

## CHAPTER 7

### PERPETRATORS OF FARM ATTACKS

#### INTRODUCTION

##### **Purpose of the research**

The Committee's terms of reference stipulated that interviews should be conducted with persons convicted and sentenced in connection with farm attacks.

A comprehensive study in this regard, 'Perpetrators of farm attacks: an offender profile' had already been undertaken by D. Mistry and J. Dhlamini, attached to the Institute for Human Rights and Criminal Justice Studies at Tecknicon SA. They interviewed some 48 offenders who had committed farm attacks in 1997 and 1998 and who were serving prison sentences in prisons in Gauteng, KwaZulu Natal, North West, Limpopo, Free State and Mpumalanga.

Because the Mistry and Dhlamini research was relatively recent, the Committee decided that it would serve no purpose to interview farm attackers in general. Rather, perpetrators linked to the cases proffered by the agricultural unions, and to the cases identified by the Committee itself as warranting special attention, should be concentrated on, in order to supplement the existing data. The purpose of the research by the Committee was, *inter alia*, to examine the motives for the farm attacks.

##### **Research methodology**

The Committee experienced great logistical problems in carrying out these interviews. Firstly, the Committee had requested from the agricultural unions a list of cases in which the motives appeared not merely criminal in nature. It took many months for the list to be forthcoming. Secondly, working with these lists, and with names of other cases which the Committee thought warranted special attention, it proved extremely difficult to trace the perpetrators. It was first necessary to obtain as much detail from the police as possible about the specific cases, especially that relating to the names of those convicted, the court and the dates on which they were convicted. Thirdly, even then the process of establishing the facility where those convicted were imprisoned, was time-consuming. There apparently was no central database for convicted prisoners, and different prisons in the various provinces had to be approached. The fact that people convicted in one province might serve their sentence in a prison in another province complicated matters - as did the fact that transfers of offenders from one prison to another in the same province seems to occur on a regular basis.

In addition to the delays caused in locating perpetrators, when some were finally traced,

some of them were incarcerated in prisons that were a great distance from the main centres. Because of time and financial constraints, it was thus only possible to interview 8 perpetrators linked to 5 of the cases listed by the agricultural unions. Those interviewed were incarcerated in prisons in Gauteng, KwaZulu Natal, North West and Mpumalanga Provinces. A possible reason why the Committee experienced so many logistical problems was that, unlike the Mistry and Dhlamini study, the interviewees were not randomly selected from those available, but were linked to specific farm attacks.

The semi-structured interview schedule used in the study by Mistry and Dhlamini was adapted for the Committee's own study on the basis that it was a proven questionnaire. The interview schedule was administered on a face-to-face basis with the perpetrators. This interview schedule covered the following aspects:

- Family backgrounds
- Age, level of education and marital status
- Circumstances surrounding the attack
- Emotional state before, during and after the attack
- Target selection
- Knowledge about security on the farm
- Involvement in other crime and criminality
- Views about land ownership
- Opinions about sentences
- Suggestions on the prevention of farm attacks

Some interviews were conducted on a one-on-one basis, even though there was more than one offender involved in a particular attack, whilst others were conducted with both offenders at the same time. The reason for interviewing some offenders separately was to minimise exaggeration or dishonesty. Interviewing the perpetrators separately enabled the researchers to construct a complete picture of what had happened and to establish the motive for the attack. In other cases, such as where the perpetrators fully admitted their complicity, separate interviews were not always necessary.

The relevant police dockets were perused, where possible, and served as preparation for the interviews. This enabled the Committee members to judge to what extent the interviewees were being truthful. The interviews were conducted in a language with which the offenders were comfortable. Some perpetrators were given a choice of the interview either being taped or written down. On average the interviews took a minimum of two hours to complete.

### **Advantages of perpetrator studies**

An offender's account allows the researcher to obtain 'insight into the offender's

perceptions and experiences'. In fact, according to the literature, there has been a 'resurgence in offender accounts because of the value seen in the perspective that focuses on the offender's decision making (both the phenomenological and rational choice approaches argue that we need to get an offender's eye view to properly and meaningfully understand crime)'. This simply means that the offenders' accounts are important in understanding why they perpetrate violence.

The usefulness of the offender's account is often questioned. Offenders will give motives for using violence that place them in the best possible light. Furthermore, 'offenders are tempted to remember events in a way that excuses them from culpability, especially with regard to the moral codes to which they may be tied'. However, it is by understanding how offenders excuse their violence that insight into the constructions they use to allow violence in the first place is gained.

