

CONCLUSION

Sector policing, it was noted in Chapter One, emerged in the early 1970s as one among a host of experiments to address a crisis in American policing. Police leaders and scholars had gone right back to basics and asked what it is that the police do to reduce crime. COP, POP, risk factor identification and targeted patrols were four answers. There is a fifth answer. It is, simply, that the primary functions police perform have very little to do with preventing crime or enforcing law, and never will.

This position has been eloquently stated by the sociologist Egon Bittner. He argues that the vocation of the police is neither to prevent crimes nor to apprehend those who have committed them. Rather, their vocation is to intervene in and provide provisional solutions to emergencies – any emergencies whatsoever, whether or not they involve lawbreaking. Whether it is to pull a drowning person out of the water, to prevent someone from jumping off the roof of a building, to save people in a burning structure, or, indeed, to respond to a robbery in progress, the role of the police is to respond immediately to any situation “as long as it could be said that it involved *something-that-ought-not-to-be-happening-about-which-someone-had-better-do-something-now!*”³⁶

Indeed, Bittner argues, to the extent that the police use their powers of law enforcement, such as making an arrest, they only do so tactically and instrumentally, to carry out their true vocation, which is “to handle the situation”:

While it does happen occasionally that patrolmen arrest some person merely because they have probable cause to believe that he has committed crimes, this is not the way all but a small fraction of arrests come about. In the typical case the formal charge *justifies* the arrest a patrolman makes but is *not* the *reason* for it. The actual reason is located in a domain of considerations ... referred as the need to ‘handle the situation,’ and invoking the law is merely a device whereby this is sometimes accomplished.³⁷

One need not agree with Bittner's conclusions to take his argument seriously. The introduction of sector policing on the West Rand has undoubtedly mobilised police officers into devoting far more time, energy and thought to crime prevention work than they ever have in the past. Some of this work has undoubtedly been successful, whether in the form of taking guns off the streets, mobilising civilians to guard public places, or hardening a target via environmental redesign. Yet the introduction of sector policing also appears to have triggered a subtle and incremental shift in the relationship between police officers and civilians. As sector police get to know, and get to be known in their sectors, so they begin to receive, and spend far more time responding to a wider array of complaints.

Restated in Bittner's language, police are asked to respond to a larger, more varied, and more intimate range of emerging crises, whether these entail law-breaking or not. Moreover, police officers increasingly find themselves called to manage the same crises involving the same people. As the relationship between police officers and civilians grows more intimate, so officers are called upon to exercise a host of skills and competences, many of which entail qualities such as emotional self-restraint, and reflection on their own prejudices.

It is difficult to teach officers these qualities in their monthly sector presentations. These presentations are primarily about how to be better at crime reduction, not how to manage a more intimate relationship with civilians in crisis. Indeed, as Bittner argues, a police officer's craft is very difficult to teach at all:

While lawyers, physicians, teachers, social workers, and clergymen also deal with critical problems, they have bodies of technical knowledge or elaborate schemes of norms to guide them in their respective tasks. But in police work there exists little more than an inchoate lore, and most of what a policeman needs to know to do his work he has to learn on his own. Thus, what ultimately gets done depends primarily on the individual officer's perspicacity, judiciousness and initiative.³⁸

Primarily, but not entirely. It is possible to detect patterns, trends, and discrete categories of crisis to which West Rand officers are increasingly called upon to respond. And as patterns emerge, it is possible to think about which sort of police responses make problems better, and which make them worse. This

study involved spending only ten 12-hour shifts on the West Rand, and so the following list is not exhaustive. Nor has its representivity been properly tested. Yet what can be said with some certainty is that while none of the problems identified below are new, the introduction of sector policing has changed many police officers' experience of them. The following discussion does not propose hard and fast solutions; it merely points to areas in regard to which further thought may be advisable.

Informal 'delict'

It was pointed out in Chapter Four that an informal system of restorative justice exists in many West Rand communities (and, indeed, in many communities across South Africa). As sector policing brings a surer and more predictable police response to complaints, so it is likely that civilians will increasingly use the justice process as a form of surety – as a means to underwrite systems of private and informal delict. The justice process is kept in the wings, to be triggered in the event that the offending party reneges. Police officers resent this syndrome immensely. They regard it as a corruption and abuse of their work.

