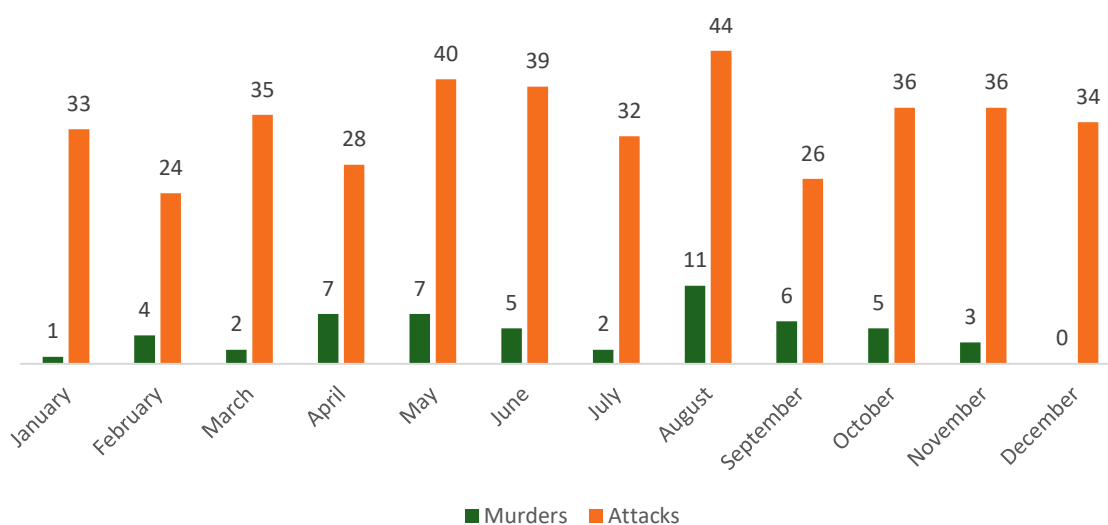


Figure 22: Farm attacks and murders (2021)

It is clear from figure 22 that farm attacks were committed in every month of 2021. Moreover, December was the only month in which no farm murder was committed. Compared to 2020, there is a 16% decrease in murders (from 63 in 2020 to 53 in 2021), whereas attacks increased by 6% (from 384 in 2020 to 407 in 2021). Most attacks (44) occurred in August. Except for the Free State and Mpumalanga, every province reported a decrease in farm murders from 2020 to 2021. The Free State witnessed a sharp increase in murders from 9 in 2020 to 16 in 2021, which is an increase of approximately 78%.

Time and day of the week

The percentage of farm attacks (for which the time of attack is known) and the percentage of murder incidents that occurred in each three-hour time slot of a 24 hour period are shown in table 7 and table 8.

Table 7: Time of farm attacks²⁹

Time	Percentage of attacks
00:00–02:59	24%
03:00–05:59	7%
06:00–08:59	7%
09:00–11:59	8%
12:00–14:59	5%
15:00–17:59	6%
18:00–20:59	22%
21:00–23:59	21%

Table 8: Time of farm murders³⁰

Time	Percentage of murder incidents
00:00–02:59	24%
03:00–05:59	12%
06:00–08:59	12%
09:00–11:59	4%
12:00–14:59	4%
15:00–17:59	4%
18:00–20:59	24%
21:00–23:59	16%

The percentage of farm attacks and percentage of murder incidents that occurred per day of the week are shown in table 9 and table 10.

Table 9: Percentage of attacks per day of the week³¹

Time	Percentage of attacks
Sunday	12%
Monday	13%
Tuesday	12%
Wednesday	14%
Thursday	21%
Friday	16%
Saturday	13%

²⁹ For 20% of attacks, the time of the attack is unknown.

³⁰ For 42% of murder incidents, the time of the incident is unknown.

³¹ For 0,5% of attacks, the day of the attack is unknown.