Some of the perpetrators interviewed by the Committee lied - they gave a different version of the event to what was contained in their own or other creditable statements in the police docket. In addition, the Committee found that when the perpetrators had an appeal pending they were less likely to tell the truth. Nevertheless, interviews with perpetrators are most useful, since even if they lie they throw light on the attitude of the perpetrator.

The perpetrator study is only one component of the study of a particular case. One also looks at the police docket, court case and other circumstances (including victim's perspective, if he or she is still alive), and the perspective of the perpetrator is another important component.

## **RESULTS OF THE INTERVIEWS**

The interviews by the Committee did not really reveal anything new, and merely confirmed many of the clear patterns that had emerged from the study by Mistry and Dhlamini.

### **Perpetrator profile**

The eight people interviewed were between the ages of 20 and 36. They were all black. The level of their education was between grade 2 and grade 10. Only one of them had been raised by both parents, whilst the others had been raised either by a single parent (usually a mother) or by their grandparent(s). Three of them were single and five of them were married according to customary law. All of them said they did not have friends in prison because they were trying to avoid trouble.

In the Mistry and Dhlamini study the 48 offenders were also black. At the time of the attack 23% were under the age of 18, while none were older than 33. Some 23% had not attained a grade 7 level of education, while 46% had attained a level of between grade 7

and 9, and 31% between grade 10 and 12. More than half had had an unstable family background, including being raised by persons other than their biological parents. Only 12% were married and 71% were unemployed.

### **Involvement in farm attacks**

The eight perpetrators were involved in five different attacks. Of the eight, two admit they were involved in the attack, and they provide all the details of the attack. Four deny involvement in the attacks; instead they claim that they were merely accompanying their co-accused and they were not aware of their intention to commit farm attacks. The other two claim they were wrongly implicated by either the police or their co-accused. Despite this, four perpetrators (two who claim they were merely accompanying other people and the two who claim they were wrongly implicated) gave the Committee all the information about the attacks.

The two perpetrators who admit involvement, committed the attacks in the North West and Mpumalanga Provinces. Two of the four who claim they were merely accompanying other people were sentenced for cases that took place in KwaZulu-Natal. The other two were convicted and sentenced for a farm attack that occurred in Mpumalanga. Of the two who claim they were wrongly implicated, one was sentenced for a farm attack in Mpumalanga and the other for an attack in KwaZulu-Natal.

### **Motive for farm attacks**

The two perpetrators who admit they were involved in the attacks state that their motive for the attacks was robbery. Their main intention was to steal money, cars, arms and ammunition and electrical appliances. One perpetrator stole a vehicle but did not find any money after ransacking the house; the other one stole arms, ammunition and a vehicle. The other perpetrators say they did not know what the motive for the attacks was because they claim either not to have been involved in the attacks or to have been wrongly implicated.

In the Mistry and Dhlamini study robbery was given as the primary motive for the attacks by 90% of the perpetrators. Those attacks were mostly well planned, the offenders spending three to seven days on the farms, studying the movements of the occupants. The main intention of 46% was to steal money, although few actually managed to get it. Some 40% wanted to steal other items such as motor vehicles, electrical appliances and food. It is interesting that several of the attackers did not steal anything because they were disturbed by a sudden noise of the arrival of an unknown person. Only 8% of the attackers were motivated by revenge.

### **Target selection**

The perpetrator in the North West case says he and his co-accused (who were not interviewed) chose the farm because they stayed close to the farm. They knew the farmer had money, because they usually went to the farm to buy cows and sheep. It took them only one day to select and attack the farm. They did their planning during lunch time at school and attacked the farm the next day after school.

The perpetrator in the Mpumalanga case also says that he and his co-accused chose the farm because it was in close proximity to where he resided. An uncle of one of the co-accused had worked on that farm, therefore they had information that the farmer had money. It took them two weeks to plan the attack. Their planning entailed going to the farm and feigning interest in the price of livestock.

The six other perpetrators were not asked the question by the interviewer, since they denied involvement in the farm attacks.

In the Mistry and Dhlamini study just under half of the offenders said that they had chosen the particular farm on the basis of information received from a previous or present employee on the farm. Only 10% had chosen the farm because they had a grudge against the farmer. Some offenders were unsure why the farm had been selected. Two thirds said that they had spent time planning the attack. Half of the offenders did not know the farm well and had to stake out the area for three to five days before the attack. Most of the attackers also said that they did not know any of the farm workers or other people living on the farm.

