

Policing in South Africa in 2007

Key issues and developments



Compiled by Bilkis Omar
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Introduction

On 31 October to 1 November 2007 the Institute for Security Studies (ISS) organised a conference on key issues and developments in policing in South Africa, funded by the Open Society Foundation of South Africa and the Hanns Seidel Foundation.

The conference was held in Centurion in Pretoria, South Africa, and was the culmination of a project titled 'The capacity of the public order police to manage protest marches and the 2010 FIFA World Cup'.

An important theme that emerged was the effect of the 2006 restructuring of the South African Police Service (SAPS) on its ability to police crowds. The SAPS participated fully in the conference and papers were presented by members of the police.

The following presentations were made at the conference:

- The 2006 restructuring of the South African Police Service – Director Hannes Swart, South African Police Service
- Reflections on restructuring in the South African Police Service – Dr Johan Burger, Institute for Security Studies
- Review of public order policing units – Ms Bilkis Omar, Institute for Security Studies
- The FIFA World Cup: lessons from Germany – Superintendent Helmut Bayerl, Munich Police
- The South African Police Service's state of readiness for the 2010 FIFA World Cup – Director Frans Gibson, South African Police Service

- The changing nature of policing: a perspective from the National Secretariat for Safety and Security – Mr Themba Mathe, National Secretary for Safety and Security
- Gauteng performance monitoring to improve station level policing – Mr Gareth Newham, Department of Community Safety, Gauteng
- Corruption and the South African Police Service: a review and its implications – Mr Andrew Faull, ISS-Commissioned Researcher
- Democratic governance of urban security: re-evaluating policing oversight – Ms Julie Berg, Centre of Criminology, University of Cape Town
- The future of policing – Professor Clifford Shearing, Centre of Criminology, University of Cape Town

Given that the SAPS restructuring process had taken place shortly before the conference, response to the SAPS contribution to the conference was very positive. Almost 200 participants from all over the country attended. Among the many institutions represented were the departments of Justice, Social Development, National Treasury, Community Safety, National Prosecuting Authority, Independent Complaints Directorate, and Metro Police. Representatives from the United Nations Office on Drugs and Crime (UNODC), several foreign embassies, police unions, academic institutions, the media and the private sector also participated in the conference.

This report includes the edited scripts of all presentations and notes on the proceedings.

Day One

Opening Address

DR JAKKIE CILLIERS

Session I:

The 2006 restructuring of the SAPS

FACILITATOR: MR BOYANE TSHEHLA

Session II:

Public order policing and the 2010 FIFA World Cup

FACILITATOR: MR JAKE MOLOI

Opening address

DR JAKKIE CILLIERS

Institute for Security Studies

It is a pleasure to welcome you all to this conference to consider developments in policing in the light of the restructuring of the South African Police Service (SAPS) and the 2010 FIFA World Cup.

The Institute for Security Studies (ISS) is, as I am sure most of you know, an Africa-wide NGO based in South Africa with a mandate to conceptualise, inform and enhance the security debate in Africa. Although most of our work takes place outside South Africa, the programme focusing on crime and justice (the Crime and Justice Programme, CJP), which organised this conference, is one of the ISS's oldest.

Over the years, ISS engagement on crime and related matters has increased substantially. This is in part because we believe that we should shift our focus to a capacity-building and state-building approach. As a result, much of our work is done in collaboration and in support of the various Interpol sub-regional bureaux in Nairobi and Harare.

I had the opportunity to visit the Interpol headquarters in Lyon earlier this year for extensive consultations and discussions along these lines. Together with the Interpol Sub-Regional Bureau in Harare (SRB Harare), or the Southern African Regional Police Chiefs Cooperation Organisation (SARPCCO), we assist with the following:

Three types of training, namely peacekeeping training for the police, training on violence against women and children, and HIV/Aids awareness for the police

In terms of policy development, we are engaged with peacekeeping, counter-terrorism, control of small arms and light weapons, and countering money laundering and organised crime

This support is in addition to the bilateral support that we provide to a number of SARPCCO member states

and the teaching support that we provide to the Police Training Centre in Botswana.

Since the establishment of our office in Nairobi, we have also stepped up our work in Eastern Africa. Working in support of the SRB Nairobi – or EAPCCO, the East African Police Chiefs Co-operation Organisation – we also provide peacekeeping training and policy development in a number of Eastern African countries.

We have recently signed an agreement with EAPCCO to launch a joint project to help combat cattle rustling in Eastern Africa. The project aims to develop appropriate mechanisms for preventing and eventually eradicating illicit cross-border activities in general, and cattle rustling in particular. While the project covers the Eastern African region, it will focus on Ethiopia, Kenya, Somalia, Sudan, Tanzania and Uganda as the countries most affected by stock theft. This is a €5 million project over three and a half years and is funded by the government of Germany. From Nairobi we also run a complementary process to the African Peer Review Mechanism (APRM) that is undertaking an in-depth review of crime and the criminal justice system in five African countries. Funded by the UK's Department for International Development (DFID), this three-year project is currently in its second year. Our aim is to undertake work that will feed into the APRM process in these countries.

Then, as many of you are aware, we also undertake considerable work on money laundering and organised crime from our office in Cape Town – much of which is in support of various policing agencies in Southern and Eastern Africa. We have plans to expand our work on organised crime in both Southern and Eastern Africa. In the wake of the 9/11 attacks, we have also increased the amount of work that we do on counter-terrorism issues, both from Pretoria and from our office in Addis

Ababa. In Addis we run a multi-million-dollar counter-terrorism capacity-building programme for IGAD (the Intergovernmental Authority on Development), which involves considerable policing work. This is an innovative arrangement where for the first time a regional inter-governmental agency is using an independent research institute to implement a heads of state agreement. I was in Addis Ababa recently, where I attended the opening of a counter-terrorism course that we are presenting for IGAD member states.

The Crime and Justice Programme in Pretoria - which is hosting this event - is committed to analysing crime and assessing the impact of policies, strategies and laws in terms of their effectiveness and seeking remedies and solutions in the criminal justice sector where necessary. We want to make our research count through targeted briefings to government, policymakers, the media and, in particular, the police.

Crime is undoubtedly an extremely emotional matter in South Africa. There is an unfortunate tendency for most South Africans to hold the police responsible for the high levels of crime in this country. This is, of course, entirely misplaced. The police constitute an important component of the crime and justice system, but the high levels of crime in this country reflect challenges that the police can respond to but can do little about.

I tend towards those who argue that the police have a minor role to play in crime prevention. South African crime levels will start coming down when our local government works efficiently, our schools and education system are managed effectively, providing quality education to all, and when we have a welfare and housing system that delivers and improves service delivery year on year.

Crime is not a police problem. It is the problem of everyone present here: police, civil society, government and the private sector. Government is a key player - possibly *the* key player - in this process and there can be little doubt that high crime is underpinned by poor delivery and is often also a failure of governance. Government alone cannot deliver a safer, more secure, South Africa. But together, all of us can and we need to start pulling together instead of pulling apart.

I spend a tremendous amount of my time travelling in Africa. I therefore know how false the perception is that South Africa is the crime capital of Africa or, indeed, of the world. In fact, a study that the Institute did for UNODC that was published in 2005 found that police-recorded crime figures were not available for about half of the African countries. Official crime figures that do exist are rarely released on a regular basis, and there are also problems with the reliability of such statistics. Definitions of crimes vary greatly between countries. Many people do not report their victimisation and reported crimes are

not always recorded by the responsible authorities (usually the police).

