

CHAPTER 12

CONCLUSION: IMPLICATIONS FOR CRIME PREVENTION AND LAW ENFORCEMENT

While inner Johannesburg is in several respects unique, it shares many of the problems experienced by depressed inner-city areas found around the world. It has become the temporary holding zone for people in transition: outsiders, outcasts, and others who have no permanent ties to the community. It contains residents from a range of origins, whose diverse values and traditions seem impossible to accommodate, so, in the end, a kind of normlessness, or at least norm-poverty, prevails. Many of these people are young men, informally or casually employed, who have yet to prove themselves in the world. The struggle to make good in a context where mainstream career paths seem blocked leads many to stray on to the dark side.

To live in inner Johannesburg, most people have to pay inflated rents to absentee landlords, who aim to squeeze as much income as possible from their properties before the buildings degenerate from depressing squalor to utter uninhabitability. Paying rent requires an income, legally or illegally derived, so the pressure is on all tenants to bring in the cash.

The upshot of all this is an area that appears to teeter on the edge of chaos, where outrageous things can happen and no one feels empowered to react. A Wild West atmosphere pervades. Everything seems permissible.

These sorts of areas generate crime and attract criminals. It seems paradoxical that people would flock to an area of poverty and crime, but, for many, it is this very lawlessness and desperation that spells commercial opportunity. Open drug sales and prostitution flourish where social and state controls seem lacking. Drugs generate dirty cash and goods, and this wealth generates corruption. Soon, many begin to wonder which side of the law the police are on. Guns are everywhere and no place, neither the public streets nor the private home, is safe from their reach.

Aside from these serious criminals, many lesser offenders migrate to the area as a refuge from the law, including those whose crime is being in the country without permission. These 'illegals' are seen, and many see themselves, as people without rights, made criminal by their country of birth, without legal

alternatives. They can be victimised without consequences, and it is not surprising that some choose to strike first.

Inner Johannesburg is, quite frankly, a mess, and one that will take some time to clean up. Normalising the situation will require reversing many of the trends spelled out above. While this may seem a mammoth task of social engineering, a few well-placed crime prevention and law enforcement initiatives could have lasting impact.

Crime prevention

‘Crime prevention’ is a technology in its infancy. Its lessons are not easy to communicate between contexts, because they are strongly rooted in local cultural circumstances. What provides disincentives to crime for one group of outsiders may have little effect on a group that does not share their values.

That having been said, there are some basic principles that could be applied in inner Johannesburg. Quieting the chaos will require slowing the turnover of people flowing through the area. It will require revamping a decaying cityscape so that it looks like the authorities care about what goes on in the area. It will require dealing with the people who are illegal by their status – the immigrants and the prostitutes. While none of these objectives can be accomplished overnight, progress in any of these areas will pay incremental dividends in reducing disorder.

Stabilising the population

People need to be given the capacity and the incentives to remain and invest in the area in the long term. This is not likely when three quarters of the residents are tenants. Inner Johannesburg needs to be owned by the people who live there. Since most people are poor, realising this vision will require the assistance of the state.

The solution is what is called “social housing”.²⁷ The state buys buildings, renders them inhabitable, and sells flats to the people on terms they can afford. Two things make this an affordable option in inner Johannesburg.

One is that the state needn’t actually purchase the buildings, because many are subject to seizure. Either the buildings are so far behind on their rates pay-

ments that foreclosure is an option, or the buildings are subject to asset forfeiture laws. Under the Prevention of Organised Crime Act of 1998, the state need merely prove on the balance of probabilities that the building is being used as an “instrumentality of crime” for the property to be forfeit to the state. The residential hotels that are essential to drug and prostitution operations in the area fit this definition snugly, and the National Prosecuting Authority has already initiated proceedings against one of the most notorious of these vice dens.

The second is that South African citizens are entitled to a land reallocation grant, which can be used to purchase residential property, including flats. Since the building was acquired by the state for free, this money could be applied to refurbish the premises. Non-governmental organisations could be employed to supervise the renovations and to manage the properties.