### **The kind of violence used**

In four of the five cases studied by the Committee the victims had been either shot and killed or stabbed and killed. The farmer and his wife in the North West Province were stabbed to death before being set alight. The wife of the farmer in one of the Mpumalanga cases was assaulted before being shot and her husband was also shot. In the other cases in KwaZulu-Natal, where the perpetrators deny that they were involved, the farmers were shot. In addition, in the Mpumalanga matter the elderly couple were tied up and badly assaulted.

The type of violence found in these cases is similar that in the study conducted by Mistry and Dhlamini. The most prevalent forms of violence used were burning, strangulation, stabbing and the shooting of the victims. Only a small number of offenders did not use any violence at all. In some cases a piece of cloth was put into the victims' mouth, and some were tied up and locked up. Interestingly enough, about half of the perpetrators said that the violence had been provoked, and that the victims could have avoided the violence by reacting quickly to their requests and by not arguing. Many admitted, however, that there was nothing that the victims could have done to avoid the violence. Alcohol or drugs did not play an important part in the violence, since 87% of the perpetrators were sober.

## **Knowledge about security**

The knowledge of the perpetrators interviewed by the Committee about security varied. For one perpetrator the possibility of being caught dawned upon him only after the attack, whilst another was confident that he and his accomplices would escape the long arm of the law.

The perpetrator in the North West Province only thought about the possibility of being caught after the attack. He was only worried about the likelihood of being shot by the farmer. In addition, he did not know anything about the commandos. By contrast, the perpetrator in the Mpumalanga matter was not worried about being caught, because he thought their plan was watertight. He was confident that the farmer would not be suspicious or be able to react quickly. Their plan was to take the farmer by surprise. Of interest in this particular case is the fact that the perpetrator disclosed that he had been trained by the SAPS when he had joined the special constables in the 1980s.

In the Mistry and Dhlamini study more than half of the attackers were not afraid of being caught by the police or commandos. (73% had not even heard of the commandos.) Three quarters of the offenders were not afraid of being shot by the farmer either, possibly because they had been able to reconnoitre the farm undetected. Most farms only had a fence and a gate as security.

## **Crime, criminality and sentences**

None of the eight perpetrators interviewed by the Committee had ever been a victim of crime. Seven of them were first time offenders and one had a previous conviction for car theft, although he had not served a prison sentence. They all thought that their sentences for the farm attacks were unfair and too long. These perpetrators did not think that their sentences were a deterrent, because they only realised the harshness thereof after being sentenced.

In the Mistry and Dhlamini study 54% of the offenders had previous convictions, some for robbery. Three (6%) had previously committed farm attacks, but had never been charged. Two had previously committed crimes such as stealing food on farms. As many as 89% of the offenders felt guilty about the attacks, for two main reasons: they knew they had done wrong, and they were concerned about their families and the future. Some thought they could have controlled their own tempers better or could have stopped their accomplices from becoming too violent. The greater majority of offenders (96%) were serving sentences of between 10 and 25 years, and they all felt that their sentences were unfair and too long. They did not think that harsh sentences were a deterrent to farm attackers, because at the time of the attacks they themselves did not expect to be caught.

## **Distance travelled by perpetrators**

The two perpetrators (in North West and Mpumalanga respectively) who admit involvement in the attack did not have to travel a long distance to the farms attacked. The one walked to the target and the other hijacked a vehicle in town for the purpose. The three in KwaZulu-Natal, who either say they were not involved or were wrongly implicated, also stayed near to the farms. One refused to answer the question and the other two travelled in a car to the farms less than thirty kilometres away.

The same pattern emerged from the Mistry and Dhlamini study. Some 58% of the attackers were less than 20 km from the farms which they targeted, as the crow flies, although on average the attackers had to travel 40 km to the farms. Only 12% were more than 100 km away from the farms.

### **Time of the attacks**

The time of day on which the attacks took place differed. In two of the attacks, one in Mpumalanga and the other in KwaZulu-Natal, the incidents took place around 11:00 in the morning. The attack in the Northwest and another one in Mpumalanga, took place in the afternoon, after 16:00. The time of day of the fifth attack could not be determined, because the accused denied involvement in the attack.

Many studies have shown that farm attacks can take place any time of the day or night. In the Mistry and Dhlamini study the point is made that in many attacks the time depends on the farmer's routine.