There are two primary sources for police statistics at the international level: UNODC and Interpol. Member states submit police statistics to UNODC in response to its crime trends surveys. The ICVS (International Crime Victim Survey) has conducted surveys in only thirteen African nations, and it appears that the in the few countries where police statistics are in fact available, they greatly underestimate the scale of crime in Africa.

South Africa is different. While there are concerns about the way in which crime data is being handled, South Africa does have detailed and largely accurate crime statistics. We also have a number of research institutes and think-tanks that work on crime, such as the Centre for the Study of Violence and Reconciliation, the Centre for Criminology at the University of Cape Town, the Centre for Justice and Crime Prevention, the CSIR (Council for Scientific and Industrial Research), and BAC (Business Against Crime), etc.

Many of you will know that the Institute is in the process of undertaking a national victimisation survey with funding from the Open Society Foundation and the government of Ireland. The results will be available early next year and will enable us to track the previous victimisation surveys, which we completed in 2003 and earlier. The main benefit of victimisation surveys is that, if conducted regularly over time, they provide an independent statistical source on national crime trends that complements official data. The surveys can, for example, reveal whether increases in crime in the police database are in fact the result of more victims reporting, or whether there has been a real increase in prevalence.

South Africa is fortunate in this regard because two national victim surveys have already been conducted: the first in 1998 by Statistics SA, together with the Ministry of Safety and Security and the United Nations Interregional Crime and Justice Research Institute (UNICRI); and the second by the ISS in 2003. The ISS participated in the 1998 survey process and ensured that the methodology used in 2003 was consistent with the earlier study in order to allow comparability. Our 2007 survey will again be comparable with those of the previous surveys.

The Crime and Justice Programme is also engaged in the establishment of a one-stop information hub on crime in South Africa. This is part of an effort to contribute to the debate on crime and crime prevention in a responsible manner - replacing emotion with analysis. There are two main reasons why credible information about crime should be made available in the public domain. The first is that information is needed in order to respond to the problem. Accurate information is, after all, the basis for any good policy development, planning, and monitoring

and evaluation. The second, equally important, reason relates to the importance of public information about crime for promoting the rule of law and for strengthening good governance – two fundamentals of a young democracy that require constant attention. This is a function that should, of course, be provided by government. Feeling increasingly under assault, the police and other components of the Crime and Justice Programme have however retreated from public engagement. Receiving a daily battering in the media, the SAPS appear to have battened down the hatches and adopted a defensive and limited media engagement approach.

This is dangerous and worrying. It is something that we should work actively to counter. In much of Africa we see that the police are not your friendly ‘bobby on the beat’ but an instrument of executive power that is feared by locals and is regarded as a paramilitary structure with scant regard for locals. This is not the situation in South Africa, although there are obvious concerns about apparent executive dabbling in the judicial processes surrounding the National Prosecuting Authority. Detailed surveys undertaken a few years ago by the Institute did indicate that those South Africans who have come into contact with the police have a much more positive attitude towards them than is reported in the media - or than one would expect if you read the daily newspapers. At the same time, there are worrying trends regarding corruption and a shift from evidenced-based convictions to convictions based on confession.

Since the transition to democracy in 1994, the transformation of policing in South Africa has sought to reinvent the way in which the state polices South Africa’s diverse communities. Much of this effort has been directed at developing models of community policing, the local interpretation of which combines elements of structured police-community liaison (community policing forums, CPFs), problem-solving and partnership policing (crime prevention) and increased commitment to, and training in, human rights norms.

While much has been written about these efforts and their impact, from both policy and evaluative points of view, comparatively little effort has been made to understand the transformation of detective work in the new South Africa. Since detectives serve as the front line in dealing with physical evidence, this is a serious gap in the attempt to develop an understanding of policing in South

Africa and the constraints on the implementation of a rights-based approach. This is an issue that the Institute aims to investigate in the future.

Given that the 2010 FIFA World Cup is to be hosted by South Africa, the Crime and Justice Programme has recently engaged in a study of the capacity of the South African Police Service and other related structures to successfully provide security at public gatherings. This conference forms part of that process. The conference is timeous, given the pending 2010 FIFA World Cup – the largest and most diverse event to be hosted by democratic South Africa. The idea of the conference is therefore to contribute positively to ensuring that 2010 is the occasion it ought to be.

Special mention should be made of our donors, without whose assistance this conference – and the work of the Crime and Justice Programme – would not be possible. Here, of course, I am referring particularly to Sean Tait of the Open Society Foundation and Gerd Linska of the Hanns Seidel Foundation.

The Hanns Seidel Foundation has also been involved in various trips by members of the SAPS before and after the FIFA World Cup in Germany and will be hosting a seminar on emergency services in Cape Town in the near future. The Open Society Foundation has supported our research on area crime-combating units that will be presented here today, as well as the Independent Complaints Directorate compliance study and our work on the International Criminal Court.

To the presenters who have taken time out of their busy schedules to speak at the conference: I am sure your active participation in the discussions and debates will make this worthwhile. It is always risky to cite names, but I think it would be remiss of me not to recognise Superintendent Helmut Bayerl, from the Munich Police Headquarters, who was a member of Germany’s FIFA World Cup planning committee and a member of the operational staff and tactical advisor for the operations commander, and Mr Themba Mathe from the National Secretariat for Safety and Security.

We have a relatively long history of working with the SAPS and SARPCCO. Be assured that the ISS will continue to work with both of them to make South Africa and the region a more peaceful and secure environment – one which we can all enjoy – as I am sure we will during the FIFA World Cup.

Session I

The 2006 restructuring of the SAPS

FACILITATED BY MR BOYANE TSHEHLA

Institute for Security Studies

THE 2006 RESTRUCTURING OF THE SOUTH AFRICAN POLICE SERVICE

DIR HANNES SWART

SAPS Efficiency Services

Director Swart began his presentation by referring to the following critical factors that impede optimal functioning of policing, as identified by the South African Police Service (SAPS) top management:

- Senior and experienced personnel concentrated mainly at national, provincial and area levels
- Disempowerment of station commissioners pertaining to operational and support decisions
- Specialised skills concentrated mainly at provincial and area levels
- Ineffective communication due to too many organisational levels
- Ineffective allocation and utilisation of human/physical resources provided

SAPS management has adopted an internal and external strategy to improve policing. In terms of the internal strategy, three actions were identified as crucial:

- Aligning the levels of policing in terms of Section 205(1) of the Constitution which makes provision for three levels of policing: national, provincial and local
- Phasing out superfluous organisational levels (for example area level)
- Determining appropriate levels for execution of policing functions, for example which functions are to be performed at head office, provincial office and police station level

This in effect means the removal of the area level of policing from the existing SAPS structure, resulting in three levels of policing: national, provincial and police station level.

The advantages of this are as follows:

- Elimination of duplication
- Improved service delivery
- Improved command and control
- Improved interaction, communication and participation
- More effectiveness and efficiency
- Quicker responses to changing circumstances and community needs.