Table 10: Percentage of murder incidents per day of the week³²

Day	Percentage of murder incidents
Sunday	27%
Monday	5%
Tuesday	12%
Wednesday	7%
Thursday	15%
Friday	15%
Saturday	20%

Saturdays and Sundays were the most common time for murders, with nearly half of all attacks occurring on Saturdays and Sundays. For the murder incidents for which the times could be verified, 64% occurred between 18:00 and 02:59. While the SAPS's timeslots for 2021 are not available at the publications of this report, according to its 2019/2020 annual report, Saturdays were also the day on which most farm killings occurred that financial year(28,3%).³³ Of all murders, 72% were committed on farms, while the rest were committed on smallholdings.³⁴

Occupation of murder victims

Most farm murder victims were farm owners, as can be seen in table 11. Farmworkers comprised 19% and family members 11% of murder victims.

Table 11: Occupation of murder victim

Occupation of murder victim	Percentage of murder victims
Owner	43%
Farmworker	19%
Family member	11%
Unknown	9%
Security guard	6%
Farmer	4%
Visitor	4%
Resident/tenant	2%
Manager/foreman/supervisor	2%

³² For 5% of murder incidents, the day of the incident is unknown.

³³ South African Police Service. 2020. *Annual report 2019/2020*, p. 38. Available at https://www.saps.gov.za/about/stratframework/annual_report/2019_2020/annual_crime_report_2019_2020.pdf. Accessed on 27 January 2022.

³⁴ One incident happened on a lodge.

Age and gender of victims

The average age of murder victims was 49 years old.³⁵ However, most of the murder victims were aged between 50 and 59 as can be seen in figure 23.

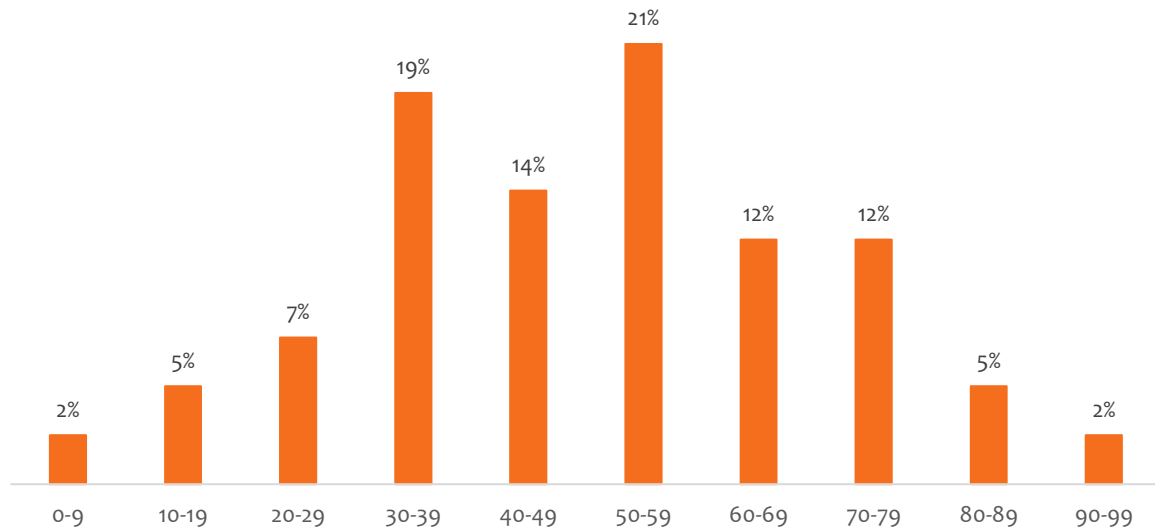


Figure 23: Percentage of victims per age group

The number of murder victims per age group and the gender of murder victims are indicated in figure 24.