### **CASE STUDIES**

There are seven case studies that will be discussed below. The first is an incident in Mpumalanga, where an elderly couple were shot dead, and the second is a farm attack that took place in the North West Province where another elderly couple were stabbed then set alight by the attackers. These two cases were selected because the perpetrators admitted involvement and provided details to the Committee. The third is a case where the perpetrator claimed that he had been wrongly implicated, but when interviewed he provided the details that were in the police docket. This case was selected to show that, like in the previous study by Mistry and Dhlamini, perpetrators have a tendency of distorting facts or denying their involvement, and yet providing all the necessary details for the interviewer to understand the background to the attack. The fourth and fifth cases illustrate unnecessary violence, whilst the sixth case seems to indicate the abuse of youth by an older person. The last case study is also an example of excessive violence.

#### **Case Study One: Mpumalanga**

The perpetrator who was involved in this case says they chose the farm because it was

not far from where he lived, and one of them also had a relative who worked on the farm and told them that the farmer was rich. Their main intention was to steal money and firearms and then to kill the owners - particularly the husband, because when they had been doing their reconnaissance a week before the attack, he had harassed them. They had gone to the farm pretending to be interested in buying livestock, but the farmer had not listened to them and had chased them away. This attitude had angered them.

He says four of them were involved in the attack. First they hijacked a bakkie in town and then drove to the farm. Only three of them went into the house; the fourth attacker was left outside in the vehicle. The agreement was that two attackers would go inside the house and deal with the farmer's wife because she was alone at the time. Another would wait outside for the farmer to return home, as they were aware that he would arrive soon.

Two perpetrators went in and the third waited outside as agreed, but their plans were foiled because a dog barked when the farmer returned, and he saw the perpetrator. The farmer then rushed inside the house where the other two attackers were with his wife. The perpetrator interviewed says he knew that the farmer would not hesitate to shoot his accomplices, so he walked in behind him. When he got into the house he saw the farmer struggling with his accomplices for a firearm, so he decided to shoot him. The first person who was shot, however, was the farmer's wife. They then dragged the wife to the bedroom, searched for the money and keys to the 'BMW'. According to him, the farmer was not shot at the time - he just collapsed. After getting what they wanted, he shot the farmer and drove off in his BMW.

### **Case Study Two: North West Province**

The perpetrator interviewed in this case says four of them were involved in the attack. All of them were approximately 17 years old at the time and lived near the farm. The attack was planned at school during lunch break, as all of them were still at school at the time. They knew that the farmer had money because they used to buy livestock from the farm.

The attack took place a day after it had been planned. After school they all went to their different homes to change out of their school uniforms and leave their books at home. They then went to their meeting place and from there straight to the farm. When they got there it was raining, so they stood on the verandah for some time. The farmer came out and asked what they were doing there. They followed him inside, where they overpowered the farmer and his wife and demanded money. The farmer told them to look for it themselves and this angered them.

They stabbed the farmer and his wife and ransacked the house, looking for money, but they did not find any. The perpetrators decided to set the house alight to destroy any evidence such as fingerprints, because they thought that these were all over the house.

### **Cases Study Three: KwaZulu-Natal**

The accused in this case denies he was involved in the attack but, although he maintains his innocence, he says he knows why the farmer was targeted. He says 'the farmer was seen by the community as a troublesome person because he was not prepared to assist people with matters seen by the community as important'. For example, people wanted a thoroughfare through the farm so that they could get to the clinic and they also asked for a school to be built, but he was not prepared to assist in any way.

The perpetrator claims that he only learned about the killing four days after it had happened. He says that he was implicated by someone else who was arrested the same day as he was, and that person testified against him. As for the other evidence against him, he says that the police claimed that the firearm used in the attack was in his possession. He claims he had never seen it before, and he did not have it on him when he was picked up. It should be noted that the perpetrator lied during the interview. The police docket shows that he confessed to the crime.

#### **Case study 4: Free State**

There were two perpetrators involved in this case. One of the perpetrators had been working for the parents of the victim for two weeks prior to the attack. The victim was a 26 year old medical doctor. She was attacked on her way to work in the morning, after closing the gate on the road to her parent's home. The perpetrators say it took them two days to plan the attack. Both of them aver that their motive was to steal money, because they knew that doctors generally had money and that the victim's parents were rich.

They knew what time she left the house to go to work on a daily basis, so they waited for her at the gate. After she had closed the gate, they overpowered her and drove off with her to a deserted area, where they demanded money from her. One of the perpetrators claimed she gave them R 35 000, 00 cash which she was taking to the bank. They took her bank card and demanded that she gave them her personal identity number. Later on they withdrew R2 000 from her account.