In terms of the external strategy, the following results are expected:

- Increased community participation and involvement (sector policing)
- Increased trust in the police in order to report crime (Against Crime Together – ACT)
- Improved partnership policing (Business Against Crime)
- Encouraging communities to become involved in policing (reservists)
- Improving police accessibility – in other words, establishing more police stations

The SAPS also adopted the following principles as part of an interim placement strategy:

- To immediately deploy mainly area personnel to identified police stations

- To consider crime weights during the deployment of personnel to police stations (giving preference to 169 police stations that experience the highest number of contact crimes)
- To consider the performance of police stations (performance chart)
- To identify police managers/members who have a track record of performance to increase the capacity at police stations
- To increase a capacity for the tracking and tracing of wanted suspects

In future, the three levels of the SAPS will function as follows:

- *National level:* Policy-making, the formulation of standards, assessment of performance and directing the service
- *Provincial level:* Implementation, facilitation and monitoring of national policies and standards (including execution of functions that cannot be decentralised further) and assessment of performance
- *Police station level:* Deal with crime and provide policing services to the community. To be reorganised to execute their functions according to police stations' crime priorities

According to Director Swart, the rationale for the restructuring process can be summarised as follows:

- To counter 'silo-management' and promote integrated policing
- To utilise metropolitan police services as a force multiplier
- To capacitate priority police stations
- To migrate skilled police personnel/managers to police stations from area, provincial and head office levels
- To deploy senior and skilled police officers to police stations to enhance capacity and to effectively execute policing responsibilities
- To migrate family violence, child protection and sexual offences members to an accounting police station cluster with the highest prevalence of crimes against women and children
- To migrate crime combating members to contact crime and feeder police stations
- To allocate physical resources - that is, vehicles - to identified police stations
- To optimise and improve data integrity (crime and personnel systems)
- To empower station commissioners to take critical and immediate operational decisions without seeking prior approval

- To hold station commissioners and commanders accountable for desired operational results
- To align accountability frameworks, measure performance and reward good performers (performance chart)

Director Swart concluded his presentation by explaining the process of 'migrating' members as extraneous duties and he also set out the four phases of the restructuring process of the SAPS:

Phase 1: Alignment: Finalisation of provincial and police station structures

Phase 2: Approval of the above structures

Phase 3: Implementation of approved structures

Phase 4: Assessment of implemented structures

REFLECTIONS ON RESTRUCTURING IN THE SOUTH AFRICAN POLICE SERVICE

DR JOHAN BURGER

Crime and Justice Programme, Institute for Security Studies

Dr Burger began his presentation by briefly referring to the main reasons of the SAPS for restructuring:

- That the area level is not in line with Section 205(1) of the Constitution
- That the area level created a duplication of functions and acted as a post office
- That senior and experienced members were concentrated at provincial and area levels, and
- The need to strengthen police stations

He continued his presentation by making it clear, at the outset, that criticism on restructuring should not be seen as an indictment that restructuring in general is a bad idea. However, the current restructuring process within the SAPS does give rise to a number of concerns and Dr Burger listed some of these, as well as a number of critical perspectives against which the restructuring process should be viewed. For example, referring to the rationale for restructuring, he noted that there was no mention of factors such as 'the pressures of crime' or the police's 'impossible mandate' and to what extent, if any, this influenced the restructuring process. In the police's presentation only organisational weaknesses such as the lack of experience and expertise, and command and control, are mentioned. By focusing on internal weaknesses and steps to address these, the police continue to raise public expectations of what they will be able to do. This almost myopic approach to the pressures of crime and the 'impossible' mandate of the police often sets the police up for failure. A good example is the government target of reducing contact crime with seven to ten per cent per year, which the police have also adopted as their target. The

problem in this instance is that although government can set such a target for itself, the police cannot. The police, by their own admission, do not control the social factors that cause most of these crimes and therefore it is illogical for them to set a target for something over which they have little or no control.

Dr Burger divided the rest of his presentation into four parts: the closing of area offices; the closing of some specialised units; the decentralisation of other units; and the 'migration' or redeployment of senior personnel. He accepted the arguments that some of the functions performed by area offices may have been a duplication and that there may have been a waste of resources, but he questioned the ability of accounting stations to perform the other and perhaps less appreciated functions of area offices that are associated with internal oversight, such as regular inspections and subsequent guidance to station management.

He further pointed out that some specialised units were closed down before the current restructuring process and that there is some indication that this has already weakened the ability of the police to fight crime. Examples of such units are the Anti-Corruption Unit, the Murder and Robbery Unit and SANAB (South African Narcotics Bureau). Some members of these units were transferred to the Organised Crime Unit and Serious and the Violent Crimes Unit. The latter unit was supposed to take over responsibility for, amongst others, the investigation of murder and serious robbery cases. Now this unit is itself being 'decentralised' and two members are being transferred to each of a relatively small number of selected stations (high crime areas). Other units such as the FCS

(Family Violence, Child Protection and Sexual Offences) units are also being decentralised and approximately six members are being transferred to accounting stations.

According to Dr Burger, there may be short-term advantages for police stations in the sense that the expertise (and the additional numbers and resources) of these members will be available at the relevant police stations, allowing them to improve service delivery. However, the danger is in the medium and longer term. This includes a number of real and potential threats (over time):

- Loss of focus and specialisation
- Gradual loss of expertise and capability
- Negative impact on morale
- Negative impact on informer networks
- Loss of *esprit de corps*
- General investigative demands at police station level
- Assumption that all senior officers (at provincial and area level) are equipped for station/operational management

He concluded his presentation by saying that the restructuring of the SAPS is clearly well intentioned, but that some aspects of the process are both debatable and worrying. However, during 2008 and with the assistance of the SAPS the ISS will conduct further research to determine what works and what does not as far as the restructuring is concerned. The results of such an independent study should assist the SAPS to identify good practices, obstacles and weaknesses in the restructuring process and how to address these.

Session II

Public order policing and the 2010 FIFA World Cup

FACILITATED BY MR JAKE MOLOI
Institute for Security Studies

A REVIEW OF THE PUBLIC ORDER POLICE UNITS

MS BILKIS OMAR
Institute for Security Studies

Ms Omar's study on the public order police units focused on assessing the capacity of the units to manage protest marches and the 2010 FIFA World Cup. The study was conducted in Gauteng, at the Johannesburg and Springs units, and at the Ekurhuleni Metro Police Department. The Private Security Industry Regulating Authority (PSIRA) was interviewed regarding mechanisms that were being put in place for the 2010 FIFA World Cup. The South African Football Association, Premier Soccer League, and Ellis Parks Stadium heads of security were also interviewed regarding security preparations for the 2010 FIFA World Cup.

The public order police units have undergone many structural changes, one of them being a restructuring, in 2001 - from Public Order Police units to Area Crime Combating Units (ACCUs). Crime combating became the primary function of the units and crowd management became the secondary function. According to Ms Omar, overall the restructuring was positive for the units. The crowd management function was always prioritised, even over crime combating.

With the restructuring in 2006, the seven ACCUs in Gauteng were partially decentralised to police station level. The remainder of the ACCU members were redeployed into three newly named Crime Combating Units (CCUs). The personnel number was decreased by 50 per cent, from 1 383 operational members to a mere 614 members.

This restructuring has had a major impact on the units. Members were concerned about the way in which

the implementation of the restructuring was done, especially the criteria that was used to select members to be sent to stations and the lack of consultation and information about the process. In-service training is also not being done because members have to attend to various other tasks, for example crime combating. Productivity has dropped, morale has been lowered, and many family lives have been affected.

Members fear is that the occurrence of a large spontaneous incident will be the test of their capabilities. They also fear that a fatality would have to occur before management realises that the restructuring of the CCUs was a mistake.

In terms of crowd control equipment, the general impression is that the minimal, most essential and economical equipment have been issued to members.

Another issue related to public order policing is the legislation that governs the CCUs, that is, the Regulation of Gatherings Act. There are a few practical logistical challenges facing law enforcement officials that need to be addressed.

In terms of Metro Police Department and public order policing, the directive to train metro police officers in crowd management was issued by the National Commissioner as a result of metro police officers (precinct officers) being first respondents to most incidents that has the potential to turn violent. The Ekurhuleni Metro Police Department (EMPD) has an established public order unit and metro precinct officers are also being provided with crowd management training.

