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CHAPTER 3 SOUTH AFRICA

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Background

This chapter is based on interviews with members of the South African Police Service (SAPS), the Department of Justice, individuals in the corporate sector and people with links to organised crime. It also draws on existing documentation, reports, press articles and academic research and papers.

Numerous investigations have been conducted into organised crime groups in South Africa. A number of articles and research papers have also been written on the extent of organised crime and the types of crimes committed. Most police investigations focus on the actual crimes committed by such groups and on the arrest of individuals or seizure of goods. However, there is not much information available on the structure and *modus operandi* of these groups.

Organised crime groups are also extremely difficult to penetrate and developing an accurate picture of their operations can take months, if not years. This is thus not a comprehensive study of such groups in South Africa, but rather an introductory look at some of the groups operating in the country, including both domestic groups and those that originate in other countries.

One of the characteristics of modern organised crime groups is that they are fluid and flexible and can quickly adapt themselves to meet new opportunities, challenges and risks. As a result their *modus operandi* can change fairly rapidly. The type of crimes they are involved in can also be adapted to meet new opportunities. Categorically defining their operations is thus almost impossible. What is required, instead, is a more long-term focus on these groups to better understand how they operate.

Because they operate for profit or wealth, organised crime groups rely on the existence of markets and the principles of supply and demand. As is the case in legitimate business, people involved in organised crime can also move up the ranks of particular groups. Likewise, people involved in petty crime can ascend into becoming involved in organised crime. Unfortunately, this area has received little serious study.

To develop a better understanding of organised crime, its scale and diversity, it is important to look more closely at the economy of crime and the social factors that impact on organised crime's development. However, this area was outside the time and resource limits of this study.

For crimes to be deemed 'organised', the following were regarded as necessary for the purposes of this study:

- the offences should be serious;
- the offences should be for profit or power;
- the group committing the crimes should operate for a prolonged or indefinite period;
- the group should have a clear structure;
- there should be division of labour or tasks within the group;
- the group should have some form of discipline or control;
- money laundering should be a component of the group's activities; and
- the group should be able to exert influence through corruption, violence or intimidation.

The chapter looks at some of the different types of organised crime groups in South Africa as well as some of the crimes they are involved in. Factors contributing to the dramatic increase in organised crime since 1994 are also outlined.

Some domestic groups are increasingly becoming linked to transnational crime. This chapter first looks at transnational groups operating in South Africa, though information on them is difficult to obtain as they are extremely difficult to penetrate. It then examines domestic groups and reviews their operations.

Most organised crime groups rely on corruption or coercion of people in positions of authority, both in government and in private enterprise. The last section of this chapter looks at examples of corruption and at how it strengthens opportunities for organised crime groups to operate successfully.

Overview of organised crime in South Africa

Although organised crime is attracting increasing international attention, it is not a new phenomenon—the Italian Mafia has been in existence since the

1940s and the Chinese Triads since the 12th century. Smuggling is also one of the world's oldest professions and there is nothing new about criminal groups crossing international borders. However, the size, scale and diversity of these groups are new, as are their growth in both wealth and power.¹ In fact, organised crime is increasingly being regarded as an international security threat rather than being merely an internal crime problem peculiar to specific countries.

As with other countries, organised crime groups existed in South Africa prior to 1994. The 'Boere Mafia' were fairly strong in the 1970s and early 1980s and the Chinese Triads' involvement in the country dates back to long before 1990. However, just as the 1994 election opened up new opportunities for South Africa and ended its period of international isolation, benefiting legitimate businesses and organisations, so too did it create opportunities for organised crime groups to take advantage of change. Since then both transnational and domestic organised crime have escalated dramatically, to the point that by 1996 the World Economic Forum regarded South Africa's organised crime problem as being superseded only by that of Columbia and Russia.

A recent report drawn up by the Central Intelligence Agency and the Federal Bureau for Investigation for the United States' President identified South Africa as an important centre for international criminal activity. It estimated that there were 32 transnational organised crime groups operating in South Africa at a cost to the government of approximately US\$23 billion each year.² These groups include nationals of Russia, Italy, Portugal, China, Morocco, India, Pakistan, Lebanon and Nigeria.

The exact number of organised crime groups is difficult to estimate accurately but in 1996 the SAPS put it at 196.³ Current estimates suggest this number has increased to as many as 230 groups.

The majority are not run on the basis of highly structured operations but function rather as networks. This means that even if the police arrest key people, they are replaced and the network continues to operate. Exceptions are the Chinese Triads, which are highly structured (although even the Triads make use of networks of Taiwanese, Koreans and South Africans in carrying out criminal operations). Similarly, the operations of Russian groups are also often centred on a couple of powerful individuals.

It is not unusual for networks to cooperate or form alliances with one another, and even to merge if the opportunities are right or the risks require it. While

some networks specialise in one type of crime, many are involved in a variety. Their sophistication varies. Some of the less sophisticated groups operate primarily at a domestic level, although there is an increasing trend for even these groups, along with more sophisticated domestic groups, to link up with transnational groups. They either offer their services to the transnational groups, cooperate with them on joint ventures, or merge with them.

The Nigerian networks, for example, often farm out certain of the more violent aspects of their trade to domestic groups. They have also formed cooperative links with domestic groups, such as those involved in cash-in-transit heists. In these situations, the South Africans keep the cash from the robberies while the Nigerians keep any credit cards or cheques. Domestic groups have also had historical relations with Pakistani networks, largely centering on their involvement in the mandrax (methaqualone) trade. Some such local groups have merged with Pakistani groups that have entered the country, making it extremely difficult to distinguish between them. Other bonds tie the groups together: Pakistani networks prefer to work with people from the same religious background as themselves.

Many of the transnational groups and networks operating in South Africa are formed along ethnic lines. Although they may make use of criminals from other countries, these foreigners will seldom rise to prominence in the networks. For example, while the Chinese make use of Korean and Taiwanese recruits, control of the networks remains with the Chinese Triad members. Nigerians make use of South Africans but the latter seldom rise to prominent positions. There is often more than one transnational network in South Africa with the same country of origin and these networks often share information or cooperate with each other when the need arises. For example, if someone double-crosses a Nigerian network, other Nigerian networks are warned not to deal with that person.⁴ But this does not necessarily imply that these different groups of the same origin do not compete with each other and that conflict between such groups does not arise.

Types of crimes

While some organised crime groups specialise in one type of crime, others are involved in a variety. Below is a brief overview of some of the types of crimes in which organised groups are involved. (A later section details the types of crimes engaged in by different transnational groups, as well as the main areas of involvement of domestic groups.)

Vehicle theft and hijackings

The SAPS first identified the smuggling of cars across Southern African borders as a problem in the 1980s. Since then the movement of stolen vehicles has increased dramatically.⁵ Stolen vehicles have also become an important form of currency and are regularly used to pay for other goods (see gold and diamond smuggling below), or sold for hard cash. Statistics presented to Interpol indicate that South Africa accounts for between 96% and 99% of all vehicles stolen in the region.⁶

Some stolen vehicles are re-registered before being sold to people involved in supplying the domestic market. However, since the 1980s an increasing number have crossed South Africa's borders into neighbouring states, often in exchange for other illegal goods. Between February and March 1997 a joint security operation, codenamed V4, was undertaken in the region, involving security agencies from Botswana, South Africa, Zambia and Zimbabwe. Some 1 576 stolen vehicles were recovered over a period of 12 days, of which 1,464 were stolen in South Africa.⁷

One of the responses to the increase in car thefts was for car owners to have anti-theft devices fitted on their vehicles. Hijackings increased in turn: in 1996, some 12,860 car hijackings were reported, while figures for 1999 show a 20% increase to 15,447 reported cases. However, during 2000 a slight downward trend was experienced and reported cases dropped to 14,999.⁸

It appears that the initial groups involved in illegal car smuggling were South African networks, which linked up with both foreigners in South Africa and criminal networks from other African countries. These groups were later to develop into more sophisticated organised crime networks. More recently some of the transnationals in South Africa, such as certain Nigerian networks, have become involved in the lucrative car smuggling trade. The foot soldiers that carry out the actual hijackings or steal the cars are still predominantly South Africans, however.

Reports of significant numbers of truck hijackings began to emerge in 1995 and, like car hijackings, the reported figures have escalated rapidly since then (see below). There appear to be two types of networks involved in truck hijacking: those that are interested in the vehicles themselves and those that target the trucks' cargo. Many of the former end up in neighbouring states. The extent to which these networks may be linked to car hijacking networks is unclear.

The networks that target trucks for their cargo appear relatively sophisticated. Investigations by police and people in the industry identified the involvement of a number of transnational groups in this type of hijacking, including Portuguese, Lebanese, Chinese and Pakistani. However, as with cars, it is mainly South Africans who carry out the actual hijacking of trucks.

Recently the phenomenon of fraudulent or stage-managed hijackings has come to the fore. While it is impossible to accurately estimate the numbers involved, reports from police, insurance companies and people in the trucking sector indicate that a significant number of reported hijackings involve the collusion of drivers. Though some such drivers may be acting as individuals, indications are that a significant number of these fraudulent hijackings involve relatively sophisticated organised crime networks.

In 1997, some 83 crime networks were estimated to be involved in vehicle related crime.⁹

Other stolen commodities

Many organised crime networks make use of other stolen commodities, much in the same way that stolen cars are being sold or smuggled to neighbouring countries where they are exchanged for cash or for other goods. Cellular phones are key targets for both petty criminals and organised networks. Nigerian networks, for example, swap drugs for stolen cellular phones, and Pakistani networks are also known to deal in them.

As is the case with stolen vehicles, the transnational networks are not normally involved in the actual theft of the phones but rather in their purchase and distribution. Some of the cellular phones are resold locally, but others are smuggled across the border, particularly into Zimbabwe: a shipment recently transported to Zimbabwe by truck included more than 7,000 phones.¹⁰

Dealing in 'grey' products, and customs fraud

A number of the more sophisticated local groups and some of the transnational networks, such as the Chinese, are involved in dealing in 'grey' products. These are knock-off items brought into the country by the container load and then sold on the local market, often through street vendors or flea markets but also through shops.

Customs fraud, involving incorrect or under-declaration of imported goods, is another of the networks' activities. They under-evaluate the goods' worth or declare them as items that incur low or no customs duty. Many of the organised crime groups have their own clearing and forwarding agents, who deal with the customs officials on their behalf. The corruption of customs officials is often central to the success of customs fraud.

