

## CHAPTER 2

# THE NATIONAL CONTEXT – POLICING IN SOUTH AFRICA

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Sector policing is an open-ended phenomenon, a loose composite capable of absorbing just about every idea in policing that has been thought of in the last 30 years. There is thus no single model: what it becomes is shaped in large part by local practice, knowledge, infrastructure and ideas. It follows that what is to become of sector policing in South Africa will be influenced in no small part by the existing police culture which is to host it. What is the state of policing in South Africa? What is the nature of the environment into which the idea of sector policing is being received? What follows is, of necessity, a brief and telescoped account of current policing practice in South Africa.<sup>27</sup>

### **Working around weaknesses**

During the first decade of democracy, policing in South Africa has been shaped in large part by the resources it inherited from the apartheid era. And the policing tools apartheid bequeathed to democracy – particularly its stock of human capital – were formed in the chaotic conditions of the final years of white minority rule.

In 1999, then police Commissioner George Fivaz complained that a quarter of his personnel were functionally illiterate. “We inherited a police force without the functional capacity to do their job,” he told a reporter.<sup>28</sup> Fivaz may have been exaggerating a little, but not much. Look at the history of policing in the decade preceding 1994, and it is not difficult to see why.

In the mid-1980s, one of the apartheid government’s responses to the urban insurrections that had engulfed much of the country was the mass recruitment of *kitskonstabels* – instant constables – trained in six weeks and given full police powers. Many were illiterate. Most were trained in the blunt rubric of repression. By 1994, they constituted ten percent of South African Police (SAP) personnel. Then there was the municipal police, slightly better trained than the *kitskonstabels*, but also used primarily to defend besieged black local authorities against political resistance. By 1989, they constituted 12% of SAP personnel. Finally, when the SAP was amalgamated with the several

homeland police forces in 1995, yet another slew of doubtfully trained police officers were absorbed into the force; their primary function had been to serve weak, authoritarian and unpopular regimes. In 1995, at the time of the amalgamation, the combined homeland personnel comprised more than 20% of SAPS force strength. The result is that South Africa's first democratic police agency inherited a contingent of police officers – nearly half of whom – had received nominal police training at best. They had skills and talents “similar to those of the common infantry”.<sup>29</sup>

It took the SAPS about five years of experimentation to discover that the quality of policing can only be as good as the personnel at hand. But by 1999, the SAPS had become remarkably adept at working around its weaknesses and harnessing its strengths. This took two forms: first, a strong tendency to centralise resources and responsibility at head office, primarily to make up for the unevenness of police quality on the ground. In Mark Shaw's phrase, the SAPS developed “a strong ‘punching arm’ deployable from Pretoria to counter ... weak station-level policing”.<sup>30</sup> And second, the SAPS came increasingly to rely on high density, high visibility paramilitary policing operations – precisely the sort of policing that a force with a strong centre and weak personnel can execute with accomplishment.

This movement towards centralised, militaristic policing culminated in the announcement of the National Crime Combating Strategy (NCCS) in 2000, a nine-year plan to reduce crime and reform local-level policing across the country. The NCCS is divided into two phases. Phase one, which began in 2000 and was scheduled to end in 2004, was dubbed the ‘stabilisation phase’. It consisted, in essence, of a series of nationally coordinated, high-density policing campaigns in the 140-odd police station precincts identified as producing more than 50% of crime in South Africa. The goal was to stabilise crime statistics in the chosen areas. “To achieve this remarkable goal,” Ted Leggett comments caustically:

... the SAPS has resorted to traditional, albeit targeted, authoritarian policing. The police and military show up in force. They make themselves visible. They wake everyone up at 3am and search their sugar bowls, without specific probable cause... They seize lots of undocumented people and guns, as well as drugs and suspected stolen property... They throw up roadblocks and cordon and search operations to accomplish the same thing on streets and sidewalks...<sup>31</sup>

“This return to militaristic policing,” Leggett concludes, “should surprise no one... Given the masses of members who have little capacity for reflective police work, the herding of bodies into mass operations may be the optimal use of available resources.”

### Overcoming weaknesses?

The second phase of the NCCS has been dubbed the ‘normalisation’ phase and is scheduled to run from 2004-2009. While the first phase can be characterised as an attempt to work around the weaknesses the SAPS inherited and to emphasise the one form of policing the organisation knows it can do well, phase two, at first glance at any rate, is a project to overcome inherited weaknesses and rebuild grassroots policing. The assumption is that phase one would have stabilised crime levels and thus created the breathing space in which station-level policing can be rebuilt. And at the heart of the plan for the restoration of station-level work is the idea of sector policing. This is where the Draft National Instruction on sector policing takes its place. It is the centrepiece of phase two, the substance of a five-year project to normalise policing in South Africa.