According to Ms Omar, command and control between EMPD and SAPS CCUs is a problem in the East Rand. SAPS CCU members believe they have overall command, even over a more senior officer of the EMPD. The EMPD public order members agree with this, but the

problem persists. There is no clarity regarding this point, but it needs to be addressed urgently. In-service training is not being done at the EMPD according to officers interviewed, and there is also no measuring or assessment mechanism on the training of metro officers.

Omar stated that the establishment of public order units within metro police departments is sensible and beneficial. They supplement SAPS CCUs and they also acquire knowledge and skills that allow them to respond appropriately to situations.

Since 2006 SAPS VISPOL members assigned to stations to do visible policing have also been receiving training in crowd management to prepare them for the 2010 FIFA World Cup. They will be tasked to manage level 1 and 2 marches and gatherings - that is, medium- to low-risk marches.

Ms Omar stated that the 2010 FIFA World Cup will be a challenge for the SAPS because of the country's high crime rate. Regarding soccer hooliganism, the SAPS have already begun preparations to deal with this phenomenon in association with Interpol and other international agencies. The concern relating to SAPS CCUs with regard to 2010 is the likely increase in protest marches because of media interest. The SAPS CCU will undoubtedly be overstretched.

The following are some of the recommendations emanating from the study.

The Regulation of Gatherings Act (Act 205 of 1993) governing crowd management is a 14-year-old Act and needs to be updated. Practical experience in the management of events has shown that there is a need to more clearly define the role and responsibility of march organisers and marshals.

- CCUs need a new working document providing guidance on their new roles. With the dissolution of the area level, Standing Order 262 and other policy documents have become outdated and need to be revised
- The restructuring of the CCUs in September 2006 should be reassessed. The units should become accountable to the provincial office and be renamed Provincial Public Order Police. If necessary, they can be deployed from their units to assist stations with crime prevention operations
- The CCUs have being depleted by 50 per cent, while continuing to service the same geographical areas. The additional travelling required by the restructuring has exacerbated the problem. If the problem is not addressed, members are sure to suffer severe stress and fatigue
- The SAPS should, as far as possible, not use the CCUs for policing needs other than those for which they have been specially trained

- An in-depth refresher course on the Regulation of Gatherings Act must be presented at least once every three years
- Some of the outdated terminology that is still sometimes used by CCU members needs to be addressed in training sessions. 'Crowd control' is now referred to as 'crowd management' and 'riots' are referred to as 'protests'
- Training must be made a priority by unit commanders, even if it comes at the expense of crime-combating duties. In-service training was being neglected by the units, but with the restructuring it came to a total standstill. This means that members are becoming de-skilled. Fortunately the specialist crowd management skills have not been lost, because the units are manned largely by people with ten to twenty years' experience in this field. Nonetheless, the skills base is eroding and – more seriously – incoming members are not receiving in-service training
- With regard to the use of firearms in crowd control, the police need better and more regular training
- The training of private security guards has to be made a priority in view of their important role in providing security for the 2010 FIFA World Cup. Since this is not the responsibility of the SAPS, it should be co-ordinated at ministerial level
- The Private Security Industry Regulatory Authority (PSIRA) has a vital role to play if the World Cup is to be a success. Private security companies have been tasked with an important role, so proper training in crowd management and registration of stewards are essential. PSIRA must also ensure that security officers wear their registration cards

Ms Omar stated that public order policing has improved dramatically in terms of respect for human rights. But with the current structure, the management of protest marches is a major challenge for the SAPS. The units should revert back to their previous arrangement and be made accountable to the provincial police office. They should primarily perform crowd management and also assist in crime combating within their respective areas.

In terms of security for the 2010 FIFA World Cup, Ms Omar had no doubt that the police will manage, given the management of past international events, but only if the units are sufficiently well resourced.

2006 FIFA WORLD CUP IN GERMANY

SUPERINTENDENT HELMUT BAYERL

Munich Police Headquarters, Order & Protective duties

Sup Bayerl began his presentation by thanking the ISS for the invitation to speak in South Africa and to share his

experiences in policing the 2006 FIFA World Cup. He was a member of the central planning group, which organised the security measures for the event.

Sup Bayerl stated that the aim of his presentation was to provide a broad overview of the experiences gathered in the field of security during the FIFA World Cup 2006 in Germany. The security preparations for this major event by the responsible national and federal security departments were the most expensive and comprehensive than for any other major sports event. Security authorities as well as organizers were able to gain significant experiences during the Confederations Cup 2005. These preparations and the on-site planning of operations fully paid off.

Sup Bayerl said that since March 2004, the “Project WORLD CUP 2006” at the Munich Police Headquarters had been preparing police operations for the occasion. The preparations were based on the guidelines set out in the Police Framework concept, which was coordinated nationwide. The strict implementation of the guidelines guaranteed, on the one hand, a maximum of security and, on the other hand, the total acceptance of police work in the public.

The “Project WORLD CUP 2006” had a special organization structure consisting of a higher committee (called the project committee) directed by the Deputy Commissioner of the Munich Police Headquarters. The committee defined the objectives, made the major decisions, and controlled the results.

Sup Bayerl was a member of the project management team, which represented the “Project WORLD CUP 2006”, internally within the Police Headquarters as well as externally to the other authorities and to the greater public. He also fulfilled the obligation to inform the Police Commissioner and supported the task forces regarding professional ability and staffing. In addition, the Central Psychological Services of the Bavarian Police gave advice to the project management. Basically, seven task forces were subordinated to the project management.

The following fields were involved: E1 – general duty matters, E2 – operations and protection duties, E3 – combating crime, E4 – traffic, LIS – Bavarian State Information Office for Sports Operations, Department V – Supplies and, finally the task force, Public Relations. The exact areas of responsibility of the particular projects were defined in the detailed project manual. In addition, representatives of regional police authorities, of Central Services Police Departments and of the Criminal Investigation Departments were involved at certain stages in the project.

Sup Bayerl and the committee based the organisation of this project on the everyday organisation of the Munich Police Headquarters. The deputy head of the project, as

well as the members of the two task forces E 2 and LIS, were exempted from their daily duties.

During the World Cup Tournament the “Project WORLD CUP 2006” was part of the operations centre, which steered all policing activities. The chain of command developed for this operation, played a decisive role.

Besides having prepared the world championship theoretically the project team did practical training as well. At first they carried out a disaster control exercise in October 2005, which was done in cooperation with the Munich fire brigade.

During a three-day large-scale exercise nearly 500 police officers of the Munich Police Headquarters were deployed, plus about 250 officers of The Central Federal Support Group, 150 officers from other police organizations and forces of the fire brigade.

Among other things, the large-scale exercise was made up of a fictive blackmailing with an attack threat during a major event and at the same time of a supposed gunfight in the north of Munich. In addition, the police practised situations like separating the fans during a supposed World Cup match and also police intervention during a typical hooligan conflict, among other places on a bus.

The three-day exercise was very strenuous and demanding- both in terms of the preparations, and, in terms of the resulting realization. It definitely showed them the limits of feasibility. Looking back, Sup Bayerl says he now sees that, except the amok run, all police exercise situations actually took place during the world championship. Thanks to the practical exercises that have been practised beforehand they were perfectly prepared for all situations. The practical trainings were completed with a FC Bayern Munich champions league match, which was carried out with the world championship organization team.

Making use of the established information structures within the national and federal police authorities, structures based on the already existing security situation in the German football league only had to be adjusted for this event. The Federal Office for Criminal Investigation BKA also worked with foreign Security Liaison Officers to assess possible terrorist threats. By using daily situation reports, prepared by the central departments the level of information was constantly up to date in all Federal German states.

Sup Bayerl said that the measures to prevent threats could be categorized as follows:

Hooliganism

Prior to, and partly during the World Cup, certain measures were taken against persons who were willing to use, or, were potentially prone to resorting to violence.