Social housing has seen some success in other parts of the world, where it was found that people are less likely to allow their public housing to go to pot if they actually own the place. For crime prevention in particular, having a stable resident population with a stake in the area creates a bulwark against criminals who thrive on anonymity and community apathy. If nothing else, having more permanent residents makes identification of offenders easier. Those on the inside can be identified by their neighbours, while outsiders are immediately recognised as out of place.

Environmental design

The new owners of inner Johannesburg should be assisted in making their homes liveable. Giving the area a fresh coat of paint will do more than just raise morale – many studies show that when residents demonstrate a commitment to keeping up an area, levels of crime are reduced.²⁸ This is the so-called ‘broken windows’ theory that a former New York City police commissioner credits for that city’s remarkable reduction in crime.

Many of the crimes described in this survey took place in public spaces. An effort should be made to identify these locations and take measures to address any environmental factors that contribute to them being hotspots. This can be as simple as improving street lighting or as involved as improving alternate routes for pedestrian traffic and commuters. One intriguing initiative that has gained popularity of late is the posting of street signs identifying high-risk areas. The question would be not where to place these signs but when to stop.

Dealing with immigrants

As shown in this survey, the prevailing prejudice in inner Johannesburg is that immigrants are responsible for crime in the area. Even if untrue, this sentiment underscores the vulnerability of foreign nationals in the area, and the survey shows they are more likely to be victims of crime than the locals. The situation has been brewing for some time and explosions of xenophobic violence, often in the guise of vigilante activity, are not unknown in South Africa. The situation requires resolution, one way or another.

The present system of granting visas to seekers of political asylum has opened a loophole through which masses of economic refugees have paraded. Delays and appeals allow legal residence for such an extended period of time that it is only the honest and the feeble minded who do not find a way of settling here for the long term. The document issued, a piece of paper on which termination dates are handwritten, actively promotes crude attempts at forgery and fraud. For the more sophisticated, every large-scale raid in Hillbrow unearths forged and fraudulently acquired South African and foreign identity documents. And migrants deported to other countries in the region often immediately re-enter through our eminently permeable borders. This situation is likely to be aggravated by political instability in the region and the wavering defence force support to South African border control operations.

Thus, at present, there seems to be no way of keeping out those foreigners who are determined to try their luck in the new South Africa. If they are illegal by status, they have few disincentives to stray into other areas of criminal activity. They are forced to reside next door to others who are hiding from the law for different reasons. While they are prevented from earning a legal living, they still need to eat. What they earn, they cannot put in banks, so they can accumulate only that wealth they can fit in their pockets. And, since the last people they want to see are the police, they are forced to protect what little they have with the strength of their own hands.

There are two alternatives for dealing with the problem, given resource constraints: targeted enforcement or tolerance.

Inner Johannesburg provides a haven for many illegal migrants who would not feel at home in a more rural setting. Making areas like this uncomfortable for undocumented immigrants would provide a significant deterrent to many. By focusing on these areas instead of the borders, limited resources could have maximal impact. If securing indoor accommodation is made difficult without

sufficient documentation, for example, word may get out that South Africa's cities are closed to chancers.

It is also true that focusing on certain criminal enterprises in which certain groups of immigrants are over represented, like the drug trade, would unearth a lot of illegal migrants. Rather than expending South African criminal justice resources incarcerating these people, they could simply be exported to their countries of origin. If bilateral agreements could be reached with source countries, it is possible that these individuals could be incarcerated in their home countries for their offences here. For example, in Nigeria those who commit offences abroad are jailed upon repatriation for bringing the country into disrepute. In order to identify the guilty immigrants and spare their innocent countrymen, the assistance of law enforcement from their country of origin would be essential.

If harsh tactics such as these are considered incompatible with the drive for greater African unity and cooperation, the alternative is to find a way of accommodating these people within the boundaries of the law. Immigrants could be allowed to enter the country legally to work in certain selected enterprises (as has been done in the past with mine and farm workers) or in certain geographic zones of tolerance (such as so-called 'enterprise zones'). Of course, the more constrained their alternatives, the greater the administrative burden and the more likely the immigrants will be to violate their visa conditions. But keeping them legal will go a long way toward keeping them out of other forms of criminality, and it will allow them to report the crimes they suffer, weakening the sense that they are easy targets.