Drugs

Since 1990 South Africa has increasingly become an exporter, transit country and end user of illegal drugs and is increasingly being identified internationally as a major player in the international drug trafficking and drug flow arena. The United Nations Drug Control and Crime Prevention representative, Rob Boone, recently identified South Africa as one of the nerve centres of drug trafficking and abuse,¹¹ while the British Foreign Affairs Office regards it as one of the most important conduits for South American drugs into Western Europe. Since 1994 British customs officials have found large quantities of drugs entering Britain and Europe via South Africa.¹²

During 1995 South Africa accounted for 73% of all cocaine seizures on the African continent. In 1998 the SAPS seized 44 kilograms of compressed cocaine with an estimated street value of R13.2 million at Johannesburg International Airport, where the drugs had arrived on a flight from Sao Paulo.¹³

South Africa's involvement in the illegal drug markets began prior to the 1990s. During the mid-1980s it was one of the leading buyers of illegal mandrax. In 1987 the SAPS raided a mandrax factory in South Africa that could produce approximately 20 million tablets. During this period elements within both the pro- and anti-apartheid forces appear to have been involved in this trafficking. It appears that some groups linked up with larger organised transnational groups, such as Pakistani groups, to smuggle mandrax into the country. Evidence presented to the Truth and Reconciliation Commission (TRC) highlighted the involvement of certain individuals in the manufacture and sale of Ecstasy tablets. These people seem to have later evolved into what became known as the 'Bouncer Mafia', people who operated as bouncers at many rave clubs around the country and were linked to the supply and sale of drugs at these clubs.

However, since 1990 the influx of transnational organised crime groups has brought diversification and expansion to drug trafficking in South Africa. Cocaine, heroin and hashish markets have dramatically expanded. The Interpol

World Cocaine Report states that 'the Southern cone of Africa has become one of the hottest spots of cocaine trafficking in the world'.¹⁴ Cocaine seizures rose from 30 716 kilograms in 1994 to more than 218,000 kilograms in 1998.¹⁵ Southern Africa now accounts for most of the heroin seized on the continent, with the largest seizures occurring in South Africa. Drug users also report a recent increase in the availability of hashish, which was previously fairly difficult to obtain. During 2000 police seized R1.43 billion worth of narcotics: 19 million mandrax tablets, 500 kilograms of cocaine and 11 tonnes of hashish.

Although there are some domestic groups involved in the illicit drug trade in the country (such as the Western Cape gangs), transnational groups including those from Pakistan, Nigeria, Morocco, Tanzania and China dominate the bulk of the trade. Drug trafficking is estimated to be worth R50 to R75 billion annually.¹⁶

One exception to transnational groups' domination of the drug trade is the trade in Ecstasy tablets. Although some are imported, a number of laboratories have been discovered within South Africa. In 1997 the SAPS raided two such laboratories. During one of these raids, ex-South African Defence Force cardiologist, Wouter Basson, was arrested for trying to sell 1,000 tablets.¹⁷

Gold and diamond smuggling

Gold smuggling has existed since gold mining first began in South Africa. The South African Chamber of Mines estimates that it loses approximately 7% of its annual gold production to theft. In some cases there appear to be sophisticated networks involved in buying stolen gold. In 1996 the South African Government estimated that it lost R300 million a year from the smuggling of gold out of South African mines by organised crime groups. A study by the Institute for Security Studies suggests that approximately 35 tonnes of gold were stolen and unrecovered per year during the period 1994 to 1998 and that the loss to South Africa's gold mining sector during that time was R1.9 billion per annum.¹⁸ The government claimed that much of the proceeds were being laundered through Switzerland and that roughly 90% of gold smuggled out of South Africa was transported there before being moved to other markets.¹⁹

A number of local networks are involved in this trade, as well as transnational groups such as Nigerians, Russians, Germans and Indians.

Diamond smuggling networks have also existed for many years. Some sophisticated networks annually deal in stolen diamonds worth millions of rands.

Most are stolen by mine workers, some of whom are paid a monthly fee while others are involved in thefts on a more *ad hoc* basis. These diamonds are then sold on to networks with the infrastructure and contacts necessary to cut and export them. The networks also appear to have customs contacts that ensure the diamonds are able to leave the country without being detected.

South Africa is also used as a transit point for diamonds from other parts of the SADC region. The United Nations Panel of Experts on links between the trade in 'conflict diamonds' and the conflict zones of Angola and the Democratic Republic of the Congo (DRC) found that some conflict diamonds from these regions were being smuggled into South Africa. (See also the chapter on Namibia in volume I of this monograph.)

Interpol also points to intelligence reports linking diamond smuggling to the trade in stolen vehicles. According to these reports, stolen vehicles are taken into the regional conflict zones where they are exchanged for hard currency (US dollars) or for diamonds. The diamonds are then smuggled back into the countries from where the vehicles originate, like South Africa, and reintroduced into the local market or shipped to overseas markets. According to Interpol:

Organised syndicated structures have been identified and some of the leaders' names have been circulated for monitoring and further action by the countries involved. Some of the syndicates involved with diamonds are suspected to be involved with firearms smuggling as well.²⁰

Dealing in endangered species

The trade in endangered species is considered to be one of the world's largest black markets.²¹ Certain organised crime groups, particularly the Chinese Triads, have used South Africa not only as a source but also as a transit country for smuggling such species from neighbouring countries.

The trade in South Africa involves ivory and rhino horns as well as *perlemoen* (abalone) and endangered plants such as cycads. A significant proportion of the commodities are destined for Asia; Taiwanese involvement in smuggling networks is relatively well documented. According to a report in the *African Security Review*, the financial rewards for the groups involved in the illicit trade in endangered species is high enough that they are prepared to take risks.²² The abalone trade, for example, is estimated to be worth more than R500 million annually and the product is sold legally in both Taiwan and Hong Kong.²³

There is also a link between the trade in endangered species and the trade in weapons and drugs.

The arms trade

The proliferation and availability of firearms is often regarded as one of the major factors contributing to high levels of violent crime in South Africa. Historically, the trade in weapons has been an extremely lucrative business. Small arms in particular are easy to move across borders.

A 1998 report by the Network of Independent Monitors and Gun Free South Africa stated that the real extent of smuggling is difficult to assess. However, it went on:

A single smuggler can bring approximately 30 weapons across the border at one time and can undertake two trips per month to Mozambique. Five such suppliers were arrested during a recent investigation. It is estimated that between them they smuggled approximately 300 weapons across the border per month. These suppliers were part of a syndicate and available information indicates that several such syndicates may be involved in gun-running.²⁴

Armed conflicts in a number of Southern African states during the last two decades have left a ready supply of weapons available for smugglers involved in the arms trade. (Many are involved not only in weapons but also in vehicle and drug smuggling.) Similarly, the end of the Cold War left a supply of both heavy and light arms. Eastern European organised crime groups, particularly from Russia, have become involved in the illicit trade in these weapons. While the majority of heavy weaponry is not destined for South African markets but rather for conflict zones elsewhere in Africa, some of the people involved in these networks use South Africa as a transit point.

Trafficking in humans

A number of groups are involved in the trafficking of humans, which takes a variety of forms. One involves smuggling people into South Africa. Those being smuggled either pay the group to assist them in entering South Africa or agree to do jobs for the group in return. Some groups make use of corrupt officials in the Department of Home Affairs or other government departments to facilitate this smuggling. Groups involved in this form of human trafficking

include some of those from Pakistan, China and Nigeria. The criminals who arrange entry into South Africa are usually from the same country as their clients.

There are also instances where transnational groups have lured people to South Africa with false promises of jobs and other opportunities. On arrival in South Africa they find these opportunities don't exist and they are then forced to work off their debts (such as transport costs) to the criminal groups.

Another form of trafficking in humans is through prostitution. In some instances women are lured into the country with false promises of marriage or other opportunities, only to find once in the country that the group that facilitated their travel to South Africa forces them into prostitution. Russian and Chinese groups appear to be involved in this form of trafficking.

Trafficking in human parts is another area in which a number of groups appear to be involved. South African groups appear to be involved in trafficking in human parts for *muti* (medicinal) purposes and there are indications that some Pakistani and Chinese groups are also involved in the trade.

Fraud

In 1995 the then-Justice Minister, Dullah Omar, said that at that stage there were 23,615 incidents of economic crime under investigation, involving more than R7.1 billion. Dr Mark Shaw points to police figures identifying more than 60 different syndicates as being involved in commercial crime.²⁵

Fraud, especially, is an area of commercial crime participated in by a significant number of local and transnational groups. It takes a variety of forms, including:

- credit card and cheque fraud;
- advance fee fraud (AFF), which is largely the domain of West African groups including Ghanaians, Nigerians and Liberians; and
- dealing in counterfeit notes, with South Africa being second only to Italy in 1998 in terms of the value of counterfeit notes seized—in that year, Italy's record for seizures was \$37.5 million while South Africa's was \$16.7 million.²⁶ By 2000 the US Treasury regarded South Africa as a 'major producer' of fake US currency.

Armed robberies and cash-in-transit heists

Most groups involved in armed robberies and cash-in-transit heists are relatively well-trained South Africans, with access to weaponry including automatic firearms. Between 1997 and 1998 armed robbers and cash-in-transit heists seized more than R100 million in violent attacks. Between 1996 and 1998 there were more than 854 incidents of cash-in-transit heists.²⁷

Kidnappings

In June 1999 the SAPS announced that they were considering establishing a national investigation team to handle a spate of kidnappings, some of which involved foreign businessmen.

It appears that a number of these kidnappings were linked to transnational organised crime groups, particularly Nigerians and Chinese. There also appear to be two circumstances in which these kidnappings occur. In the first, people working with organised crime groups double-cross them. It is not uncommon for such actions to result in kidnappings, where the victims are required to pay outstanding debts to the group they have double-crossed.

The second relates to people involved in AFF and mainly involves foreign businessmen lured to the country by so-called '419'²⁸ letters. During 1999 at least three foreign businessmen were kidnapped in incidents that appear to have been linked to AFF scams. One, a Norwegian (Mau Kjetil Moe), was never found and is presumed dead.

Money laundering

Money laundering is an important activity for many organised crime groups. Some money is laundered through front companies or through purchases made within the borders of South Africa. Money is also transferred out of the country, often into offshore accounts.

Factors contributing to the rise in organised crime

A number of factors have contributed to the growth of organised crime in South Africa and made it an attractive base for both local and transnational organised crime groups and networks. Some are outlined below.

Porous borders

South Africa's porous borders provide extensive opportunities for smuggling. South Africa has more than 52 entry points and more than 3,500 kilometre of borders with other Southern African states. In some places the border is nothing more than cattle fencing, which can be easily cut by people involved in smuggling vehicles and other commodities into or out of neighbouring countries. A police officer interviewed estimated that the border fence between KwaZulu-Natal and Mozambique, which has been cut in numerous places, accounts for approximately R10 million-worth of smuggled vehicles per month. These vehicles are smuggled into Mozambique through hundreds of crossing points along the fence.

South Africa as a major maritime trade and air traffic route

South Africa is a major maritime trade and air traffic route between Asia, Europe and the Western hemisphere. International airlines using South Africa as a stopover or final destination increased from 20 in 1994 to 120 in 1997. The number of ships using South African harbours has also increased dramatically, allowing South Africa to be used as a prime conduit for moving illegal cargo.²⁹

Modern infrastructure and growth potential

Among the factors that make South Africa an attractive base, particularly for transnational groupings, are its modern infrastructure (especially transportation), its growth and wealth potential, an easy banking system and a well-developed commodity market. These factors also make it a good launch pad for international AFF scams.