These steps were coordinated by the Bavarian information department for sports operations LIS-Bayern and are as follows:

- Firstly preventive talks with persons known as troublemakers (241 in Bavaria / 94 in Munich / 8 450 in Germany altogether)
- Secondly obligatory registration (32 in Bavaria / 15 in Munich / 910 in Germany)
- Finally bans from staying in, and entering the relevant premises (205 in Bavaria / 161 in Munich / 3 200 in Germany)

These preventive instruments had already proven effective in international matches previous to the World Cup and should be used again for the European Championships in Austria / Switzerland in 2008.

The second category is in terms of politically motivated crime

Persons classified as dangerous in terms of Islamic extremism / terrorism were observed before and during the World Cup by taking surveillance measures and using other operative means adjusted to the particular situation.

The last category is in terms of general crime

Conceptual preparations were specially made for the fields of pickpocketing and confidence tricks, hotel and baggage larceny, fraud (such as fake tickets, product piracy etc) as well as trafficking in human beings and forced prostitution.

Among others, officers with special training supported by foreign experts (from Austria and Switzerland) were deployed to fight larceny. In this way members of internationally operating groups could be arrested in Munich.

Considering the extensive checks, fears of increased trafficking in human beings and forced prostitution didn't prove true.

In terms of events, besides the media centre, the FIFA Congress, the opening match, three group matches, one last 16 match and the semi-final match Munich Police were in charge of several related and parallel events. As a consequence the police operations took five weeks (7 days a week, 24 hours a day).

The most important tasks here were guaranteeing event and area security, facility protection as well as protection of persons and guiding vehicles with and without closing-off the road.

The deployment of German and foreign spotters (SKB delegations) proved to be very effective and played

a decisive role in the successful operations. Assessing the situations and taking police measures was especially facilitated by their knowledge of the relevant persons and their fellow-citizens' customs.

The perception of the foreign police officers was positive and they were highly accepted by the local people.

Mr Bayerl then discussed the number of standby units. For example, during the opening match day 3 223 police officers were deployed. On 24 June (for the Germany versus Sweden game) 3 413 police officers were deployed.

The FIFA World Cup 2006™ organizational committee rented the Munich stadium and grounds for the duration of the World Cup and exercised domiciliary rights. The organization committee in Munich met the demands of FIFA to implement security guidelines consistently in all stadiums.

The FIFA as organizer of the FIFA World Cup guaranteed safety and security of the stadiums, of the team hotels and the media centres. The security areas were enclosed and access gates were set up. Comprehensive access checks by the stewards proved to be very effective. Dangerous objects, fireworks and the like got into the stadiums only in few exceptional circumstances.

The Munich Police Headquarters had a public police station and a detainee registration point in the stadium. Moreover, the police had a command post at their disposal, which met professional requirements with up-to-date and functional equipment, enough space and a good overview of the stadium. Besides that, the Munich Police Headquarters paid special attention to the quality of the video system. The system consisted of more than 80 cameras covering the interior area of the stadium, the esplanade and the traffic access area.

On 17 June 2006 – one day before the Brazil versus Australia match in Munich – Munich Police found out that the famous stalker Monte Moreno was staying in Munich with three other Brazilians. In the past Moreno appeared several times at different sports events rushing across the pitch wearing t-shirts that showed advertising slogans. Making use of regular and persistent controls Munich police succeeded in getting Moreno to leave Germany with two of his companions of their own free will. His third Brazilian companion tried to enter the FIFA stadium the following day – the day that the Brazil versus Australia match took place - but Munich Police prosecuted him for breach of the domestic peace. Just two weeks after that incident Moreno and his companions were in Munich again on the day of the semi-final match. As a consequence the three Brazilians were taken in custody. Whereas Moreno and Moreas were kept prisoners, the third companion Peppi was released during the afternoon but he was monitored by the police the whole day until the end of the match.

Mr Bayerl then discussed the guidelines of the Police Framework Plan (standards like fencing, security service, access controls, etc.) were fully implemented at the FIFA Fan-Festival in Munich. The security service contracted at the Fan-Festival in Munich was not up to the high demands, needed for a crowd capacity of 35 000. The commitment of part of the stewards deployed was also lacking. This was true at least during the initial phase. Therefore, rigorous police intervention was necessary to maintain law and order and calm down the situation. Finally co-operation was getting increasingly better and worked without problems in the end. In Munich capacities had to be increased and additional large screens had to be set up because of the enormous stream of visitors (up to 85 000 persons), which partly overran the fences.

The parallel events of the World Cup in Munich, which are relevant to the police took place not only in the Olympic Park. The Munich Police Headquarters were prepared for situations at which supporters of all national teams come together in the city centre and especially near Ludwig Street and Leopold Street, the two major city boulevards.

On its peak days up to 70 000 fans celebrated on the "Fan mile" in (Munich City Centre) Leopold Street between Siegestor and Münchner Freiheit (partly up to Odeonsplatz). Compared to the massive crowds of people, however, only a relatively small number of crimes and misdemeanours were committed. For example, groups of rival fans had to be separated. Apart from this, traffic jams produced by extreme traffic obstructions such as motorcades had to be kept to a minimum.

As a result of the huge amount of glass garbage left on the party mile on 28 June 2006 the government of the Bavarian capital Munich ordered a ban on the selling and handing over of glass bottles in the extended area of the party mile Leopoldstraße / Ludwigstraße. This ban applied to all bars & restaurants, and shops. With this regulation coming into effect, a substantial reduction of garbage (from 40 to 15 tons) could be achieved. The number of injured visitors decreased, too. Similar effects could also be observed in other major cities.

Dr Bayerl stated that in terms of airspace, irrespective of the obligatory small no-fly zones above the FIFA World Cup Stadiums during all matches, a large no-fly zone (with a radius of 30 nautical miles) was implemented for contact flights on the occasion of the opening match in Munich on 9 June 2006. In addition to four police helicopters for general policing tasks five police helicopters were deployed for intervention measures. In the flight operations centre, which was set up on the grounds of the helicopter squad, a total of 29 officers were deployed, of which nine were soldiers of the German Armed Forces, two staff members of the German Air Traffic Control and two officers of the Aviation Agency of South Bavaria. Co-

operation with the German Armed Forces, the German Air Traffic Control and the Aviation Agencies worked perfectly.

Mr Bayerl completed his presentation with an overview of the results achieved:

During the World Cup Tournament in Munich on the opening match day 141 persons at risk were protected, 22 vehicles were guided closing-off the road, and 67 vehicles were guided without closing-off the roads. 24 pick-pocketers were caught red-handed and arrested. One case of blackmailing had to be investigated. A total of 936 persons were arrested during the five weeks.

The operational concept of the police forces on the occasion of the FIFA World Cup 2006 proved to be successful. The friendly and reserved behaviour of the operations forces, combined with consistent and always professional intervention, where required, was successful. Police officers responded calmly but effectively, a mode of procedure which gained international recognition.

THE SOUTH AFRICAN POLICE SERVICE'S STATE OF READINESS FOR THE 2010 FIFA WORLD CUP

DIR FRANS GIBSON

SAPS Operational Coordination

Director Gibson stated that the South African Police Service has already compiled an operational plan for the 2010 FIFA World Cup based on FIFA's standards. This confirms the state of readiness for any security- or disaster-related incidents that may occur at any stage from now until or beyond 2010. The national Minister of Safety and Security and the National Commissioner have given guarantees that a crime-free and successful event will be hosted.