The bottom line is that a significant portion of the inner city population is not South African. Whether or not these people are criminals is for us to decide.

Law enforcement

While crime prevention is essential, this survey clearly demonstrates the need for more, and more effective, law enforcement:

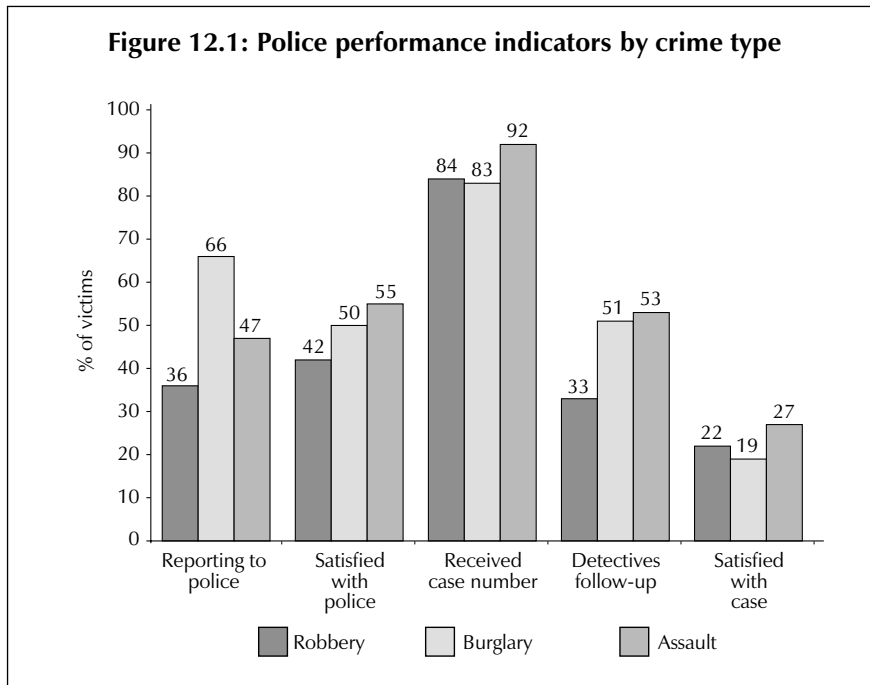
- While 77% of respondents see a cop every day, 88% feel unsafe walking in their area at night.
- A quarter of those who did not report key crimes like robbery and burglary said they did not do so because they did not trust the police, and

63% of those who felt the police were not doing a good job blamed corruption.

- Many crimes are committed in public, in front of witnesses.
- Drugs markets are wide open, with the vast majority of the people having seen drugs used in their area, and large numbers knowing where to buy these drugs.
- A robbery rate of 30% per year almost defies belief, but is supported by the police's recorded crime figures for the area, with weapons featuring in 82% of the cases and 22% resulting in injury.
- While 22% of burglary victims said they knew who stole their possessions, property was recovered in only 10% of cases, and 81% of the victims were not satisfied with the performance of the criminal justice system in their cases.
- In the last year, 6% of those polled had been assaulted so badly their injuries required medical attention.
- If population figures are accurate, 1% of the residents of Johannesburg Central police station area were murdered in the last year.

Despite these shocking figures, general public opinion of police performance is not bad. Most of the respondents felt the police were doing at least a fair job, and nearly 40% of those who had visited the local police station said it had improved their opinion of the police. A remarkable 22% said they knew a police member by name that they could approach with a problem, which shows high levels of community outreach. Opinions of 'Crackdown' (National Crime Combating Strategy) operations were also high, with 70% feeling that the operation in their area had helped to reduce crime, and 75% saying they would be willing to have their home searched once a month if it would reduce crime. Thus, it is with some measure of community good will that a new drive in enforcement could be launched.

This drive will have to overcome the inertia of some rather mediocre performance in the past. As Figure 12.1 shows, for the most common serious crimes, most victims were not satisfied with the way their cases were handled. This can be attributed in part to the fact that half or less of all cases received detective follow-up, while, in theory, all were entitled to it. If follow-up is not



necessary, victims need to be informed and have the facts of the case explained to them. It is also clear that not all reported cases are being recorded or, if they are, the case numbers are not being given to the victims in such a way that they understand their significance. Repeated experiences of this sort could be responsible for the low reporting rates, and could impact witness cooperation.