The other perpetrator, however, says that his accomplice is lying - the only money the young doctor had was R500, of which his friend took R 310 and gave him R 190. They both declare, however, that the victim pleaded with them not to rape or kill her. One perpetrator states that they agreed that they were going to tie her to a tree and leave her there. After doing a body search and taking the money, the perpetrator who drove the car decided to turn the car around. He says that when he turned back, he was surprised to discover that his friend had strangled the victim and gouged out her eyes.

When he asked his friend why he had killed her, he replied that he had been afraid that she would have been able to identify them. His reason for gouging out her eyes in addition, was that he was afraid he would always see her image before him.

### **Case study 5: Mpumalanga**

All three perpetrators were under the age of 18 when they committed the offence. One of them had been an employee of the elderly couple. He says they took three weeks to plan the attack. They had attempted the attack twice before, but failed to carry it through. Their motive for the attack was to steal money.

The co-accused was a younger brother and their friend. The perpetrator says that after he had knocked off from the farm that afternoon, his friend and younger brother arrived. They overpowered the old man and demanded money from him. He refused to give them money, therefore one of them took a steel pipe and assaulted the old man. The old man collapsed and then they demanded money from the old lady, who also refused to tell them where the money was kept. She told them to look for it on their own. They ransacked the house but did not find anything.

The perpetrator then closed all the windows in the victims' house, released gas from a gas cylinder, locked the victims inside and set the house on fire. The couple died as a result of this. He says that he set the house on fire because he was afraid that the couple would call the police and identify him after he had left. The police arrested him and his two accomplices a day after the attack. He confessed to the police.

### **Case study 6: KwaZulu-Natal**

This murder case in KwaZulu Natal involved two juveniles. They allege that a woman who was a domestic worker on a farm, asked them to go with her to the farm to collect her clothing and money, as she had been dismissed from her employment.

Just before they entered the gate, she gave them knives and said they might need them. In the house she gave them some electrical appliances and cutlery. When they were about to leave, the farmer's wife appeared. The domestic worker told them that because the farmer's wife had seen them and would report them to the police, they should stab her. One of them then stabbed the farmer's wife, and they all fled.

The domestic worker was the first to be arrested, as one of the labourers had seen her after the incident. She later told the police that the two boys had attacked her and the farmer's wife and for that reason why she had run away. The boys were arrested a day later and eventually sentenced to fourteen years imprisonment each. The charges against the domestic worker were dropped.

This is an interesting case in that, according to African tradition, children should obey and assist adults if asked to do so. These boys allege that they were innocently assisting an adult who came to their home the morning of the attack.

### **Case study 7: Northern Province**

All four offenders involved in this case say that their only motive was to steal money. They had received information regarding money on the farm from a girlfriend of one of the offenders. The girlfriend's father worked on that particular farm, but she had not got the information from her father. She had been taken to the room where the safe was kept by one of the other farm labourers (who was probably her admirer). He had showed her the safe and told her that, whenever she wanted money, she should ask him. Instead, the girl had given the information regarding the safe to her boyfriend and his friends.

The offenders then planned the attack. They camped in nearby bushes for three days, studying movements on the farm. They attacked the farm on the fourth day, after the farmer had left in the morning. They approached the farm and told a farm labourer that they were there to pay for cows they had bought. After consulting with the farmer's wife, the labourer came back with a book to write down their names and take the money. He was then overpowered and had a gun pointed at him. The farm labourer was forced to take them to the farmer's wife, from whom they demanded money. She opened a drawer where there was some money. Because they knew there was a lot of money in the safe, however, they demanded that she opened the safe. Instead of opening the safe, she told them the safe keys were with her husband.

One of the offenders then got angry with the victim because he thought she was using delaying tactics and lying to them. He burnt her with the hot iron that she had been using when they had entered the house. They fled with R48 000 in cash and a Mercedes Benz worth about R240 000. All of them were arrested about two hours later, after they had been involved in an accident while fleeing. All the money was recovered.

## **CONCLUSIONS**

The results of the interviews of perpetrators by the Committee were very similar to those found in the Mistry and Dhlamini study. The most important findings can be summarised as follows:

None of these farm attacks were politically motivated. The major motivation for the attacks was robbery. This includes cases which received widespread publicity at the time as being examples of attacks being carried out with some underlying motives.

The perpetrators had prior information about the availability of money on farms targeted.

All of the attacks had been carefully planned, and in some of the cases prior observation of the movements of the farm residents had taken place over several days.

The perpetrators were all young and in some of the attackers were still at school.

The majority of them came from dysfunctional families.

Their level of education was low.