Transformation processes and corruption

High levels of corruption and problems arising from the crucial need for government to transform the country's criminal justice system and other government departments have left South Africa vulnerable and provided criminals with a relatively low-risk environment in which to run their operations.

The existence of well organised local criminals and gangs

The existence of significant numbers of local criminals provides transnational organised groups with key opportunities and working partners. South African gangs are often employed by organised groups to carry out their dirty work.

Poverty and high levels of unemployment

High levels of poverty and unemployment provide organised groups with a large pool of foot soldiers who are prepared to undertake some of the more high-risk work.

Local markets

South Africa offers lucrative markets to transnational groups wishing to sell stolen and illicit goods and 'grey' products.

Transnational organised crime groups and their operations

Nigerian groups

It is estimated that there are between 40,000 and 100,000 Nigerians currently in South Africa, of whom just over 4,000 live in the country legally. Many Nigerians entered the country after 1990 and their number has been increasing annually since then. Most of the major cities have significant Nigerian communities. It has been established that many Nigerians make use of false papers, forged South African identity documents, or other papers obtained fraudulently from Department of Home Affairs officials, to allow them to live in the country. A significant number are involved in criminal activities and organised crime networks.³⁰

Rather than a structured syndicate, Nigerians involved in organised crime are found in a number of different networks that reflect the types of crime in which they are engaged.

According to Dr Mark Shaw:

The Nigerian problem is essentially a faceless one. This reflects the fact that individuals are involved in the network for profit, not publicity, as well as the shifting and essentially fluid nature of the networks themselves. Interviews with Nigerian citizens in Johannesburg, for example, suggest that loose and often temporary alliances or associations may be formed around specific projects.³¹

This does not imply that there are no clear hierarchies within these networks. A new participant will normally start at the bottom of the ladder. He might save enough money or get assistance from someone else in the network to buy

his first supply of drugs, and use the profits from this first supply to buy more and become a street dealer. As a street dealer, he will normally always buy his supplies from the same wholesaler within the network. The key person in the network is the one who facilitates deals, who often has strong contacts with people in the drugs' country of origin.

In the urban areas the networks often operate from hotels and blocks of flats that rent rooms out by the day. The buildings commonly used are in close proximity to each other, allowing the networks to operate in defined geographical areas.

Each hotel or block of flats used by the networks has a block committee that is responsible for running the networks operating there, including people operating on the streets in front of the building. The block committee comprises a chairperson, a secretary, a treasurer and a task team.³² The committee makes rules that must be obeyed by any Nigerians operating from the building. The task team is responsible for implementing the committee's decisions and for ensuring rules are adhered to. Transgressions result in fines or disciplinary action. All Nigerians making use of the building pay monthly or weekly fees to the committee and the money collected is used to pay for security and for legal costs or bail for those who are arrested. Funds are also used for the maintenance and upkeep of the building.

Nigerians operating in the major centres often take over complete geographical areas from which to run their operations. However, there are also a number of Nigerians spread out in small towns around the country.

Initially some of the networks had direct links to people operating from Nigeria itself, but many of the networks have now established themselves independently in South Africa.

Some of the crimes they are involved in are discussed below.

Advance fee fraud

AFF is essentially a confidence scam and entails letters being faxed, mailed and more recently e-mailed to businesses or individuals. The more sophisticated AFF or '419' scams often involve a team of people making use of fraudulently acquired telephone lines from which to make phone calls related to the scam, thus saving on costs and making numbers difficult to trace.

Nigerians have developed an international reputation for their involvement in AFF scams and as a result many potential victims are suspicious of letters originating from Nigeria, or linked to Nigerians. As a result, some of those operating from South Africa assume local names while running the scams.

AFF scams operating from South Africa have targeted three different groups of people. The first is South African business people. The Commercial Crime Unit of the SAPS recovers hundreds of AFF letters sent to local business people each year. The number of people who are taken in by these letters and are subsequently defrauded is difficult to ascertain because, as the deals offered are seldom completely legitimate and rely heavily on greed, most of those who become involved don't report the matter to the police.

The second target group comprises organisations and business people based overseas. Most will be less suspicious of letters originating from South Africa—with its good infrastructure and links into international economies—than those from Nigeria.

The third group targeted is ordinary South Africans. The most common scheme in this regard is the conversion of hard currency or the 'black dollar scheme'. This involves a person being approached with what appears to be a case full of US bank notes. The AFF operators say that the bank notes have been dyed black by the US government, giving seemingly legitimate reasons for this. The operators offer to split the dollars with the person approached if he or she agrees to pay for a chemical to clean the bank notes. Once the chemical is paid for, the operators disappear and the victims find themselves with a suitcase of bad fake dollars or black paper. It appears that people living in the formerly disadvantaged areas have been the primary victims of this scam.

More sophisticated scams target businesses or individuals with relative wealth. They make use of the names or letterheads of legitimate businesses, without the businesses knowing this is happening. Even the names and letterheads of government departments, such as the South African Revenue Service (SARS), have been used to convince the intended victim of the scheme's legitimacy.

Some sophisticated AFF operators even make use of what a Nigerian interviewee referred to as 'intelligence teams'—people whose specific job it is to gather information about people and businesses to be tricked.³³

AFF scams operating out of South Africa have taken a number of different forms including:

- the transfer of funds linked to over-invoiced contracts;
- contract fraud (COD for goods and services);
- the conversion of hard currency ('black dollar' schemes);
- the sale of diamonds and other 'precious items' at below market value;
- the fraudulent purchase of real estate;
- the disbursement of money from estates;
- extortion; and
- clearinghouse scams.

Once an AFF letter has been sent out and a positive response received, the operators then embark on a process of confidence building with the intended victim. This can take some time, but eventually the victim is told certain monies have to be paid before the deal under discussion can be finalised. Invariably, complex but seemingly legitimate reasons are given as to why such monies must be paid and this process can be repeated several times with new reasons being given each time.

In the case of foreign business people the AFF operators often tell the victim that they are required to travel to South Africa to finalise the deal. Once in South Africa some victims have then been kidnapped in order for more money to be extorted from their families or colleagues.

There is often a link between drug trafficking and AFF scams, with proceeds from AFF scams sometimes being used to finance drug deals or *vice versa*. Nigerians are not the only perpetrators of AFF scams in South Africa: Ghanaians and Liberians are also known to be involved.

Kidnappings

Nigerian crime groups appear to have been involved in two types of kidnappings. The first affects those who double-cross Nigerian networks or owe money to them. In such cases, it is not uncommon for the debtor or his family members to be kidnapped and held until the debt is repaid.

The second and more common type of kidnapping relates to business people lured to South Africa by AFF scams. As mentioned, some are kidnapped once they arrive in the country and their families or colleagues are forced to pay substantial amounts of money for their release.

Drug trafficking

Drug trafficking is a major area of activity for Nigerian crime networks and they are key players in the expansion of illicit drug markets in South Africa. Between January and June 1998 a total of 117 Nigerians were arrested in Hillbrow for dealing in drugs.³⁴ Nigerian networks have not only been successful in finding and importing illicit drugs, particularly cocaine and to a lesser extent heroin, but also in developing a local market for them. According to Ted Leggat:

During the 1990s, other ethnic syndicates did attempt to promote [crack] in South Africa but were largely unsuccessful. Several informants point to long standing Middle Eastern sources for cocaine, especially Israelis, but these people were unable to build the street level clientele that the Nigerians would later cultivate.³⁵

Nigerian networks are centrally involved in bringing significant amounts of cocaine into South Africa and many have direct links to the source countries in Latin America. Some cocaine is cooked into crack and sold on the street while the rest is sold in the more expensive powder form.

Though Nigerian networks are also involved in trafficking in heroin, in this they have strong competition from other groups, particularly the Chinese and Pakistanis. The heroin trafficked by Nigerians largely comes from Asia and is brought into South Africa either by couriers, most of whom enter South Africa through the international airports, or by road from neighbouring countries, particularly Mozambique.

Heroin is often smuggled into Mozambique through the ports and airports. A substantial amount is then sent by road either directly to South Africa or via Swaziland. The drugs are transported largely in private vehicles or by taxis or buses. Some of the heroin is destined for the South African market but some shipments are merely in transit through the country, en route via couriers on international flights into Europe, Britain, and to a lesser extent, Canada.

Much the same methods have been used to transport large amounts of cocaine into South Africa. Although Nigerians continue to make extensive use of couriers on international flights, it now appears that some of the largest consignments of cocaine are entering South Africa by road via Mozambique. As with heroin, a lot of the cocaine is destined for the local market but some is only in transit en route to Europe and Britain.

More recently Nigerians have also become involved in the street sale of mandrax and other illicit drugs, most of which are not sourced directly from their country of origin but rather from other criminal networks including the Pakistanis and Tanzanians. The Nigerians' involvement in these drugs is more of a side-line business and linked to needing to establish what one Nigerian referred to as "a one stop drug shop" for their clients.³⁶

Nigerian networks are also increasingly becoming involved in the exportation of compressed *dagga* (marijuana), mainly to Europe and Britain, transported by couriers on international flights. Many couriers leave South Africa with compressed *dagga* and re-enter the country with cocaine.

Transnational Nigerian crime networks initially made use of Nigerians themselves as couriers. However, as the Nigerians' reputation in the illicit drug trade grew, so did the need arise to use non-Nigerian couriers. South Africans are now recruited and get paid up to R20,000 per trip. They do not fly directly to the source country but make a number of stops en route, before collecting the drugs. They make a similar number of stops on the return flight.

South African couriers are recruited from all walks of life in order to avoid providing the authorities with one particular category of person to look out for. They can just as easily be pensioners as students, and there are also reports of people being recruited from shelters for the homeless. Nigerian networks often make use of more than one courier on each flight. This is commonly known as the 'shotgun' approach, based on the premise that even if some couriers don't make it through customs, it is unlikely that all will be arrested, especially as couriers are seldom—if ever—aware that there are others on the flight with them.

Once the drugs are in South Africa they are transported to different distribution points, using luxury passenger buses, taxis and even the postal services.

Once wrapped, drugs can be stored in a variety of places. Most storage points have one thing in common: if the drugs are seized, it is difficult to link them to a particular individual within the network. Places regularly used for storage include empty hotel rooms and the petrol tanks of disused cars.

When Nigerian networks first started to operate in South Africa they made use of South Africans to act as street dealers. However, as more Nigerians entered the country many of the South Africans were pushed out of the market and replaced by Nigerians. A South African who worked as a dealer stated that the Nigerians would:

...sell rock (crack) to us for R30 and we would then sell it on the streets for R50. A person could make about R5,000 per week, or more, depending on how much you sold. Then about five years ago the Nigerians brought in more Nigerians and we were cut off. The way they did this was to refuse to sell to us and the new Nigerians took over our business.³⁷

Nigerian groups involved in drug trafficking have also diversified into stolen goods and this area of activity is expanding. Stolen goods are swapped for drugs and then either sold on the domestic market or transported to neighbouring countries, where they are used as currency for more drug consignments or sold to African or international markets.