Aside from assessing whether each case gets the attention it deserves, the survey has provided some interesting insights in the nature of crime in inner Johannesburg, and suggests some ideas for more effective enforcement. The following discussion looks at some of the major serious crimes and explores the ways the police could be more effective in preventing and combating them.

Drugs

Making open drug markets (locations where anyone can buy) into closed drug markets (where buyers need a personal connection to sellers) is essential to

slowing the spread of drugs in this country. Buyers regularly travel to Hillbrow from as far as Pretoria just to purchase for personal consumption, and there are strong indications that drugs consumed throughout the country pass through Hillbrow before being distributed.²⁹ Thus, closing Hillbrow's open markets is a matter of provincial, and perhaps even national, importance.

The way to close drug markets is to do regular undercover buy and bust operations. When sellers can no longer be confident that their buyer is not a police member, they will no longer be able to sell to just anyone who comes along. Clearly, local station staff will soon be recognised by local vendors, so a scheme needs to be devised in which members from outside the area are regularly recruited for a series of carefully supervised buys. This could even become part of the training process for new recruits.

Converting the residential hotels into social housing will also have a devastating impact on local drug markets, because these anonymous and well fortified locations are pivotal in the distribution process. The message will be sent out that housing vice is a good way to lose your property, and the pressure will be on local landlords to ensure their buildings are drug free. One unfortunate side effect of this is likely to be that it will probably become difficult for even honest foreign migrants, especially Nigerians, to find housing in the area, but as was noted above, this may have a positive influence in reducing the number of illegal migrants in the inner city.

Drug enforcement in Hillbrow means focusing on Nigerian nationals: there is simply no way around it.³⁰ As has been argued, making sure that the right Nigerians are targeted will require assistance from Nigeria. Ibo agents, seconded from the Nigerian Drug Law Enforcement Agency, could easily infiltrate the loose networks that presently exist. Further intelligence could be gathered from interception and translation of cell phone transmissions made in the area.

However, before engaging in all out war on this grouping, it might make sense to try a little diplomacy. Building committees could provide a point of entry.³¹ These could be addressed and used to identify offenders. If cooperation is forthcoming, there may be no reason to proceed to harsher measures. If it is not, and Nigerian residents continue to assert, as they have in this survey, that drugs are not an issue in the hotels, then the full weight of the law should be applied.

Targeting drugs does not just mean harassing the Nigerians, however. On the users side, many of the young whites found in Hillbrow are there for access to drugs, particularly crack. In fact, 12 out of 19 whites (63%) arrested in

Hillbrow during the SA-ADAM 3-Metros study for a variety of offences tested positive for cocaine, with 72% testing positive for drugs of one sort or another.³² Many of the white women in particular are crack addicted sex workers. All of the Hillbrow women arrested for prostitution and “other sexual offences” in the 3-Metros study, both black and white, tested positive for cocaine, but these arrests indicate targeting of high drug use areas.³³ There are also hotels where prostitution is present but where hard drugs are not a major issue, and harassing these sex workers would serve little purpose. The key to focusing efforts is intelligence, and this can be gathered across crime types by befriending honest street prostitutes.

Robbery

As has been argued above, it is possible that escalating robbery rates are due to growing crack addiction, and drug enforcement may have some impact in this area. But whatever the cause, it is unreasonable to expect the citizens of inner Johannesburg to face another year knowing that their chances of having their property taken by violence, often quite serious violence, are almost one in three.

This survey suggests that 80% of these robberies take place on the streets or in other open places, which means that they are arguably subject to deterrence by visible policing, particularly given that the land area per population ratio is quite favourable. Unfortunately, this survey also shows that the police are highly visible in the area, yet the crime still continues. This suggests that it is perhaps time to start invisible policing.