The operational plan addressed all issues as set out in the bid book, from ports of entry to stadiums, accommodation, roads, tourists and public viewing areas. Human resources are already being allocated based on minimum standards that will be applicable to each host city. The organisational structure of all departments on how the operation will take place were also presented by Director Gibson, as well as those of the members of the National Joint Operational and Intelligence Structures (NATJOINTS) and their functions at each level. The NATJOINT planning task team is responsible overall for planning the whole operation countrywide and all departments will submit operational plans where security issues will be addressed.

Director Gibson concluded by stating that the SAPS, together with other government departments such as the National Intelligence Agency, the South African National Defence Force and Home Affairs, want to change the image of the country.

Day Two

Session III:

Policing and oversight

FACILITATOR: MS ANTOINETTE LOUW

Session IV:

The future of policing

FACILITATOR: MS ANTOINETTE LOUW

Session III

Policing and oversight

FACILITATED BY MS ANTOINETTE LOUW

Institute for Security Studies

THE CHANGING NATURE OF POLICING: A PERSPECTIVE FROM THE NATIONAL SECRETARIAT FOR SAFETY AND SECURITY

MR TEMBA MATHE

National Secretariat for Safety and Security

Mr Mathe began his address by speaking about the Constitution and the rights it has accorded South African citizens. He went on to discuss the advances made in the sphere of policing since the advent of democracy and to highlight the challenges that still confront us.

He stated that in giving effect to the constitutional imperatives government proceeded to democratise government institutions and the laws of the country. The South African Police Act was rewritten and the name of the police force changed to the South African Police Service in an attempt to ensure that the police began to provide a policing service to all the people of South Africa.

A few important principles also emerged from the new policing policy. Community policing was one such initiative. The police used to lack credibility and broad community acceptance, but the new Act, the South African Police Service Act 68 of 1995, legislated the establishment and functions of community policing forums (CPFs). These have been devised to bridge the gap between the police and the communities and to introduce communities into the articulation of policing needs and priorities.

The introduction of CPFs also brought in the elements of civilian oversight and police accountability. The community was for the first time beginning to become involved in initiatives to hold the police accountable for service delivery and conduct that was in accordance with constitutional values and norms. The Secretariat for Safety

and Security became the statutory structural mechanism to assist the Minister in conducting oversight over the police and ensuring its accountability.

The other principle of modern-day policing, according to Mr Mathe, is that of co-ordination and integration of projects and programmes that cross-cut the safety and security spectrum. The National Crime Prevention Strategy was intended to achieve this and to give effect to the constitutional imperative of co-operative governance. The need for a shift away from the silo-approach of policing towards a holistic, co-ordinated and integrated approach was identified. This involved the establishment of proactive crime prevention programmes that introduced the involvement of other departments, not only within the criminal justice system but also in departments that extended beyond the criminal justice system - the Department of Social Development and the Department of Provincial and Local Government, to name but a few. Linked to the strategy of integration and co-ordination is the government's approach to clustering departments. An example is the Justice, Crime Prevention and Security cluster that is intended to address broad safety and security matters within an integrated and co-ordinated approach.

The battle against crime continues, stated Mr Mathe, and the prisons continue to be overcrowded. Government has commissioned research into the violent nature of crime and also to look at vigorously engaging in social crime prevention initiatives to address the root causes or triggers of crime. Because crime is a social problem, the solution has to be a social solution, involving more players than just the police. Put simply, this does not mean 'more cops equal less crime' but rather 'more development, more social and economic justice equal less crime'. The capacity to address and solve crimes does not depend on the police

or police numbers but rather on the relationship between members of the service and the communities they serve. The emphasis is on community participation in addressing the needs of the communities and supporting the police in a responsible way to develop crime prevention strategies.

Effective social crime prevention initiatives and strategies, in a multi-agency approach, are critical to address the root causes of crime. This is not solely a police responsibility and the ‘more visible police’ argument may not produce the desired result where crimes ‘behind closed doors and out of public sight’ are taking place, although it is acknowledged that visible police patrol is a powerful deterrent. Statistics indicate that social fabric crimes constitute about 80 per cent of the crimes committed in South Africa. This figure reinforces the importance of social crime-prevention initiatives and the role of communities in the fight against crime.

The strategy of sector policing was also introduced in the attempt to improve service delivery to communities by the police. Sector policing not only improves the response and reaction by police, but also improves police visibility in the sectors and provides for more efficient utilisation of police resources. It is important that sector policing, as a policing management strategy, work in synergy with community policing so that optimal results are achieved in providing safety and security.

Mr Mathe stated that it is important that the National Crime Prevention Strategy and the National Crime Combating Strategy complement each other so that the problem of crime is addressed effectively within the framework of constitutional norms and standards. The challenge is to synergise the civilian oversight initiatives of the secretariats of Safety and Security and those of civil society and NGOs. We need to find ways and agree on the modalities so that there is an effective partnership strategy that enhances police accountability, he concluded.

GAUTENG PERFORMANCE MONITORING TO IMPROVE STATION LEVEL POLICING

MR GARETH NEWHAM

Advisor to the Gauteng MEC for Community Safety

Mr Newham stated that the approach of the Gauteng Department of Community Safety to improve station level policing through performance monitoring must be seen in the larger context of the Gauteng Provincial Government’s adoption on 30 August 2006 of the Gauteng Safety Strategy 2006 to 2014. The strategy was developed by the Gauteng Department of Community Safety after an extensive consultation and research process that looked at international and local experience in reducing crime.

Mr Newham said that the strategy consists of four interdependent pillars containing specific objectives that over time will strengthen the capacity of the provincial government to understand and influence factors that contribute to crime in Gauteng. These pillars are:

- Improving the quality of policing
- Promoting social crime prevention throughout government
- Strengthening institutional arrangements for crime reduction, and
- Encouraging community participation in crime reduction

His presentation focused on what is being done by the Gauteng Department of Community Safety to achieve the objectives presented in the first pillar, ‘Improving the quality of policing’. The objectives within this pillar are as follows:

- Strengthening the monitoring of police performance
- Strengthening the monitoring of police conduct
- Improving the functioning of community policing forums (CPFs)
- Promoting collaboration between the South Africa Police Service (SAPS) and other agencies in tackling crime

Mr Newham stated that in the early part of 2007, the Gauteng Department of Community Safety started to develop a system that would allow the Provincial Government, through the MEC for Community Safety, Firoz Cachalia, to monitor crime and policing across Gauteng on a regular basis. The system is based on the principles of the Compstat system used by the New York City Police Department. The Gauteng Information on Police Performance System (GIPPS) aims to strengthen the strategic decision-making capacity of the MEC through collecting and presenting information on the trends and patterns of different types of crime and the performance of police stations in each precinct in Gauteng. In this way the MEC can assess where emerging problems are starting to occur and assess whether anti-crime initiatives are having any impact.

The system accesses both quantitative and qualitative data from different systems within the SAPS and directorates within the Gauteng Department of Community Safety. The SAPS provide crime statistics for the province as a whole and for each of the 130 police stations. They also provide statistics on the flow and outcomes of violent crime cases as they move from the detectives to the courts through what is known as the SAPS 6 document. Furthermore, the SAPS provide monthly efficiency ratings

for each police station according to the electronic police station performance chart system. The Department of Community Safety provide further statistical and qualitative information on specific police stations and CPDs through interviews with police and CPF members at a local level.