But in the absence of a sudden and unlikely transformation of local cultures, this syndrome is to remain, and sector officers will have to manage it. What to do with it? It has both benign and malignant possibilities. At its worst, it drags officers into the tardy role of unwilling and unwitting debt collectors. It forces officers to respond to complaints which have been fabricated for the purposes of blackmail and extortion. Yet, at its best, police officers will assist in underwriting informal systems of non-violent conflict resolution.

How does a police force ensure that the latter possibility predominates rather than the former? Are officers merely to rely upon instinct, accumulated experience, and familiarity with particular complainants? Or is there a place for policy and legislative intervention? For instance, should there be crimes for which a charge, once laid, cannot be withdrawn by the complainant? Alternatively, should the police informally put pressure on complainants to delay the laying of charges, as is happening in regard to some crime categories in Randfontein?

Illegal shebeens

The SAPS must police illegal shebeens because alcohol consumption is associated with violent crime. But the costs of policing shebeens – in the form

of escalating conflict between civilians and police – are large, the benefits usually of brief duration. At Area level, much thought has gone into how to police shebeens for specific risk factors, instead of relying solely on a monotonous cycle of raids which may induce as much crime as it prevents. It is not clear, though, that the subtlety of this thinking has always reached ground level. Some police officers regard shebeens as enemy territory to be policed with indiscriminate hostility. Others regard illegal shebeens as legitimate and necessary community institutions, and resent having to police them at all. Neither attitude is good for the policing of shebeens, or for the relationship between police and civilians. The policing of shebeens, it seems, is still shaped too much by the prejudices and predilections of police officers, and too little by measured, analytical thinking. In other words, precisely because the shebeen question is so difficult, the paradigm of problem-oriented policing has yet to permeate police culture in this specific arena.

Mutual escalation

As the same officers begin to patrol the same places, weekend after weekend, so the relationship between police and offenders becomes increasingly personalised. For those who do not want a police presence in their neighbourhood, knowing officers individually becomes a powerful tool. Police officers can be repeatedly provoked until they break the law, or sufficiently intimidated to desist from patrolling certain areas. In one instance in Toekomsrus, it appeared that this relationship of personalised, mutual hostility rendered the very presence of the police a provocation, and led to the escalation of tension, the commission of crimes, and the diversion of police resources from other areas.

It is difficult to offer solutions to this problem. It is, perhaps, an inevitable by-product of sector policing. The police must inevitably respond by targeting provocative individuals for action, but this is precisely what provocative individuals want. Police resources are diverted into continuing, low-intensity conflicts. The meaning of POP is cynically inverted. Rather than solving crime problems, police are coaxed and teased into becoming a protagonist in an escalating crime problem.

Domestic violence

The policing of domestic violence is governed by legislation. The Domestic Violence Act spells out in some detail what officers should do at the scene of a complaint, and provides them with an appropriate ambit in which to

exercise their powers of discretion. Nonetheless, within the ambit of law, a variety of different *modus operandi* remain open to police officers. The manner in which this discretionary space is filled is often shaped by the officer's character, values and beliefs. The degree of contempt with which an officer treats an offender in front of his family; whether, and with how much urgency, an officer persuades a complainant to lay charges, or, alternatively, to seek a protection order; to what degree the presence of children in the house changes the officer's behaviour and demeanour; the extent to which an officer is concerned only with whether a crime will be committed on his shift, rather than the long term consequences of his actions.

Research in other parts of the world shows that all of these aspects of an officer's demeanour at the scene of a complaint either exacerbate or ameliorate domestic violence.³⁹ The research is context-specific and its findings cannot simply be transferred from one environment to another. In South Africa, research on police conduct in private homes is scant, and police management is thus not in a position to write policy in this regard.

Now is probably a good time to begin that research. On the West Rand, the introduction of sector policing will probably have two effects. First, the same officers get called to the same addresses again and again. Second, as the police response to domestic violence becomes quicker, more efficient and more predictable, the volume of complaints should rise. In fairness to both police officers and civilians, much more should be known about the long term consequences of an increased police presence in conflict-ridden homes.