Uniformed patrols only provide deterrence while they are actually visible, and there are not enough police to provide deterrence everywhere. Studies of robbery in other cities have shown that the number of robbers in any area is relatively small, with each committing many offences.³⁴ Actually arresting (and thus incapacitating) this small group, rather than just temporarily deterring them, is essential to reducing the number of incidents. For the most part, this means catching them in the act, because the property taken is often difficult to identify and levels of reporting are low.

The use of undercover tactical patrols in high crime areas could have an impact on this crime because the perpetrators rely on their speed to evade detection. Unlike burglary, rape, and many other offences, a robbery can take place in seconds, and targets are everywhere and always vulnerable. With no

start-up capital or expertise, the armed robber can stalk victims until opportunities present themselves. Robbers can watch police movements and time their attacks accordingly. That is, they can if they can see the police.

Inner Johannesburg is an area with an active street life, and, in some areas, strangers loitering are not given a second glance. This allows undercover patrol personnel to move freely and keep an eye on areas the crime figures show to be hot spots. If this survey is correct in estimating that over 30,000 such offences occur in this area every year, the police shouldn't have to wait long for an incident to occur. This survey indicates that robbers tend to be armed (82%) and travel in gangs of three or more (over 60%), so members should also move in numbers, with plenty of uniformed back-up.

The drawback of this approach is that members cannot be quickly redeployed to other assignments – for example, traffic duty – without a change of costume. The advantage is the sense of paranoia a few visible busts will produce. When the criminals think every vagrant is a potential cop, they will never feel safe again.

This technique has been employed to some degree in the area. For example, the Reaction Squad at Johannesburg Central uses plainclothes members to make arrests for minor violations and breaches of the liquor code. But a more extensive tactical patrol team could pay dividends in reducing the risk of walking the streets at night. It is also possible that 'sting' operations could be conducted in the worst affected areas, in which apparently easy targets are sent in to attract would-be predators. In either case, the idea is to catch armed robbers in the act, rather than relying on police presence to scare them away.

With regard to response after the fact, significant improvements could be made in this area. While it is always difficult to convince robbery victims to report in great numbers, these station areas have remarkably low rates of reporting. Low reporting levels make recognition of patterns difficult, and reduce the number of chances to apprehend repeat offenders. A public awareness campaign could be launched in which citizens are conscious of the fact that under-reporting leads directly to continued vulnerability. If the hot spot signage discussed above were to be deployed, these signs could include admonitions about the irresponsibility of failing to report.

If victims are failing to report because they do not want to become embroiled in a protracted litigation process (and the majority of those polled who did go to court on a robbery case had to do so at least four times), it is possible that

a form of anonymous reporting could be allowed. Using a confidential hot line, this would allow the gathering of criminal information for intelligence purposes without commitment on the part of the complainant. While clearly less desirable than a proper complaint, such a streamlined procedure would allow access to the details of the two thirds of cases that do not get reported.

Burglary

While this survey suggests that burglary is not egregiously common in inner Johannesburg, policing for this crime in a high-rise area is clearly a challenge. The point of entry in most cases is indoors, off the streets, and invisible to routine patrol. Preventing burglary requires increased community cohesion, so that neighbours feel empowered to keep an eye on their own buildings. This survey has shown that these are not generally crimes of stealth: 30% of the cases involved simply forcing the front door open, over half occurred during the daytime, and use of violence against residents was common. These are the sorts of incidents neighbours might be expected to notice.

To prevent burglaries, residents have to know who is and who is not allowed in the building, and who is and who is not authorised to be in any given flat. When people leave on holiday, they need to be able to trust their neighbours to collect their mail and watch their property. They need to be able to tell one another when they are having repairs done by outsiders, and when they are having furniture removed or delivered. Snoopily pensioners should be valued as the eyes and ears of the building, and building watch programmes could be developed to allow this intelligence to be disseminated. Building committees could meet to discuss issues like common security infrastructure and whether doormen or security guards should be employed. The police can assist in advising these efforts, but the responsibility ultimately rests with the residents themselves.

