

EXECUTIVE SUMMARY

The Southern African Development Community's conceptual framework on peace and security recognises a new approach to human security which emphasises security of people and non-military dimensions of security. It is about protection of the individual taking preventative measures to reduce vulnerability, insecurity and minimise risk and taking remedial action where prevention fails. It is within this framework that the study on evaluating strategies for combating stock theft in Lesotho takes place.

Stock theft has become a national crisis in Lesotho. According to the National Livestock Development Study Phase 1 report of March 1999, stock theft has reached epidemic proportions throughout Lesotho and appears to be escalating. Stock theft presents a challenge to the consolidation of the fragile democracy in the Kingdom of Lesotho as it impoverishes people and causes conflicts within and between villages that in turn threaten stability. In cases of theft the livestock owner loses all the economic value of livestock and is left destitute. This affects the entire household, the community, and the country.

The purpose of the study was to examine the perceptions and extent of the problem and its impacts on livelihoods through an evaluation of current strategies that inform policy and to provide recommendations for enhancing existing policies, practices and strategies. The rationale of the study is to inform policymakers and implementers on appropriate strategies to manage stock theft. The outcome will be useful in designing mechanisms and systems for stock theft interventions and in monitoring and evaluating them. These interventions will be at community level, in the justice and policing services and in management.

The study was designed to focus on examining the following during interviews with stakeholders that included the police, chiefs, stockowners, magistrates and prosecutors:

- to review current strategies and practices in combating the problem of stock theft, including:

- community policing – communities collaborating with the police
 - stock theft associations
 - border patrols, including the army
 - policing mechanisms
 - the Criminal Justice System
 - The Stock Theft Act and other relevant legislation and policy documents
 - alternative forms of justice;
- to investigate the causes for the lack of confidence displayed by communities in the police and the courts;
 - to undertake docket research and analysis and examine court files and other relevant documents to determine the efficacy of the Criminal Justice System in relation to stock theft; and
 - to suggest recommendations that will regain the confidence of the communities in the police, courts and government.

In terms of the perceptions and extent of the problem, including its impacts on livelihoods, the study found the following:

- Stock theft is on the increase, as is related violence.
- Unemployment is the leading cause of stock theft.
- The marketing channels of stock make it easier to trade in stolen stock.
- Most stolen stock is herded into inhospitable terrain to make it more difficult to track down.
- Current markings of animals are easy to tamper with.
- Religion has an impact on the responses of communities towards crime.
- There is loss of mobility as animals are used for transport.
- The livelihood of households is affected owing to loss of earnings from cattle.
- Loss of lives is high.

- Levels of education are being affected in rural communities.

The study also found that stakeholders encounter the following challenges in the implementation of stock theft interventions:

- The roles of the different stakeholders are not clear with regard to dealing with stock theft issues.
- The mandate of the different stakeholders with regard to dealing with stock theft issues is not clear.
- Lack of resources hinders implementation of the strategies.
- Stock theft associations are rendered ineffective by violence that is perpetrated by thieves.
- Lack of effective means to communicate with police makes reporting stock theft in time impossible. The police are not able to respond immediately.
- Community policing is failing owing to a lack of proper organisation.
- Lack of resources hinders the performance of the police.
- The police are committed to the social protection of the communities they serve but are not motivated.
- The police crime prevention policy has not been implemented.
- Police records are a major weakness in the police procedural system as they are not kept properly.
- The practical application of the Stock Theft Act as it stands is not clear, as there is a wide gap between the legislation and the practical application of the law.
- Case law has developed judicial precedence that lays magistrate's courts as proper courts with jurisdiction to try stock theft cases.
- There is a conflict of laws and this affects the implementation of the Stock Theft Act.

Recommendations are made in the report, which address these findings. These include the following:

- There should be registration and training of anti-stock theft associations.
- Channels and avenues of communication between the police and communities should be improved.
- More resources should be provided for dealing with stock theft, including more off-road vehicles, shortwave radios, camping equipment, computers, and a helicopter.
- There should be a review of the format of data entry on police dockets and the procedural handling of such dockets.
- The number of prosecutors and magistrates specialising in the handling of stock theft cases should be increased.
- A short-term solution for the lack of magistrates and prosecutors could be roving courts that deal exclusively with stock theft cases.
- The micro-chipping of animals should be implemented with immediate effect.¹
- Government should make stock theft a priority in terms of financial support of the strategies and systems that combat stock theft.
- The Stock Theft Act should be reviewed with the full involvement of all stakeholders.