Mr Newham said that, currently, the system produces monthly reports that present a picture of crime and policing across the province through graphs, tables and narrative. With regard to crime, the reports present the following information compared to the previous year:

- Changes in the total numbers of 'Category A' crimes reported in Gauteng
- Changes in the total numbers of violent 'contact' crimes reported in Gauteng
- The extent to which each crime category is increasing, decreasing or stabilising
- Mapping of crime categories to highlight geographical trends and patterns
- Ranking of police stations according to increases and decreases in 'total contact crimes' and in each of the specific priority crimes (murder, rape, residential robberies, business robberies and hijacking)

The reports include the following information on police performance:

- Police stations are presented according to their overall efficiency ratings, crime prevention efficiency ratings and detective services efficiency ratings as generated by the SAPS Police Station Performance Chart
- Provincial criminal justice case flow data (SAPS 6) is presented for each of the contact crimes

- Detailed station profiles are given for five of the top and five of the lowest rated police stations according to the performance chart

Mr Newham stated that the GIPPS system has recently been linked to a police station performance improvement process. Each month the management teams (Station Commissioner, Head of Crime Prevention and Head of Detectives) of five police stations that have been recording significant increases in violent crimes and/or deteriorating efficiency ratings are invited to a meeting with the MEC for Community Safety and the Gauteng SAPS Provincial Commissioner. Prior to the meeting, station profiles are developed from SAPS and departmental information that present the crime and performance challenges facing each station.

At the meeting station commissioners present a six-month plan that highlights how they intend to address specific challenges so as to improve their performance. They are also afforded the opportunity to contextualise the challenges they face and identify assistance they may require from the Department of Community Safety. Each of the stations is then assessed over a period of six months and attends a second meeting where the impact of the improvement plans are discussed. It is intended that 'good practices' will be identified and documented from stations that have demonstrated performance improvements and further attention be given to stations where there has been no improvement in performance.

Mr Newham concluded that the GIPPS system is in the early phases of development, having been piloted in May 2007 for the first time. It will develop and improve over time as additional information is added and it becomes an institutionalised way of tracking crime and police performance by the Gauteng Provincial Government.

Session IV

The future of policing

FACILITATED BY MS ANTOINETTE LOUW

Institute for Security Studies

CORRUPTION AND THE SOUTH AFRICAN POLICE SERVICE: A REVIEW AND ITS IMPLICATIONS

MR ANDREW FAULL

ISS-Commissioned Researcher

In contextualising his research, Mr Faull made reference to three key surveys:

- The ISS 2003 Victims of Crime Survey was referred to as showing the high proportion of respondents reportedly requested to pay bribes. The survey highlighted policing as the second most likely sphere in which respondents were requested to pay bribes in South Africa
- The Centre for the Study of Violence and Reconciliation (CSV) Johannesburg Area Transformation Survey, 2004, was referred to as an illustration of some SAPS members' perceptions of corruption and corruption management in the organisation. The survey was used to highlight the organisational culture of policing institutions in which solidarity and suspicion of outsiders make it difficult to expose corruption
- The Afrobarometer survey, 2002-2006, illustrated rising public perceptions of police corruption in the country. It was also used to highlight the correlation between lack of trust in the police and perceptions of corruption wherein perceptions of corruption are the variable most likely to negatively damage trust in police
- An overview of other research was touched on, highlighting concerns over the closure of the Anti-Corruption Unit, lack of leadership and structures in terms of corruption, and poor oversight of the SAPS

Mr Faull then summarised the findings of past research to provide the context for his analysis.

He then introduced a section titled 'SAPS (and the Independent Complaints Directorate (ICD)) engagement with corruption post-1994'. This section was discussed through means of a timeline and highlighted the following events:

- 1996: Launch of the National Crime Prevention Strategy, highlighting corruption in the justice sector as the greatest threat to the governance of safety and security. Also the launch of the Anti-Corruption Unit (ACU)
- 2000-2002: The ACU is reduced and closed; annual reports start reporting on a Service Integrity Strategy (SIS)
- 2002-2004: Annual reports imply that the SIS has been developed and applied
- 2004-2006: Reports refer to a Corruption and Fraud Prevention Strategy and imply its implementation. Risk assessment strategy is also introduced and linked to corruption strategy
- 2007: First phases of the strategy rolled out
- 2009: Projected date for complete rollout

Mr Faull read extracts from annual reports to highlight the manner in which the SAPS has misled the public by implying that structures had been developed when they in reality had not.

In referring to SAPS disciplinary data, he commented on the manner in which reporting has differed over the years, making it difficult to gauge SAPS action in this regard. He also referred briefly to the role of the ICD and its corruption-related figures. He highlighted a rise in reporting with the ICD following the closure of the ACU

and also highlighted the minute size of the ICD's anti-corruption command unit.

Mr Faull summarised the engagement of the SAPS and the ICD with corruption before introducing a section on the Corruption and Fraud Prevention Plan (CFPP).

He highlighted the fact that an instruction had been given in September 2007 to roll out the plan but that nobody seemed sure whether or how this was happening. He also stressed that the plan had been evolving so rapidly and dynamically in 2007 that things would be reported and then changed. He drew attention to the fact that little was known about the plan and that more needed to be done to engage the SAPS on this topic, to learn more about the plan, to hold the SAPS to their timeframes, and to not let them play the 'reporting game' for another seven years, and demand action in this regard.

He speculated that the plan was probably broken into four sections: prevention, detection, restoration and investigation. This speculation, he said, was based on the structure of the Corruption and Fraud Prevention Strategy released early in 2007. He highlighted the problematic nature of the investigation component in which this function would remain with organised crime and station level detectives and no plans in place for a new anti-corruption unit. He also highlighted plans of the SAPS for an anti-corruption education drive that would solicit buy-in and participation from the public in the struggle against corruption. He said this was an area in which the SAPS had failed to act in the past.

Mr Faull summarised the section by commending the SAPS for beginning to roll out their plan, but stressed the need for civil society oversight of it.

Mr Faull introduced his final section, 'Where to from here?', but ran out of time. He briefly re-stressed a need for greater engagement on the part of civil society, government and other oversight and engagement with the SAPS on the topic of corruption management.

DEMOCRATIC GOVERNANCE OF URBAN SECURITY: RE-EVALUATING POLICING OVERSIGHT

MS JULIE BERG

African Security and Justice Programme, Centre of Criminology, University of Cape Town

Ms Berg began her talk by stating that there have been a number of post-modern developments that affect policing in South Africa. Some of these developments are: the fragmentation of social power and governance, the changing dynamics of policing in so-called 'new processes of governance', the police adopting business principles and risk management techniques, and changes in property

relations affecting how public, quasi-public and communal spaces are policed.

In the light of new challenges and global risks, governments tend to adopt responsabilisation strategies to encourage a partnership approach to growing threats such as crime and terrorism, as well as fear of crime. Concomitant to this has been the rise in the commercial security sector. Although policing in South Africa has always been shared amongst the private and public sectors in various guises, post-apartheid plural policing has become particularly diverse through the rise of security networks and a shift in focus from 'police' to 'policing'. Security has essentially become everyone's business. Yet, state input into the nature of plural or networked policing has been minimal and partnerships between the SAPS and the private security industry, as well as other role-players, continue at grassroots level.

The continuing blurring of public and private space has largely necessitated some form of co-operation between the public and private sectors and so too a differentiation between 'public space security' and 'private space security' with role-players at times straddling both spaces through the merging of state and non-state capacities and resources at a local level. In new security arrangements, often non-state players take on state-like duties such as visible patrolling and general crime prevention tactics, yet different role-players also bring different 'mentalities', 'technologies' and resources to the table. Security networks which have developed at a local level also need not involve the state as its primary player; very often the state is just one player amid a range of other players. Government need not necessarily be the centre of governance, especially in light of the type of policing developing on the ground where 'visible policing isn't only the blue police uniform'. In networked security arrangements the SAPS may take on a different role as it taps into the resources of others to assist in its visible policing plans and thus utilises the private security sector and others as a 'force-multiplier'. Furthermore, essentially due to resource constraints and demands on policing, the SAPS may take on the role of a 'repository of crime-related data' and 'information-brokers' with other players delivering policing on the ground.