Defined in this way, sector policing carries the burden of a very ambitious project indeed. It is no less than a plan to replace ‘the herding of bodies into mass formations,’ in Leggett's phrase, with a form of policing the success of which rides on the quality of human capital at the grassroots: analytical problem-solving, the subtleties of crafting situation-sensitive crime prevention plans – this is the stuff of sector policing. It is a far cry from staffing a road block. Is phase two of the NCCS really as ambitious as that?

The SAPS has sent out conflicting signals. On the one hand, it undoubtedly understands that sector policing cannot succeed if it is to rely on existing human resources. The SAPS fought bitterly and, in the end, successfully, for the funds to hire and train 37,200 new police officers between 2002 and 2007. The quality of the new recruits appears to be good. All are high-school graduates. Their median age is 27; many thus have the working and life experience necessary for intelligent grassroots policing. It appears that the SAPS plans to transfer many of them directly from the academy into sector policing functions. The idea, in other words, is not just that greater numbers are needed, but that a new ethos of policing requires a better crop of personnel.

And yet, examining the Draft National Instruction itself, the SAPS commitment to an ambitious programme of reform becomes less clear. Here is how the Instruction envisages the implementation of sector policing:

- *The demarcation of geographic sectors within the local police station area.* The main criteria for deciding on sector size and boundaries should be the manageability of the sectors for the envisaged managers and the social character of each sector.
- *The appointment of a sector commander and at least one deputy in each sector.* Commanders are chosen for their excellent community work skills.

The sector commander, in turn, has the following tasks:

- compiling a sector profile to include details of prominent people and important groups in the sector area, population and other demographics, and crime trends;
- establishing a Sector Crime Forum, consisting of identified stakeholders to address policing and crime prevention needs in the sectors through the planning and execution of focussed and intelligence-driven operations;
- identifying the causes of crime and contributing factors to crime in his/her sector as well as the policing needs of the sector in respect of improved service delivery and improved community-police relations;
- participating in daily crime prevention meetings at station level to identify needs for specific crime prevention operations;
- developing community-police projects at sector level such as neighbourhood watches.

It is possible for a station to obey the letter of this Instruction without implementing substantive changes to policing practice. A station that interprets the Instruction leanly might, for instance, hive off the sector commander and his or her work into a discrete, parallel sphere, leaving the substance of everyday policing unchanged. “Focussed, intelligence-driven operations” could consist simply in the delineation of hotspots, and a nominal shift in where crime prevention units patrol. “Developing community-police projects” could become the work of a lone police officer, liaising with the leaders of community initiatives which exist anyway and whose work remains largely unchanged.

Alternatively, a creative and generous interpretation of the Instruction could aim to instil a new philosophy throughout the station-level organisation, replete with substantive changes in day-to-day policing and a new set of performance indicators. For instance, a station commander could divide the crime prevention unit into sectors, task them with examining crime trends for the purpose of detecting patterns, and liaising with sector commanders and

civilians to find creative solutions to the problems they have identified; dividing the detective branch into sectors, instructing them to break down the cases they investigate into patterns, taking this analysis to the sector commander, and so forth.

In other words, an entire spectrum of possibility is implicit in the Instruction, ranging from nominal to radical changes in policing.

Why was the Instruction written like this? One answer is that the SAPS leadership is being commendably cautious. As discussed above, the SAPS has, in recent years, become impressively adept at learning the art of the possible. It has identified the limits of its own organisation and styled its strategies around the recognition of these limits. A sector policing instruction that demands nothing less than the wholesale reform of the very substance of grassroots policing flies in the face of all the caution and prudence the SAPS has acquired. It runs the risk of demanding the impossible. In issuing a broad, abstract instruction, the SAPS's intention is perhaps to give pockets of skilled police officers around the country the space to innovate while sheltering weak pockets from the failure of ambitious change.

If this is the case, the line between phases one and two of the NCCS is not quite as bold as may appear. By 2010, quality of policing on the ground remains extremely uneven; Pretoria's ‘punching arm’ remains strong – the presence of a centralised, paramilitary capacity remains intact to substitute for poor policing on the ground. South Africa is left with an eclectic patchwork of policing practices, relying on blunt, high density policing in some places, and on local-level innovation in others.

There is another possible reason why the Instruction is written the way it is: its abstractness is a reflection of top-level disagreement about the future of policing in South Africa. Indeed, the author's off-the-record interviews with senior police managers suggest that the debate about the strategic direction of policing remains unresolved. Some senior managers believe that the high density operations of recent years mark the limits of existing police capacity, and that ambitious innovation during the next five years might damage the organisation. For these managers, sector policing should do no more than refine existing policing practices. Others argue that current policing practice is a transitional, pragmatic arrangement which has served well as a bridge between authoritarian and democratic policing; but it is a bridge that must be crossed and dismantled as soon as possible. For these managers, sector policing must herald a significant break from present practice.

In this scenario, the broadness of the National Instruction is a symptom of compromise and disagreement. What is to become of it will be determined in large part by the character and disposition of area managers, the talent they are able to mobilise, and the support they may or may not receive from Pretoria.