One area the police can improve on is their responsiveness after the crime has been committed. The vast majority (81%) of burglary victims were not happy with the service they received from the criminal justice system, which is the lowest satisfaction rating among victims of any crime type. Part of this may be due to inflated expectations – not every home can be dusted for fingerprints – so it is essential that victims be told exactly what level of service they can expect from the police. Cards or brochures could be printed detailing the steps that will be taken in handling their cases. But a good deal of dissatisfaction may be due to the fact that just over half experienced detective

follow-up, which is very low considering that burglary cases always provide a site to inspect. The local stations must also make efforts to reduce the 26% of people who do not report burglary because they “do not trust the police”.

Over a third of respondents said that recovering their lost property was their top priority following the crime, but only one in ten burglary victims had any of their property recovered. When property was recovered, 80% said it was found in inner Johannesburg, so these local markets are key. Knowledge of these markets exists in the community – 13% said they knew where to buy stolen property. In addition, 22% of the respondents felt they knew who had stolen their property, with 30% of these knowing the criminals by name. The police need to tap into this knowledge, using informants and undercover police to uproot the black market. One way to facilitate recovery of property is by indelibly marking it and keeping records of this information through an ‘Operation ID’-type programme, an area the police have championed in other countries.

The residents of inner Johannesburg have clearly indicated their willingness to have their homes searched, and the police should make use of this good will. Stolen property is just one of the many forms of contraband that could be uncovered. Anyone with more television sets or car radios than they can explain should be questioned.

But the number one priority of victims was making sure that they were not victimised again, and 72% increased their security precautions following the incident. The police can assist in advising on this matter, based on their experience of having visited many burglary sites over the years. Tenants are clearly less likely to invest than resident owners, but certain basic precautions are within the reach of all, and this survey indicates that 13% claimed to have no household security at all.

Assault

This survey has shown that there are several distinct types of assault, including domestic violence, barroom brawls, and street attacks by groups of strangers. Each has its own implications for policing.

It is often said that it is not possible to police domestic violence because it takes place behind closed doors. Dealing with incidents of domestic violence is often frustrating for police because of the high rate of withdrawn cases. This was illustrated in the present survey by the fact that domestic violence victims

were most concerned with reconciling with the assailant and getting life back to normal following the attack.

While it would be easy to write off these incidents, it must be kept in mind that these were serious cases of assault, in which 77% of the women required medical attention. The next call from this household could be a case of murder. Despite this, only 40% reported the crime to the police. Policing this crime type is mainly about improving on this figure. This is done by improving public confidence in the sensitivity and efficacy of the police.

Site-specific crimes like bar-related violence can be combated by a variety of means. Often, it is the same sites again and again that generate these problems, and there is plenty of scope for enforcement here. Unlicensed establishments must be shut down and licensed sources of trouble should have these licenses threatened. Orderliness in drinking establishments is the responsibility of the ownership, and can be promoted by a variety of means, like not serving the visibly intoxicated and bouncing belligerent individuals. Particularly problematic spots could even conceivably be threatened under asset forfeiture legislation.

The street attacks by groups of strangers documented in this survey are an area that requires further research. The questions asked in the present study were not sufficiently detailed to get to the core causes of this conflict. If this is inter-group violence of some sort, the police would need to look at various forms of conflict resolution. If these are just random acts of a violent population, all the social crime prevention measures listed above, aimed at restoring a sense of order, should be employed.

Conclusion

Reducing crime in a high-rise, high-visibility, high poverty, and high crime area like inner Johannesburg will require a mix of innovative social crime prevention and law enforcement initiatives. On a very basic level, a sense of order must be restored. This survey has given some important clues as to where to start in this process. By pointing out the problems in both crime and law enforcement, studies of this sort can provide an important diagnostic tool in improving criminal justice performance.

It is hoped that this will not be the last of these surveys in this area, and there are plans for a follow-up in 2004. Regular checks of this sort can test the efficacy of

law enforcement initiatives objectively, without circular reference to police statistics. They can also track changes in the underworld of crime and criminal markets as they adjust to new conditions.

Researchers from the outside can only skim the surface of the conditions faced by policing agencies, and it is likely that this survey has missed some important considerations confronted by local authorities. It is also true that many of the questions asked were less successful than had been hoped. But it is anticipated that future polls of this and other communities will improve upon this work and continue to innovate in finding ways to better access the real experiences of criminal victims in this country.