Cheque and credit card fraud

Organised Nigerian networks are involved in credit card and cheque fraud. The credit cards are sometimes stolen by South African criminals and then sold on to Nigerians, who also pay hotel staff to acquire information from credit cards and use bank contacts to acquire further information. Cheque books and credit cards are obtained either from local criminals or from bank personnel, and are then used fraudulently.

Often the information required for the cheque fraud to succeed is provided to the networks by bank personnel.

In mid-2001 police cracked a major credit card syndicate linked to goods bought fraudulently, to the value of over R1 million each month, which were then re-sold for half their market price. Seven of the people arrested were allegedly linked to a Nigerian network. The credit cards were either obtained by the network in exchange for drugs, or stolen by prostitutes from clients.³⁸

Telephone scams

Some Nigerian networks are involved in telephone piracy scams. They acquire a Telkom line using false documentation or stolen identity books, and then link this line to connections in Kuwait. From there the line is linked internationally. This allows someone in South Africa to phone the local Telkom line and be linked to any international number. The cost of the call will be billed to the fraudulently acquired Telkom line and will remain unpaid. Non-payment means that Telkom, which will find it virtually impossible to collect on the debt as the line was fraudulently obtained, will eventually disconnect the line.

The amount Telkom loses to this type of fraud is difficult to quantify because the networks often have accomplices within Telkom who are able to delete the evidence from computer records.³⁹

False documentation

Nigerian networks rely heavily on false South African identity documents, not only to remain in the country but also to use in some of their fraudulent activities. Some of the ways these documents are acquired are as follows:

- stolen identity documents are bought from local criminals;
- they are acquired from corrupt officials in the Department of Home Affairs;
- identity books of deceased people are bought from mortuary workers.

In the Johannesburg suburb of Yeoville, identity documents can be bought for as little as R100.

Once the identity book is obtained the picture and certain details are altered to accommodate the new owner.

Several Nigerians have been arrested and charged with the sale of identity documents and possession of stolen passports, fake birth certificates and various other stolen or fake documents.^{40 41}

Dealing in stolen goods

Like most criminal network the Nigerians are able to adapt to new opportunities. One such opportunity in South Africa is the market for stolen goods.

The goods are either bought from criminals for cash or are exchanged for drugs. They are then resold on the local market or transported to neighbouring countries, once again either to be sold or to be transported on to other African or European markets. Mozambique, Swaziland and Zimbabwe are usually the transport route for stolen or hijacked vehicles. While Nigerian networks have established contacts with local criminals, some vehicles are obtained from wealthy drug users who use their cars as deposits on drug purchases. These vehicles may then be fraudulently reported as having been hijacked.

The South African cellular phone market has also provided a lucrative opportunity for Nigerian networks, which buy the phones from local criminals or swap them for drugs. Through their contacts in the cellular business, Nigerians

get the stolen phones unbarred for a cost of approximately R250.00. Some phones are shipped to Zimbabwe where they are sold either on the streets or through dealers. The returns are channelled to the South African Nigerian networks, often in US dollars.

Money laundering

Money laundering is an important aspect of the Nigerian networks' operations, as with most organised crime networks. For example:

- A number of Nigerians run legitimate businesses alongside their illegal operations, using the former to launder the proceeds of their criminal activities.
- Some own pawnshops through which they sell goods swapped for drugs.
- Western Union pay points have become crucial to the transfer of money. Western Union facilitates the transfer of cash anywhere in the world.
- Nigerians buy South African goods with money obtained from the proceeds of crime. Through their own import/export businesses they export the goods to other countries, like Nigeria, where they are sold at below market value.
- They register property or goods bought with the proceeds of crime under the name of a third person, often a lawyer or girlfriend.

Style of work

Though Nigerian networks make extensive use of South African criminals as foot soldiers, the networks remain largely Nigerian controlled and run. Some have close relations with some other West African networks, such as the Ghanaians, with whom they work particularly closely around documentation fraud and AFF scams.

Nigerian networks generally avoid violent confrontations over turf, except in the Western Cape where conflict with local gangs has led to violence, especially in the Sea Point area. They do also employ people to carry out acts requiring violence when the need arises. Kidnappings have led to violence and, as indicated above, one kidnap victim is now presumed dead. They may also employ local henchmen to 'clean up' areas if this will improve business, and are prepared to buy goods from people involved in violent crime. They may also employ South Africans or others to carry out violent retaliation against those who double-cross them.⁴²

Unlike many other networks, the Nigerians do not normally attempt to influence senior government officials to gain high-level support for their operations. However, they do make extensive use of corrupt lower-level government officials, especially in the Department of Home Affairs and in the SAPS, the former to help secure their place in the country and the latter to minimise the risk of detection. 'Street tax' is another term for the money paid to corrupt police, regarded as a necessary operational expense.

Men, usually aged 20–50, largely dominate the Nigerian networks. South African women are involved in the networks either at a low level as sex workers or as spouses to facilitate permanent residence.

Police response to the Nigerian networks

A number of different police units have been involved in investigating Nigerian criminal networks and some arrests have resulted. However, although these arrests may have disorganised some of the individual networks, they have had little impact on the Nigerians' activities as a whole. Those arrested appear to be quickly replaced, while some seem to be able to run their operations from inside South African prisons.

The Chinese Triads

Background

The Triads are among the oldest and most secretive organised crime networks in operation, dating back to the 1200s in China. After World War II, they were banned in China and the death penalty was imposed for contravening this ban. As a result, many Triads fled China and settled in Hong Kong and Taiwan.

Membership of a Triad is generally inherited, making it extremely difficult for outsiders to gain access to their top structures. Women are also actively involved: businesses are not only registered in women's names, but run by women themselves. Like their male counterparts, women are usually born into the Triads and marry within them.

Senior Triad members are often skilled and well received in other countries as respected investors. Many hold senior positions in legitimate businesses and are considered highly respectable business people in the countries where they operate.

Much like the Italian Mafia, but in a more sophisticated fashion, Triads hold notions of 'honour' and the crime 'family' in high esteem and have a strict code of conduct.

Unlike many of the other organised crime groups, the Triads are relatively tightly structured though they rely on networks of Taiwanese, Chinese and Koreans to carry out many of their activities.

The Triads in South Africa

Exactly when Triads first came into South Africa is unclear but their existence predates the 1990s. Members of the Triads may well have been among the first Chinese to come into the country. Certainly 'FaFi', a gambling game controlled by the Triads, was played on the mines in South Africa as early as 1902. Detectives in the Western Cape were aware since the early 1980s that Chinese criminal groups and Triad societies were more involved in criminal activities than it was previously thought. During 1992 the police were able to confirm that individuals linked to at least three different Triad societies were actively involved in a number of criminal activities.⁴³

The presence of Triads in South Africa in recent years was also noticed in 1995 by the shipping industry, when a Triad member threatened shipping employees. However, prior to the 1990s the previous government seems to have encouraged some Triad businesses, assisting them with establishing factories in the so-called homelands, such as QwaQwa, from where labourers were recruited, often at slave wages. In an attempt at sanctions busting, some of the goods produced in these factories were sent to Swaziland for onward exportation as being Swazi-produced.

Triad structures

There are essentially three different Triad structures: the Red Dragons, who deal in most crimes except the trade in humans and human body parts; the Green Dragons, who specialise in the trade in humans; and the Yellow Triads, who are not involved in criminal activities as such but are financed by the two other structures to act as their cultural and religious arm.

The Triads operate in cells and there is increasing evidence that cells are operating in every province. Cells comprise a committee and executive committee of up to 24 people, three advisors, between two and five assassins, and a pool of up to 120 members. Each of these members runs networks of Taiwanese

who usually carry out the day-to-day illegal operations. Red and Green Dragons have different cells but may coordinate their activities.

Areas of involvement

The Red Dragons are involved in the following activities:

- *Under-declaration of imported goods.* Chinese Triads import goods under fictitious names and offload them into Taiwanese warehouses. The Taiwanese take responsibility for distributing these goods to the local market.
- *Dealing in 'grey' products and counterfeit goods,* including shoes, clothing and electronic items. This has a serious impact on the local economy as local manufacturers and industries find they are unable to compete with 'grey' products smuggled into the country.
- *Cheque fraud,* using banking contacts.
- *Dealing in endangered species,* particularly rhino horn, *perlemoen* and shark fin. Much of the trade in endangered species is destined for the East, particularly Taiwan.
- *Smuggling precious metals and stones,* particularly gold and diamonds.
- *High-tech crime,* including copyright infringement (e.g. production of fake compact discs).
- *Drug smuggling,* in particular heroin and mandrax. In the first half of 1999 policed seized more than a million rands worth of mandrax linked to Triad operations in Johannesburg and Durban.
- *Dealing in stolen goods.* Investigations by the SAPS into truck hijackings in Gauteng linked some of the cargo stolen during hijackings to a member of the Triads in Gauteng, who fled the country.

The Red Dragons make use of Taiwanese, Korean and Chinese people brought into the country specifically to run the day-to-day illegal transactions. The police are seldom able to arrest the Triads behind the crimes and Triad members are never found at crime scenes.⁴⁴ Some Red Dragon cells own their own shipping lines and clearing houses and the Triads appear to make extensive use of ships, ports and harbours to smuggle goods into the country.

The Green Dragons are responsible for any crimes involving trafficking in human beings and human body parts. This includes prostitution, child pornography, facilitating illegal immigration by Taiwanese and Koreans, and the trade in

body parts. Body parts are exported to China, Taiwan and Korea where they are sold for *muti* purposes.

They also deal in false documentation. In 1993, for example, a travel agency in Taiwan stole 400 passports from people planning overseas holidays, which were used by criminals to enter South Africa legally. Triad gangs also pay large sums of money (up to R20,000) to private South African immigration agencies in return for permanent residence permits from 'contacts' in the Department of Home Affairs.⁴⁵ In Singapore an immigration agency offers permanent South African residence to applicants in return for a US\$4 500 fee, for which they receive a South African passport and identity document. The agency claims the money raised is used to fund poverty relief in Southern Africa.⁴⁶

When Taiwanese and other nationals are brought to South Africa to work for the Red Dragons, their travel and entry into the country is normally facilitated by the Green Dragons. Many are assisted by the Red Dragons in establishing legitimate business operations in exchange for their commitment to undertake certain tasks on behalf of a particular Red Dragon cell.

Ensuring compliance

Deviance from the Triads' code of conduct is often dealt with by kidnapping, usually carried out by one of a cell's assassins. In 1997, Chinese-related kidnappings accounted for 70% of all kidnappings in South Africa.