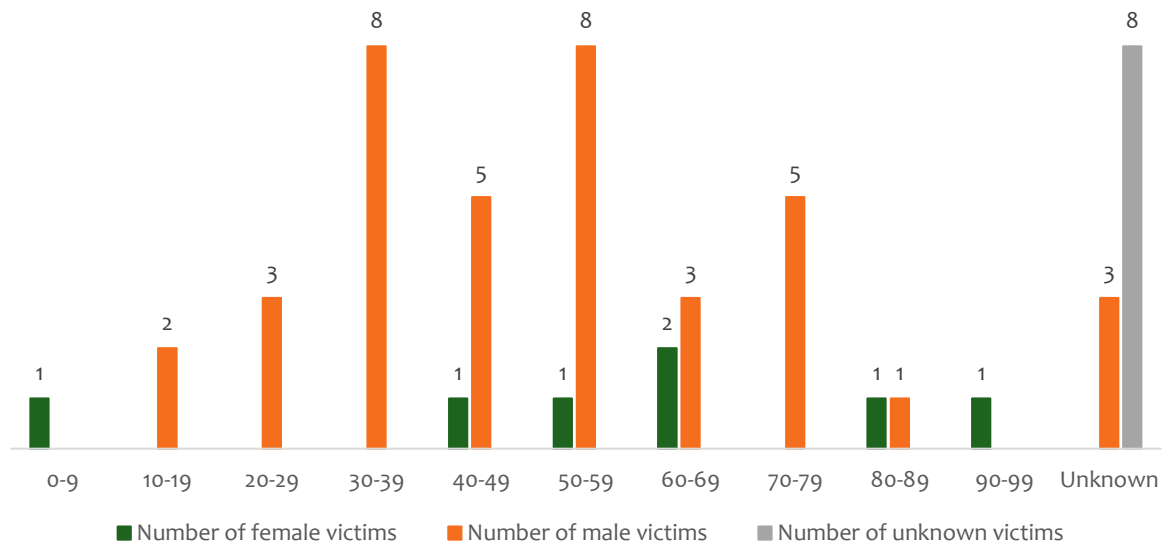


Figure 24: Age and gender of murder victims

³⁵ For 21% of victims, their age is unknown.

In terms of gender, 72% of victims were male, and 13% female. The gender of 15% of victims is unknown, as indicated in figure 25.

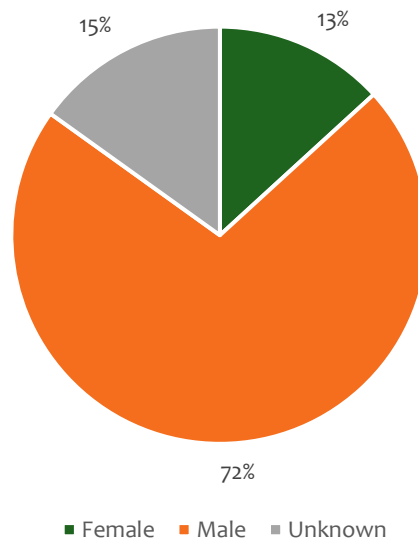


Figure 25: Percentage gender of murder victims

Items stolen and weapons used

In line with the 2016 to 2020 review period, the most stolen items were vehicles, firearms, money and electronic products such as cell phones. The cause of death or injuries which led to death included gunshot wounds or being stabbed, strangled or severely assaulted to the point of death.

Conclusion

The findings from this study suggest that there is a severe shortcoming – at least in some provinces – in the arrest and prosecutions of suspects of murders on farms and smallholdings. The findings also suggest that, while SAPS detection work was proficient and effective in some instances in apprehending criminals, the prosecutors assigned to these cases were inadequate in their responsibility. By the same token, the opposite is also true. It is true that successful prosecutions are dependent on efficient procedural police work, and information on the quality of case dockets is not available for analysis. Nevertheless, based on arrest rates – notably that of 2017 – which resulted in successful prosecutions, a case may be made that more focus should be placed on the efficacy of the NPA in regard to the conviction of farm murders.

One of the core functions of government is to protect its population against threats and violence. When it fails in this regard, its legitimacy starts to erode. More importantly, however, people's trust in it begins to fade. If murder rates are to be curbed, public trust must be restored in our criminal justice system.