

Tracker statement in response to article published in The Star on January 29, 2010 entitled "Tracker man pounces on wrong guys"

January 29, 2010

The Star newspaper has reported that a Tracker recovery crew officer assaulted and racially abused two suspects in a hijacking case in Johannesburg on the night of January 28, 2010.

The article details how two men were arrested after the Tracker recovery officer mistook them for hijackers. The article further claims that the men in question were 'sitting on the pavement outside their Mayfair home', across the road from the hijacked vehicle, when they were arrested.

Tracker's Operations Manager, who was on the scene of the incident, denies this claim and is adamant that the Tracker recovery officer in question found one of the men sitting in the driver's seat of the hijacked vehicle while the second man was standing next to the passenger door.

The officer then proceeded to arrest both men, using the necessary force to subdue them and gain control over what can often be a highly volatile and dangerous situation.

The officer denies allegations of any physical and racial abuse.

The fact that these men did not match the description of the hijackers as provided by the owner of the vehicle is of little consequence as stolen and hijacked vehicles may pass between many hands as they travel towards their final destination. Hijacked vehicles are often handed over to drivers to transport them over the border. Tracker's duty is to recover stolen and hijacked vehicles and, in the event of one of our recovery crews arriving on the scene ahead of a police unit, to arrest the people in possession of the stolen or hijacked vehicle.

It is not Tracker's responsibility to determine the extent of guilt attached to the persons found in possession of the vehicle. The police are charged with this duty, whom we assist as far as possible.

While Tracker in no way condones the use of racist language in arresting criminal suspects, it is important to remember that law enforcement personnel from all over the world are trained in a specific manner, often to speak aggressively, to gain control over suspects in an arrest situation. Members of law enforcement need to do whatever they can, within the confines of the law, to ensure an effective arrest – not only to ensure their own safety, but the safety of the public as well.

Tracker invests significantly in the calibre and training of its recovery officers who are handpicked from various areas of law enforcement. Working in partnership with the police, Tracker's recoveries have led to more than 8400 arrests in 13 years.

Where we find that inappropriate language or any form of action outside well defined operating procedures is present, appropriate action will be taken to protect and uphold the company's image.

We also note that while the article makes certain allegations, we are not aware of any formal charges that have been laid by the men in question.

Tracker man pounces on wrong guys

THANDI SKADE
AND LERATO MAILE

We were hit, kicked and abused, say hijack 'suspects'

THREE kicks to the side of the ribcage, racist remarks and a hot *klap* to the face.

That is what Makbul Mitha endured for being in the right place at the wrong time after a Tracker recovery team officer mistook him and his nephew, Patel Mohsin, for hijackers.

The drama unfolded at about 8.45pm on Wednesday when the men were sitting on the pavement outside their Mayfair home, waiting for a relative to arrive.

According to them, a Tracker

response vehicle stopped behind a car parked over the road from their house.

"A man jumped out of the car pointing a gun at us saying, 'Don't move. Put your hands up.' I felt like he was going to rob us," Mohsin said.

He then instructed the men to lie face down on the ground while he handcuffed Mitha and tied Mohsin's wrists tightly with wire.

When Mitha, who doesn't understand or speak English, failed to immediately get down, he allegedly kicked him.

When both men were on the ground he allegedly kicked Mitha three times on the side of his ribcage screaming: "You f***ing Indians!".

Minutes later he allegedly slapped Mitha when he didn't answer a question.

Mohsin said they tried to explain that he had the wrong people, but "he didn't listen to anyone".

According to the men, SAPS and Joburg metro police officers arrived about 10 minutes after the assault began and the Tracker officer handed them

over, telling them he had found them next to the hijacked car. The car was dusted for fingerprints and the men were taken to the Parkview police station where the owner of the hijacked car had opened a case.

After two and a half hours in handcuffs and another hour or so at the police station, the men were released at about 1am yesterday.

Their fingerprints were not found on the car and the owner of the hijacked vehicle reported that the hijackers were black.

While the men were cleared of any wrongdoing, Mitha said the trauma from that night was far from over.

"I was scared, I'm still scared. I thought he was going to shoot us," he said.

Tracker spokesman Gareth Crocker said the Tracker officer arrested the men "using the necessary force to subdue them and gain control over what can often be a highly volatile and dangerous situation".

He said the company's task was not to determine the guilt of a person found in possession of a stolen vehicle.

He said it was the police's job to do that.