People who double-cross the Triads are likely to be assassinated but only on prior authorisation by a cell's chairperson. Intimidation is used to ensure compliance. In the shipping industry, for example, there were at least two cases in 1996 of shipping clerks and clearing agents receiving threats from groups suspected of being linked to the Triads.⁴⁷

Police response

While some investigations into the Triads have been conducted, few have been able to reach beyond the level at which Taiwanese, Korean and low-level Chinese are involved in the day-to-day activities. Some police investigations face both a lack of information on the Triads themselves, as well as a lack of familiarity with shipping and customs procedures.

Like the Nigerians networks, the Triads often live in close proximity to each other and at times take over whole neighbourhoods. According to an ex-po-

lice officer, this makes them very difficult to monitor: "While you are monitoring a suspect's house, the Triad member living next door will be monitoring you and notify the person you are monitoring of your activities".⁴⁸

As with the Nigerians, there is a need for police to look at information systems on the Triads and to make use of information that has been collected regarding Triad operations internationally.

Russian organised crime networks

The existence of Russian organised crime networks in South Africa appears to have first come to the attention of the SAPS in 1995. Since then their activities appear to have expanded. In 1998 the Minister of Safety and Security, while visiting Russia, expressed concern over the existence of organised Russian crime networks now operating out of South Africa. He told a press briefing that he had provided Russian authorities with a list of 23 Russians under investigation for criminal operations in South Africa.⁴⁹

According to a police officer, since Russian networks first established themselves in South Africa they have become involved in arms smuggling, fraud, car theft, drug trafficking, prostitution, money laundering and uranium smuggling.⁵⁰

As with many of the other transnational organised crime groups, there is no single Russian network but rather a number of small networks that appear to have close links to organised crime in their home country. The networks are largely centered round a few relatively powerful individuals, many of whom have historical links to the former KGB. In fact, it is believed that a number of these networks grew out of the KGB. A Scorpion member referred to the Russian networks as "ex-securicrats who have gone private".⁵¹

The Russian networks' membership appear to come mainly from the Ukraine and Georgia. The local network facilitates their entry into South Africa, often because they can offer the South African-based network a particular skill.

Many of the networks have based their establishment and assets on post-Cold War military stockpiles in Russia and have access to large arsenals of both light and heavy weaponry and planes. When they entered South Africa, they brought these assets with them. Planes have been registered in South Africa, Lesotho

and Swaziland and used to smuggle goods and weapons to various African countries. Aircraft piloted by Russians, including military transport planes, are known to land under cover of darkness to offload goods at some of the many small and unguarded airstrips around the country.⁵² These planes are seldom serviced, but when they collapse they are merely replaced from the previous Russian armories.

Types of criminal activities

- According to a police investigator, Russian networks have played an important role in turning South Africa into a *trans-shipment zone for weapons smuggled from Eastern Europe* and destined for conflict zones in Africa.⁵³ The United Nations security reports on both Angola and Sierra Leone refer to the involvement of Russians in the supply of weapons.
- Like most other organised crime networks, Russians are involved in the *illicit drug trade*. For example, in August 1997 a freight container with 625,000 mandrax tablets on board was intercepted and linked to Russian networks. The drugs were being shipped to South Africa via Mozambique.
- Russian networks have been linked to the *theft of solar power technology* from Eskom. The network uses Russian scientists to adapt the technology, which is then sold privately through companies specialising in technology.⁵⁴
- They also appear to be linked to *illegal casinos*, some of which have in turn been linked to the supply of drugs to gangs in the Western Cape.⁵⁵
- One network is being investigated in relation to *fixing horse races* in the Western Cape.⁵⁶
- They appear to be involved in a number of *smuggling networks*, their main role being to provide transport.
- Russian networks are also involved in *prostitution*. Girls from the former Soviet Union are lured to South Africa with promises of jobs. The Russian network pays their airfares but once they arrive in the country no jobs materialise and they are told that they now owe the network for their airfare. They are then forced to work as prostitutes to pay back this money.⁵⁷
- *Immigration fraud* and *securing false documentation and residence permits* for people wishing to enter the country is another area of activity. Most of the people whose false documentation these networks facilitate are from Eastern Europe.

- Russian networks are also involved in *art smuggling* and appear to be involved in cleaning out some of the most prominent art galleries in the former Soviet Union. South Africa is both an end destination and a trans-shipment route for artwork.⁵⁸
- Like most other transnational networks, the Russians rely on various schemes to *launder money*, for example by using front companies. They also send large sums offshore. A money-laundering scheme used by one network involves properties being bought and resold without title deeds being transferred.⁵⁹

Russian networks are not above the use of violence in their criminal activities and, like the Chinese, use 'hit men' for this purpose. Violence can take the form of threats, assault and intimidation and can also extend to assassination.

Their operations in South Africa appear to be expanding. Some networks have historical relations with government organisations, such as Armscor. Investigations into their operations are hampered by relationships between senior government officials and elements within the networks. Corruption of senior politicians and government officials enables the networks to secure the cooperation of lower level functionaries in various government departments, thus facilitating their criminal activities in a variety of areas.⁶⁰

Pakistani organised crime groups

Pakistani organised crime groups are among the least documented in the country. They are also very difficult to penetrate and define. One reason is that there are close cultural and religious ties between Pakistani groups and many local criminals, making it easy for Pakistani groups to merge with their local counterparts and become absorbed into local communities and, conversely, making it difficult to differentiate between them or to detect the Pakistanis as identifiable transnational groups.

There is also a long-standing history of cooperation around smuggling operations, especially the trades in mandrax and counterfeit goods. Initially local people dealt directly with criminal groups in Pakistan. More recently some Pakistani drug dealers have moved to South Africa and, although they continue to work alongside local criminal networks, they are also settling in the country, developing new relationships and playing a role in diversifying and developing new markets.

Unlike the Nigerians, who developed structures independent of the Nigerian-based networks, Pakistani groups in South Africa still have extremely close ties and contacts with home-based networks.

Some of the Pakistani networks appear to have linked up with other transnational groups, such as the Chinese: more than 100 people attended a recent meeting of Pakistani and Chinese organised crime members at Sun City.⁶¹ Unlike the Chinese, however, the Pakistani networks are not highly structured. They are rather a number of loose networks, overlapping in many cases with South African criminal networks.

Drug trafficking

Historically Pakistani networks have been centrally involved in the trafficking of both mandrax tablets and the methaqualone product used in the manufacture of the tablets. Mandrax is brought into South Africa through the ports and harbours in containers, or overland through neighbouring countries. Pakistani-linked networks also operate out of Mozambique, which is increasingly being used as a trans-shipment point for mandrax and methaqualone destined for South Africa markets. Mozambique is also a key transit point for heroin destined for South Africa or for transporting on to European markets.

Recently, significant quantities of hashish have been brought into South Africa for local distribution. Pakistani networks are also involved in the distribution of a product known as 'Temple Ball', which, according to drug users, is a mixture of opium and hashish. It is relatively new on the South African market and Durban appears to be one of the main points of distribution.

Dealing in 'grey' products and counterfeit goods

Like the Chinese, Pakistani networks are also involved in importing 'grey' products and counterfeit goods, which are then sold on the streets or through retailers.

Customs and other fraud

Closely linked to the trade in 'grey' products and counterfeit goods is the practice of customs fraud through the incorrect or under-declaration of goods imported through ports and harbours. Fraudulent Bills of Lading are used to get these goods released and, like the Chinese, the Pakistani networks also make

use of their own clearing and forwarding agents. The networks are also involved in documentation fraud and credit card and cheque fraud.

Sweatshops

In Gauteng and the Western Cape, sweatshops run by the networks use the labour of illegal Pakistani immigrants, often brought in specifically to work in the sweatshops, as well as refugees from other African countries. South African labour is also used but to a lesser extent.

Telephone scams

Pakistanis are also involved in telephone piracy scams that operate on a similar basis to those conducted by the Nigerian groups. Pakistani-linked groups run cellular telephone scams, too, wherein duplicate sim cards are obtained from contacts in the industry and used to run up large accounts under the names of legitimate contract-holders.

Trade in humans

Criminal networks take advantage of the variety of Pakistanis wanting to come to South Africa for legitimate reasons, such as refugees and social and economic migrants. For example, the networks offer to assist with securing identity documents on behalf of immigrants, but then use the identity documents for illegal purposes. Those who are helped by the networks in securing residence permits or through having travel costs paid may be forced to repay their debts by working in sweatshops or by selling illegal goods on the streets.

Like the Nigerians, many of the Pakistani people who enter the country illegally marry local South Africa women in order to secure their stay in South Africa. They also use false identity documents bought through contacts in the Department of Home Affairs.

Use of front companies and documentation fraud

Some Pakistani groups use registered companies to conduct their smuggling operations. When the company comes to the attention of the authorities they sell the company to a third person, often to one of the Pakistanis whose trip to South Africa they have facilitated. They then use the same company under its new ownership to continue to run their operations. False documents and fraudulently acquired identity documents are used to register new companies.

Recommendations

Once transnational organised crime groups have gained a strong foothold they are extremely difficult to displace. However, there are a number of ways in which South African authorities could impact on the transnational networks currently in the country, both in terms of short-term disruption of their activities and longer-term deterrents. These include the following:

Investigating corruption in the Department Home Affairs

Corruption in the Department of Home Affairs is central to the operations of several transnational crime networks. An effective investigation into the operations of this Department, in particular, could both disrupt existing crime networks and make it harder for new ones to gain a foothold.

Use of asset forfeiture

As mentioned above, Nigerian networks make use of specific blocks of flats and hotels. Seizure of these locations under the Prevention of Organised Crime Act would have an impact on some of their operations.

Deportation

Drug laws in some countries from which organised crime members originate, such as Nigeria, are far harsher than those in South Africa. Further, prison conditions are far worse in some of the criminals' home countries than they are in South Africa. Deportation of foreign criminals to face harsher prison sentences and worse prison conditions in their home countries could act as a deterrent.

Co-ordination of information

There are a number of different police units that are focus on the same networks but investigate different crimes. There is a need for this information to be collated and profiles on the different networks developed.

South African organised crime groups

Domestic organised crime groups are involved in virtually every area of criminal activity engaged in by transnational groups—from drug trafficking to fraud, from the trade in humans to '419' scams. In some cases they work cooperatively with transnational groups, such as the involvement of local groups with Pakistani drug traffickers, while in others they work on their own. Within the limitations of this study it is not possible to go into detail on every area of activity of domestic organised crime. However, there are three areas in which domestic groups are particularly prominent, namely vehicle hijackings, cash-in-transit heists and crimes associated with the taxi industry. These are looked at below.

Vehicle theft and hijackings

The theft and hijacking of vehicles is a major area of involvement of domestic organised crime groups in South Africa. Though not all vehicle thefts are hijackings, and not all hijackings involve organised crime, according to police more than 50% of stolen or hijacked vehicles are smuggled out of the country into neighbouring states by organised crime groups, often involving a combination of local groups and transnational networks.