Ms Berg further stated that, in light of these developments in policing, issues of accountability arise and one should ask whether there is an accountability deficit in terms of these plural policing arrangements. The challenge is to hold evolving policing networks accountable, particularly when the rules of the market enter the policing arena in consumer-oriented environments. Also, many policing networks are unevenly co-ordinated, ad hoc and weakly organised, and develop over time through personal relations, which make regulation difficult.

Similarly, players in the networks operate with different resources, knowledge, powers and goals. The fact that many plural policing arrangements focus heavily on visible policing is pertinent, since this usually involves frontline interaction with the public, especially when private security guards patrol public spaces. A negative side-effect of non-state involvement in policing, she said, is that the public good may be second to the interests of the consumer and so lead to the social exclusion of groups in society from privately secured spaces. The challenge is to align the activities of security providers with the public good and so ensure the democratic governance of urban security in all its manifestations. However, despite the mobilisation of policing entities and role-players on the ground, there is not a similar mobilisation of the different oversight bodies and thus there is a need for co-ordination of oversight structures in light of new governance processes. There are a number of challenges that oversight bodies need to face so as to equip themselves to engage with new policing developments and their subsequent challenges. For instance, there is still uncertainty as to the mandates of the various mechanisms; there are still gaps in oversight; capacity and resource constraints; lack of engagement amongst oversight bodies; public confusion and negative perceptions of the effectiveness of oversight mechanisms; and deeper oversight issues which oversight bodies cannot solve, thus limiting their effectiveness.

The Private Security Industry Regulatory Authority (PSIRA) currently serves a regulatory role in terms of holding the security industry accountable through audits and inspections, yet there may be a need for PSIRA to take on a more human rights-oriented approach that is more in line with the Independent Complaints Directorate (ICD), considering the similar policing styles that the private security industry is undertaking, alongside the SAPS. The question also arises as to whether top-down dedicated oversight is effective and whether new strategies and mechanisms should be put in place to 'build in' oversight into plural policing arrangements, thereby potentially making oversight more effective. This is particularly in light of the complexity of plural policing arrangements, as legal and spatial parameters are crossed.

In terms of the way forward, Ms Berg stated that there is a need to reconceptualise policing and the oversight thereof, especially the re-evaluation of the roles and effectiveness of oversight bodies in relation to new policing developments. Community policing forums (CPFs) may have a broader role to play in holding new policing arrangements accountable. However, a decision needs to be made whether it is desirable to retain the *status quo* and allow grassroots partnerships to develop and mature, or whether it is necessary for the state to become involved and develop a formal framework for plural policing and

the accountability thereof. If one opts for the latter option, there is a need to engage with the current system of oversight – either through strengthening and equipping it or by creating an overarching regional and independent oversight body to co-ordinate and oversee networked policing activity.

THE FUTURE OF POLICING

PROFESSOR CLIFFORD SHEARING

University of Cape Town

Professor Shearing spoke about the vision of policing that has dominated the last two centuries – one that has seen the police as 'owning' policing. He argued that in today's world, a more sensible vision was one of policing as a shared responsibility between many – for example, a host of government departments and institutions within the private and civil society sectors.

He called for a 'whole of society' approach that included not only government departments but also non-state players. He applauded the police and Minister of Safety and Security for calling for this partnership approach to the governance of security and argued that business (including private security) as well as civil society could contribute to a 'whole of society' approach to policing.

In commenting on the significance of private security globally, as well as within South Africa, he used Group4Securicor as an example, citing its worth and size, and the fact that it is listed on the London Stock Exchange. Professor Shearing's point was that policing is moving towards a system or network of entities with the police as a crucial but not as a lone node.

Professor Shearing noted that he was working with the Australia National University and the Victoria Police Service in Australia on a project concerned with articulating an appropriate role for police within a nodal policing network. Referred to as 'nexus policing', this approach to policing, he argued, presented significant opportunities for the effective governance of security. However, he also noted that there were many challenges facing nexus policing – central to these is the fact that the police cannot simply think about 'restructuring the police' but need to think about the shape and structure of policing more generally. The vision of policing for the future, he said, should be a vision of nexus policing.

In arguing for design principles for nexus policing, Professor Shearing noted that principles should be developed from the bottom up, rather than from the top down. He said that while a top-down approach is initially easier, bottom-up approaches are more sustainable in the long term.

Evidence drawn from practice should be used in constructing design principles for nexus policing – moving

from practice to theory to practice. He emphasised that this should not be seen as promoting ‘best practice’, as conventionally understood, because practice does not migrate easily across contexts. Analyses of context specific best practices should be used to create ‘best thinking’ which should, in turn, be used to create context specific practices.

As an example of successful nexus policing used previously in South Africa, Professor Shearing used the Goldstone Commission’s Panel’s Design Principles for policing the 1994 elections. These principles led to the use of a very different approach from conventional policing. The 1994 elections were policed by a network of nodes, with the police playing a role within this network.

A map of capacities and knowledge was established by the Goldstone Panel, and within this they found that the demonstrators of gatherings, especially those responsible for organising demonstrations, could assist in effective

policing. The panel concluded that the organisers could, and should, use their knowledge and capacities to keep gatherings peaceful and safe. The panel’s recommendations provided for a mechanism that would ensure that the organisers of demonstrations were actively involved in policing demonstrations.

Professor Shearing concluded by stating that the nexus policing concept should be used to shape the policing plans for the 2010 FIFA World Cup. In considering this, he argued that the single greatest obstacle for effectively reshaping South African policing - both for the World Cup and generally - is the absence of functional budgets for security. At present the government funds institutions – for example, there is a police rather than a policing budget. This severely limits the innovation that is required to realise the Minister’s and the Ministry’s partnership/nexus policy agenda.

Appendices

Appendix A:
Conference Programme

Appendix B:
List of Participants

Appendix A

Conference Programme

POLICING IN SOUTH AFRICA IN 2007: KEY ISSUES & DEVELOPMENTS

Day 1		
08:30-09:00	Registration Tea & coffee	
	Facilitator	Boyane Tshehla
09:00-9:40	Opening/Welcome	Jakkie Cilliers
09:45-10:15	Tea	
	Facilitator	Boyane Tshehla
10:15-10:45	2006 restructuring of the SAPS	Hannes Swart
10:45-11:15	Reflections on restructuring in the SAPS	Johan Burger
11:15-11:45	Discussion	
11:45-13:00	Lunch	
	Facilitator	Jake Moloji
13:00-13:30	A review of the public order police units	Bilkis Omar
15:00-15:20	FIFA World Cup: Lessons from Germany	Helmut Bayerl
15:40-16:00	SAPS state of readiness for the 2010 FIFA World Cup	Frans Gibson
16:00-16:30	Discussion	
19:00	Dinner	
Day 2		
08:00-08:30	Tea	
	Facilitator	Antoinette Louw
08:30-09:00	The changing nature of policing	Temba Mathe
09:00-09:30	Gauteng performance monitoring to improve station level policing	Gareth Newham
09:30-10:00	Discussion	
10:00-10:30	Tea	
	Facilitator	Antoinette Louw
10:30-11:00	Corruption and the SAPS	Andrew Faull
11:00-11:30	Democratic governance of urban security	Julie Berg
11:30-12:00	The future of policing	Clifford Shearing
12:00-12:30	Discussion	
12:30-12:40	Closing & Thanks	Boyane Tshehla
12:45	Lunch	

Appendix B

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