The numbers of vehicles involved are significant: from January 1996 to June 1999, 65,528 cars and trucks were hijacked in South Africa. In 1999 alone 10,783 hijackings were reported to the police, while 103,502 motor vehicle and motorcycle thefts were recorded.

Table 1: Vehicle hijackings, 1996–1999

Type of vehicle	1996 No. of vehicles	1997 No. of vehicles	1998 No. of vehicles	1999 No. of vehicles	Total No. of vehicles
Car	12,860	13,011	15,111	7,886	48,868
Truck	3,694	4,296	5,773	2,897	16,660
Total	16,554	17,307	20,884	10,783	65,528

Those involved in stealing or hijacking vehicles range from groups of petty criminals to highly sophisticated organised groups with extensive local and transnational links. The latter often operate in terms of 'orders' for specific makes or models of vehicles from buyers both within South Africa and outside its borders. Similarly, those who take possession of illegally acquired vehicles range from legitimate used car dealers and their customers, who may not be aware the vehicle is stolen, to chop-shop owners,⁶² and to sophisticated groups involved in transnational vehicle smuggling. Vehicles transported to other countries are either sold on the local market there, or swapped for drugs or other illicit commodities, or transported still further on. Corrupt officials at border posts facilitate the transfer of vehicles across South Africa's borders with its neighbours.

Fraudulent hijackings

An estimated 20% of all vehicle-hijacking reports are thought to be fraudulent and there are now a number of organised networks specialising in this type of crime. However, as there has been no real focus on fraudulent hijackings, accurate figures are hard to obtain. Further, these crimes often go undetected by police and so do not get included in crime statistics.⁶³

There appear to be three main types of fraudulent hijackings:

- Hijacking of *non-owner truck drivers*, where drivers are in collusion with criminals and stage a hijacking (or remove and dispose of the truck's cargo, and dispose of the truck itself) and then report the vehicle as having been hijacked.
- *Car hijackings*, where vehicle owners arrange to hand their vehicles over to criminals and reports them as having been hijacked, or where the owner of a car disposes of it in some other way and then reports it as having been hijacked.
- There are also cases of *insurance fraud*, where a vehicle has been stolen but the driver fraudulently reports that he was hijacked because of a mistaken belief that insurance companies are more sympathetic toward hijacking victims.

Some individuals and small groups have been involved in instigating and carrying out fraudulent hijackings. However, it appears the vast majority are orchestrated and carried out by people linked to large and sophisticated crime networks. Some networks are extensive: a truck company operator described an initiative by police and the private sector in 1995, which began by investigating one person and ended up investigating 475 people, all linked to one network.⁶⁴

These networks are sometimes involved in genuine hijackings, in which the vehicle itself is the target, but those are generally only a small aspect of their operations: most resources go into fraudulent hijackings.

FRAUDULENT HIJACKING OF TRUCKS

A number of people in the transport industry suggested the degree of fraud involved in truck hijackings is as high as 90%. The owner of a trucking company who has worked closely with police in trying to solve cases of truck hijacking gave the following figures, for example:⁶⁵

Real and violent truck hijackings:	2%
Hand-overs of trucks by drivers to crime syndicates:	90%
Hijacking of people involved in smuggling (not reported to the police):	3%
Companies who hijack their own trucks and claim insurance:	5%

Reports of truck hijacking began to emerge in 1995 and have escalated rapidly since then. If even a conservative estimate puts the extent of fraud in truck hijackings at 70%, this would mean that of the 13,763 trucks reported as hijacked between 1996 and June 1999, at least 9,634 cases were fraudulent.

In the early years of truck hijackings, most targeted the truck itself and not just the cargo. Trucks were then normally taken across the border into one of the neighbouring states. The majority involved driver collusion. However, more recently it appears that the cargo carried by trucks is the real target of hijackers. In these cases the cargo does not normally leave the country but is sold off within its borders.

There appear to be four categories of people involved in fraudulent truck hijackings:

1. *Individual drivers* who decide to steal the commodity they are transporting, and/or the truck, and then report that they were hijacked. In such cases the operation is generally not sophisticated and the goods are sold to small shops or even off the back of the truck. Such cases occur sporadically and are not a major contributing factor to the high levels of fraudulent hijacking.
2. Certain *companies* are involved in 'hijacking' their own trucks in order to claim on insurance for the cargo. Most are relatively small operators and normally resort to these activities when they get into financial trouble.
3. Some *small syndicates* operate within a defined geographical area and the

goods are sold to clients in the same area. There are more than 60 such syndicates operating in the Durban area alone.

4. The final category comprises large and highly *organised networks*. They are extremely sophisticated, are linked to other criminal activities (such as container theft, illicit import operations etc.), and are beginning to absorb the smaller syndicates. They sell the goods stolen in truck hijackings to both large and small traders. According to a truck company owner, four such networks operated in 1995–96, including one domestic network (the others were run by Portuguese, Lebanese and the Chinese Triads).⁶⁶

Investigations by both the private sector and select police units have revealed that the more sophisticated networks have a number of levels of operation:

Level one comprises legal businesses that receive stolen goods. Many buy stocks from legitimate suppliers but supplement them with stolen goods. They are aware that the goods are stolen. Included in this level are some large and well-known stores and dealers.⁶⁷ Once goods enter this level it is impossible to identify them as stolen: buyers are normally able to merge legitimate and stolen goods and produce the relevant receipts.

Level two, also known as the ‘orchestrators’, consists of the main players in the networks: they make deals with level one and manage level three. They often have legitimate operations running alongside their illegal operation.

Level three consists of middlemen, who approach drivers and buy them off and carry out staged hijackings. Usually colluding truck drivers only have contact with this level. Operators are recruited from hostels in Gauteng, among other areas. If a crime network is also involved in container theft, providing false transport documentation and in genuine hijackings, the people involved in these activities will also be level three operatives.

Level four, the final level, comprises company employees and owner-drivers who cooperate with the network. A colluding driver can make anything from R15,000 to R50,000 per hijacking, depending on the cargo.

Additional people linked to the network include corrupt police officers who inform it about police operations, tamper with police dockets or arrange for them to disappear.

In some cases the networks are also involved in other forms of illicit trade. In

the sugar industry, for example, a network imports sugar illegally and sells it to large stores. During the periods between shipments, the network needs to retain its buyers and so it buys some sugar legally and supplements it with sugar stolen from hijacked trucks. In this way, the supply of sugar to the network’s buyers is not interrupted and costs are kept below market prices.

Although the networks involved fraudulent hijacking usually act with the collusion and cooperation of drivers, violence is used if it becomes necessary. Drivers may be intimidated into cooperation by being given death threats, or may be physically harmed.

A company risk manager said company investigations into the death of a particular driver showed that he was murdered for refusal to cooperate with the hijacking network, thus sending a message to other drivers who refused to cooperate.⁶⁸

A number of companies have assisted their drivers to purchase their own trucks and have then contracted these owner/drivers to transport cargo. In the past few years, Autonet, part of a black empowerment scheme, has assisted drivers to purchase their own trucks and obtain contracts to drive for large companies.

Like employee drivers, these owner/drivers are also targeted for recruitment by networks. A number have been involved in fraudulent hijackings, particularly where they cannot afford the monthly installments on their trucks. When hijacking involves the cooperation of the owner/driver, the truck is often found in close proximity to where the hijacking occurred. According to one such owner/driver, the reason is that the truck is the driver’s livelihood and while he may agree to a fraudulent hijacking of his cargo, he will want his truck to be returned quickly and in good working order.

FRAUDULENT HIJACKING OF CARS

As is the case with truck hijackings, there are a number of different types of fraudulent hijackings of private cars, including the following:

- Individuals who wish stage their own hijacking because they want to claim from insurance on their vehicle.
- People whose vehicles are stolen but who report them as having been hijacked. Some people mistakenly believe that insurance companies treat cases involving hijackings more sympathetically than those involving cars which have simply been stolen, and further, that insurance companies pay

out more quickly in these cases. Though insurance risk consultants deny they are more sympathetic in these cases, the perception that they are still exists.

- Those who use the report of a hijacking as a means of registering a car previously stolen or hijacked. Criminals purchase the papers of a car that has been stolen or written-off from the owner, hijack or steal a car that is the same model and colour as the papers they have purchased, file off the chassis and engine number, and, using the papers they have bought, report they were hijacked. Shortly afterwards one of their group reports having seen a suspected stolen vehicle. When the police recover the vehicle they discover that it fits the description of the 'hijacked' vehicle. Clearance is then given for the vehicle to be re-registered. The process of re-registering a stolen or hijacked car in this manner can be done within a day, sometimes suggesting police involvement.
- Large networks that target people with financial problems and offer to 'get rid of' their vehicles so that the owners can report a hijacking and claim from insurance. The car is then sold illegally. In most cases it is the network that makes the first approach to the car owner, and not the other way around.

Car hijacking also operates on several levels:

Level one comprises buyers who approach the networks and place orders for particular types of vehicle. The vast majority are from other African countries, with the largest number at present coming from the DRC and Angola. Some 90% of the cars fraudulently hijacked are taken across South Africa's borders.⁶⁹ Foreign buyers use certain hotels to make contact with the networks. In most instances the vehicles are paid for in US dollars.

Level two comprises the orchestrators, similarly to those involved in fraudulent truck hijackings. They liaise with or manage all the other levels.

Level three includes employees of banks and insurance companies, car salespeople, and garage workers. They receive lists of the types of cars required and check their records for anyone with a vehicle that fits the requirements who also has financial difficulties. They then provide this information to level two orchestrators. It appears that the networks have level three individuals at a senior level in most of the major banking houses.⁷⁰

Level four entails those who make the approach to car owners identified by level three individuals. They also facilitate the staged hijacking.

Finally, *level five includes colluding car owners* whose vehicles match those ordered by organised crime networks and who hand them over and then report their vehicles as stolen or hijacked.

Like the truck hijacking networks, those that target cars also make use of police officers to protect their operations. In addition, because the vast majority of the vehicles are destined for 'export' to other countries, the networks need the cooperation of corrupt border police and customs officials. The Beit Bridge Border Post One is believed to be one of the worst border posts in this regard.⁷¹

Once the vehicle is outside the country it is reregistered in a new name. By the time the 'hijacking' is reported, the car is safely across the border.

Implications of hijackings

Fraudulent hijackings are not usually violent crimes; drivers who cooperate are not injured or placed in life threatening situations and as a result this type of crime is often not taken as seriously as others. However:

- Although the vast majority of hijackings are fraudulent and the networks responsible do not need to engage in violence, they are nonetheless prepared to resort to violence when necessary. When drivers refuse to cooperate they are threatened and in at least one incident a driver was killed. In addition, if the networks are unable to obtain the necessary vehicle or cargo through fraud, they do resort to genuine hijackings.
- Criminals involved in some of the networks do not confine their activities to fraudulent hijackings alone and are involved in other forms of crime, including theft and illegal importation.
- A number of the networks appear to be consolidating themselves and unless this is addressed they are likely to become extremely powerful.
- This type of hijacking, particularly where it involves the networks, has a serious impact on the economy. Fraudulent hijackings inflate figures and make insurance companies hesitant to insure cargo transporters without heavily loaded premiums. These costs ultimately get passed on to consumers.

- Fraudulent hijackings, especially where cargo is involved, mean that criminals are able to offer highly competitive prices on stolen goods, thus undercutting legitimate operators. More and more legitimate operators are likely to be forced into buying from the networks in order to remain competitive themselves.
- The impact of hijackings on investment is potentially serious: investors may become less keen to invest if the transportation of their products around the country is put at risk.
- High car hijacking figures may also deter tourists and have a detrimental effect on South Africa's image.

Cash-in-transit heists

Cash-in-transit heists became prominent in the 1990s, largely as a result of improved bank security in the wake of a spate of armed bank robberies. No single organised crime network is involved in cash-in-transit heists; rather, groups are formed out of people with particular skills who come together on an *ad hoc* basis to carry out specific jobs. The group's structure takes shape around the job in question and can involve anything from five to 20 people.

Cash-in-transit heists can be broadly delineated according to whether or not an insider is involved.

Those where no insider is involved

These heists generally involve two to three people, who scout around for a suitable target vehicle, acquire the relevant information about the vehicle, its contents and its guards through their own reconnaissance, and draw up a detailed plan for the heist. This scenario requires a lot of groundwork as well as skills and stealth to avoid detection during the reconnaissance. Those involved in the reconnaissance invariably lead the ambush and are physically present when it occurs. Heists where no insider is involved are in the minority.

Those involving insiders

The majority of cash-in-transit heists are carried out as a result of inside information supplied by security guards working for cash-in-transit companies.⁷² The criminals usually approach the guards, but there have been cases of guards initiating the approach and offering to provide information.

The planners of the heist verify information on routes and possible targets provided by guards by conducting their own reconnaissance. Guards usually provide information on routes where they will not be working when the ambush happens: on occasion guards have given information on their own routes and have been killed by those involved in the heist to avoid the possibility of them identifying the criminals at a later stage.

The sale of information by security guards has become a large business and some guards have provided information repeatedly over a long period of time. Some work with a variety of criminal groups. Where success is achieved as a result of a guard's information, links between the guard and the heist group become continuous.

Police personnel also provide information to heist groups. Usually this relates to the likely security response the group can expect; however, in some cases police personnel have been involved in the planning of heists and have even been present during the actual ambush.⁷³

Modus operandi

Cash-in-transit heists are violent by nature but the degree of violence depends on, among others, the types of weapons carried by guards, how guards respond, the sums of money involved and the guards' level of training.

The ambush itself often involves ramming the cash-in-transit vehicle with a 4x4 vehicle in a way that immobilises the driver; this is followed by heavy gunfire to trap the guards inside the vehicle. Once the guards are either dead or completely immobilised the risks are reduced accordingly and the cash can be easily removed.

Strict security measures, such as increased police patrols around particular areas, have led to a slight decrease in heists in some areas (particularly Gauteng) but this has been followed by an increase in others (such as KwaZulu-Natal), suggesting the operations have simply relocated.

The high risks involved in heists are matched by high potential rewards, and there still appears to be a large pool of people prepared take these risks. In a few instances, police personnel themselves have participated in heists.⁷⁴

Taxi groups

The competition resulting from the expansion of the taxi industry in South Africa has brought turf wars with it, and powerful individuals and taxi associations have emerged. Many of these taxi associations are tightly structured and make systematic use of bribery, extortion, corruption and violence to ensure profitability and eliminate competition.

Indications are that a significant number⁷⁵ have groups of armed individuals available, on either a permanent or an *ad hoc* basis, for acts of violence and intimidation. Their movement, with individual hit men carrying out attacks in more than one area, indicates a level of coordination between geographic centres like Durban, Nongoma/Ulundi and Johannesburg.

Groups within the taxi industry are also involved in extortion. In KwaZulu-Natal, for example, an organised group of 10 to 12 people in Phoenix collects money on a weekly basis from individual drivers or owners, and has also been linked to drug trafficking. A similar approach is used by some associations involved in violence to pay for the services of hit men and to raise bail and legal fees for these men when they are arrested.

A number of taxi associations are also involved in the purchase and use of stolen vehicle parts. The taxi industry is one of the key selling points for stolen vehicles and parts, with a large capacity to absorb them regularly and swiftly and to distribute them away from areas in which they were stolen.

Corruption is also an essential component of many of the taxi networks' operations: bribes are paid to traffic police and transport officials for permits, route allocations and false licenses. Similarly, evidence has emerged of payments made to SAPS officials to either derail investigations or themselves take part in acts of violence. Similar payments have been made to Department of Justice officials to subvert court proceedings by 'losing' dockets.⁷⁶

Some of these networks are also involved in smuggling: their mobility makes them ideal partners for the transportation and distribution of illicit goods such as drugs.

Corruption associated with the taxi industry not only subverts the criminal justice system; the impunity with which groups appear to operate, partly in consequence of corruption, undermines the state's ability to regulate the industry and to facilitate its re-capitalisation.

Dominant groups operate with impunity, leaving legitimate operators with few options—they can become part of criminal networks, or can operate independently but with no protection against constant extortion, intimidation and violence, or they can leave the industry.

Despite some successes by police and the criminal justice system, (namely in the Western Cape, linked to attacks on Golden Arrow buses and in KwaZulu-Natal with arrests in Umlazi and northern KwaZulu-Natal), the level of taxi violence has escalated in some areas.

Organised crime and corruption

Corruption is defined as:

unlawful, international giving or offering to give any benefit not legally due in circumstances where there is a prohibition, or any offer or acceptance of such benefit, in return for commission or omission of an act in relation to certain powers and duties.⁷⁷

In a paper by Anthony Minaar presented to the Ninth International Anti-Corruption Conference the author refers to the symbiotic relationship between organised crime and corruption, wherein the enlisting of corrupt officials is an essential ingredient in the success of organised crime groupings.⁷⁸

He also refers to the attention given to corruption in the media, which has created the impression that corruption only became a problem after 1994. However, although corruption has been in existence in South Africa for many years (the 'Info scandal' is one prominent example), prior to 1994 the bulk of corruption went unnoticed, at least partly because of a lack of transparency in government and a lack of institutions specifically focusing on corruption.⁷⁹

In the post-1994 period a number of factors have contributed to the public focus on corruption, including:

- the establishment of a number of bodies, institutions and non-governmental organisations (NGOs) that specifically focus on good governance;
- greater press freedom; and
- the existence and development of bodies, commissions of enquiries and legislation aimed at combating corruption.

All these factors have led to greater transparency in recording and reporting on corruption.

There is, however, another reason for the increased public focus on corruption, which relates to a real increase in the extent and nature of corruption. Much of it is linked to the dramatic increase in organised crime networks in the country post-1994. These networks rely heavily on corruption not only to ensure the free movement of illicit goods and to facilitate money laundering, but also to minimise the risks of arrest and prosecution. Corruption is critical to the networks' success and forms a central component of their operations, with the money spent on corruption being regarded as a necessary operating cost. Many networks have links with corrupt officials across the country.

Increased levels of corruption in the country have therefore accompanied the expansion of organised crime.

Corruption is extremely difficult to investigate and even more difficult to prosecute. There must be at least two parties involved in any act of corruption, the person doing the corrupting and the person being corrupted. It is often extremely difficult to get both parties prosecuted.

Recompense for corrupt acts can include, among others:

- payment of money;
- 'free' services such as food, liquor, accommodation etc;
- paid holidays;
- the transfer of certain goods or properties, such as motorcars or houses;
- sexual favours; and
- unearned benefits for families and friends.

Corrupt acts can include, among others, bribery, fraud and embezzlement, nepotism, dishonesty, knowingly breaking laws and wrongfully influencing decisions.

Public attention has been focused on government officials involved in corruption. However, corruption is also a problem in the business and professional sectors but receives far less attention. Much of it goes unreported or undetected for a number of reasons, including:

- poor management and accountability;
- management failing to report such activities because of the negative impact it may have on the company concerned; and
- protection of certain professionals by ethics and professional practices. For example, corrupt lawyers can be extremely difficult to investigate because of confidentiality ethics.

Despite the lack of public focus on the corruption of business and professional actors, their involvement in corruption is often as important to organised crime networks as is that of government officials. Many of the organised crime groups, for example, rely heavily on banking personnel to carry out fraudulent activities.

Examples of corruption in businesses and government departments

Corruption exists at almost all levels of government and across all departments. Corruption in the business and professional sectors is equally pervasive.

This section focuses on those sectors of business and government whose involvement in corruption is essential to a number of organised crime groups currently operating in the country.

The Department of Home Affairs

Many of the transnational organised crime groups rely heavily on the Department of Home Affairs in acquiring fraudulent documentation for their members. Some networks are also involved in selling fraudulent documents to non-South Africans. Some of the domestic networks, too, make use of fraudulently acquired identity documents to commit criminal acts or to change their identity to avoid detection.

According to Minaar, "the eradication of immigration corruption would go a long way in disorganising and slowing down the flow of more organised transnational criminal groupings".⁸⁰

A recent report by the Public Services Commission on the functioning of Home Affairs highlighted corruption as one of the Department's major problems. Interviews with police officers seem to support this finding, with many complaining of extensive corruption at all levels in the Department.⁸¹

According to a Johannesburg-based NGO member, any kind of documentation is for sale from Home Affairs, including passports, resident permits, birth and marriage certificates, etc. Certain of these documents can even be bought in the street outside the Home Affairs office in Market Street in Johannesburg.⁸²

In January 1994 the Aliens Investigation Unit cracked a Chinese group dealing in false and stolen documents. This group entrapped Home Affairs officials by approaching them, first, with legal applications. Once an official granted an application, s/he would receive a gift from the group as a 'thank you'. As more applications were brought to the official, the gifts would get bigger, eventually including predetermined cash amounts for specific transactions. Eventually the officials involved found themselves caught up in a web from which they could not extricate themselves.

Documents were supplied at the following rates:

- R250–R1,000 for a temporary residence permit;
- R400–R1,000 for a work permit;
- R3,000–R7,000 for a passport or identity document;
- R4 500–R12,000 for a permanent residence permit; and
- Up to R27,000 for false bank certificates (used to substantiate that a person is financially independent).⁸³

In one year, police estimated that there were approximately 30,000 false work permits in circulation in the country.⁸⁴

Also in 1994, 2,000 blank passports and 1,525 identity books en route to Mpumalanga, KwaZulu-Natal and the Eastern Cape were stolen from the Department of Home Affairs.

In 1995, police arrested members of a large network in Pretoria, which had been supplying illegal immigrants with false documentation. During a raid police sized hundreds of false identity documents, marriage certificates, blank birth certificates, matriculation certificates, fingerprint forms as well as stolen or forged officials seals and stamps. The network was suspected of selling over 4,186 false identity documents. Some were allegedly sold to Chinese and Taiwanese individuals, for R900 each.⁸⁵

It is not uncommon for corrupt officials to 'create a background' for people by entering fictitious names and details into the computer database of the Popula-

tion Register. This is then used to apply for late birth certificates and then for other documentation.⁸⁶

Examples of Home Affairs officials' involvement in supplying false documentation are endless. Minaar refers to a Home Affairs official, himself an illegal immigrant, who was involved in supplying false documentation and had been working in the Department for more than seven years under a false name.⁸⁷

The more sophisticated networks are unlikely to be found queuing outside Home Affairs for documentation: they have contacts at a more senior level in the Department to secure the documentation they require. Less sophisticated criminals and criminal groups have to go through the queues at the Department's offices. In such cases, a Home Affairs interpreter is often used as the link person. The person 'buying' the documentation pays the interpreter, who, after taking a cut, approaches the Receiving Officer, the official responsible for interviewing foreigners applying for residence in South Africa. The Receiving Officer is given the balance of the money to distribute to different officials as required. The Receiving Officer involves the Regional Status Determining Officer in approving the application. The person 'buying' documentation does not necessarily even deal with any Home Affairs officials or employees, other than the interpreter.

In April 1998 the Department of Home Affairs established an in-house Anti-Corruption Unit tasked with investigating corruption. However, there has been serious criticism of this unit. For example, some say the problem with the unit is that it started from the premise that the problem is not in Home Affairs but lies with outsiders who try to corrupt officials.⁸⁸ The Public Service Commission also criticised the unit as lacking capacity to deliver on its mandate.

The Department of Correctional Services

Corruption in the Department of Correctional Services (DCS) is also rife and is found at all levels. It takes a number of different forms, including:

CORRUPTION-LINKED JOB ALLOCATION

In May 2001 the Deputy Provincial Commissioner of the DCS in KwaZulu-Natal, Thuthu Bhengu, was gunned down at her home in Pietermaritzburg while she was finalising a report on her investigations into corruption in the DCS. The report was to be presented in Pretoria the following day.

The report dealt with allegations that members of a recruitment committee, established to select, interview and hire applicants for positions in the DCS, had been taking bribes of up to R5,000 from job applicants. Bhengu earlier recommended that the committee should be disbanded. Ten days after her death it was, but it has subsequently been re-established.

During the same month the National Directorate of Public Prosecutions, dubbed the Scorpions, arrested two officials of the DCS in Pretoria for similar crimes. They were allegedly part of a group selling interviews to job applicants for R1,000 each.

WARDERS WHO COOPERATE WITH CRIMINAL NETWORKS

Groups of warders cooperate with criminal networks both inside and outside the prisons. They sometimes act as conduits for smuggling networks, either by bringing contraband goods (drugs, food, alcohol, cigarettes, etc.) into the prisons themselves or by facilitating them being brought in by the contractors who normally provide prisons with legitimate supplies and services. The warders ensure the contractors are not searched.

In some instances warders are active participants in the networks while in other cases they are paid to turn a blind eye to such activities.

The warders are paid either in cash by the prisoners themselves, or by the prisoners' contacts outside the prison. Warder's services are also paid for in goods bought by prisoners from the prison tuck shop, which are re-sold by warders within the prison.

PAYMENT FOR SERVICES RENDERED

Everything in prison works on currency, or payment for services rendered. For example, some warders accept bribes to allow prisoners to run informal, illegal tuck shops in prison, stocking goods smuggled in by warders or contractors. (These are in addition to the official tuck shops in all prisons, where limits are placed on how much prisoners may spend.)

Corrupt warders provide a variety of services in return for payment: for example, a prisoner may bribe a warder in order to get a video machine or television, or to be granted permission to bring one in. Or, if a prisoner wishes to move from one section of the prison to another, he may bribe a warder to facilitate the move.

Corrupt prison officials may also be bribed to allow a prisoner to get extended visits, or visits that are not recorded. This allows certain categories of prisoners to exceed the limit of the number of visits they are allowed and also allows people to visit prisoners with relative anonymity. An unrecorded visit requires the involvement of at least three corrupt officials: the warder at reception, the warder in charge of the section the prisoner is from and the official supervising the visit.

Payment for visitation services apparently takes place in one of two ways:⁸⁹ the visitor either leaves the money in an envelope at reception, or pays the prisoner who in turn pays the warders. The visitor seldom pays the warder directly. Alternatively, the money can be deposited into the prisoner's account and the prisoner then ensures the warders get their cut.

According to a journalist who has investigated prison corruption, visits outside the prison can also be arranged in return for payment. In such cases the prisoner is usually booked out for a medical visit, which generally entails being taken to a state hospital accompanied by a warder. For a price some warders allow access to the prisoner at the hospital.⁹⁰

Though each prison has its own anti-corruption unit, they are not particularly effective. One problem is that warders who may be unwilling to participate in corruption are intimidated into it, either by other warders, or by organised crime groups. As one warder put it, "If you want to stay alive it is better not to fight this corruption but to participate in it".⁹¹ Also, corruption extends to all levels and the involvement of senior prison officials, either actively or by merely turning a blind eye to these activities, makes the work of the anti-corruption units that much harder.

Corruption in the DCS offers an important opportunity to organised crime networks. Not only does it allow these networks a more 'comfortable' stay in many South African prisons, but if key people in the networks are arrested it also enables them to continue running their operations from prison and even to use the prisons as a new market for their operations.

The South African Police Service

Corruption in the SAPS is essential to organised crime networks. It takes a variety of forms, including those listed on the following page.

TURNING A BLIND EYE TO SPECIFIC CRIMES

The money involved in such cases is often more than a police officer can make in a year. A police officer interviewed claimed that he had been offered R200,000 to turn a blind eye to a 20 kilogram cocaine deal by a group of Nigerians. In the same way as with the Department of Home Affairs, once a policeman takes one bribe it becomes impossible to get out of the web.

DESTROYING EVIDENCE AND DOCKETS

There are numerous instances where police are paid to destroy evidence and lose docket. Some police officers lose the docket of suspects that they are linked to, while others sell or lose docket for anyone for a fee. In June 2001 it was discovered that 2,700 docket were missing from the police station in Soweto.⁹²

INVOLVEMENT IN CRIMES

Some police officers have been involved in heists, assassinations, drug trafficking etc. Sometimes police officers are not merely contacts for the crime networks but actually play a central role in them.

PROVIDING INFORMATION

Police officers have been recruited by organised crime groups to provide information on anything from police deployment plans to the names of witnesses testifying against the groups.

ASSISTING IN THE REGISTRATION OF STOLEN VEHICLES

Some police officers assist in facilitating the false registration of stolen vehicles.

EXTORTION RACKETS

A number of police officers have been involved in running extortion rackets. In some cases they extort money from criminals in return for not arresting them. Prostitutes and illegal immigrants are common targets, but organised groups may also be targeted.

In some cases corruption involves individual police officers but in others it involves groups. This helps organised groups to penetrate whole police units or significant portions of a unit. In September 1998, for example, more than half of the twenty-four member National Aliens Investigation Unit were suspended on charges of corruption.

Police figures for 1996 indicate that there were 2,834 police officers under investigation for criminal offences. However, it should be pointed out that this

is not an accurate picture of the extent of corruption within the SAPS because investigation of police officers is extremely difficult and evidence even more difficult to obtain. Most police personnel are reluctant to give evidence against fellow officers.

Corruption within the SAPS is so pervasive that officers involved in crucial investigations may refuse to share information with other officers because they are not sure whom to trust. Given that information is a crucial component of any investigation this plays into the hands of organised crime groups.

The case of Piet Meyer

One of the most prominent cases regarding alleged police involvement in crime is that of the Senior Superintendent investigating organised crime in KwaZulu-Natal, Piet Meyer, who was appointed to this position in 1996 after heading the South African Narcotics Bureau in Durban.

The investigation into Meyer apparently started after the killing of a nightclub bouncer in February 1997. Statements taken from two men led police to a drug syndicate allegedly headed by a former policeman; they also cited major police corruption and named Meyer as one of the officers involved.⁹³

Less than two months later, the Asset Forfeiture Unit, led by Willie Hofmeyr, arrived at Meyer's house to attach assets that he had allegedly obtained through illegal activities.

In court it was alleged that Meyer was regularly given large sums of money to protect illegal casino operators and prevent them being raided and that he had ordered the release of a cocaine dealer, a man charged with being in possession of an Uzi firearm, and a lawyer who had been found in possession of about R200,000-worth of fake R50 bank notes. Meyer was also accused of stealing confiscated pool tables, and stealing R10,000 in cash from the safe of the Commanding Officer of Sanab. In addition, Meyer was accused of corruption in arranging for a R10,000 donation to be made to the Police Officer's Club from the Gambling Association of South Africa in return for an affidavit supporting the continued operation of the then-illegal casino industry.

The court papers also described Meyer's relationship with deceased drug lord and notorious gangster, Sharif Khan, who died in 1995. Meyer allegedly arrested Khan in 1986 but was subsequently involved in Khan's irregular early release.

Meyer was suspended from the police service on full pay. He appeared in the Durban Regional Court in the same month on 16 criminal charges, including fraud, theft and defeating the ends of justice. He paid R10,000 bail and agreed to stiff bail conditions which included not interfering with the 39 witnesses listed on the charge sheet.⁹⁴

At the end of July 1999, the same month Meyer's assets were seized, they were returned to him unconditionally. Meyer viewed this as vindication; however, the reasons for the return of his assets were based on a ruling that the provisions of the Act could not be applied retrospectively in regard to the seizure of assets.⁹⁵

In September 1999, an additional charge of defeating the ends of justice was laid against Meyer, increasing the number of charges against him to 17. All 17 charges were dropped in March 2000 after the murder of the prosecution's star witness, Eric Tussie, a policeman. Tussie was shot five times in the back when trying to break up a fight outside a nightclub in Durban.⁹⁶

By August 1999, 13 members of Durban's Organised Crime Unit had resigned, been suspended, transferred to other units or booked off on 'stress leave'. A number of Meyer's colleagues were subsequently charged with fraud and theft.

In June 2000, Meyer was arrested for a second time, together with Sarel Geldenhuys and David McBrier, on corruption charges involving R2.4 million. The three are alleged to have taken money from owners of illegal casinos in return for protection from closure and prosecution. The money was received between January 1992 and February 2000.⁹⁷

At an appearance in the Durban Magistrates Court on 30 July 2000, Meyer was warned not to contact witnesses or to visit the offices of the Organised Crime Unit. A Senior Public Prosecutor said it appeared that Meyer had attempted to intimidate key witness in the former case against him. The Prosecutor alleged Meyer had also been to the Organised Crime Unit offices and used the Unit's computer to obtain

confidential information on Andrew 'Spuiker' Ludick, former Durban Commander of the Unit.

A member of the Unit said in an interview:

I don't know how many of our guys had good relations with the big drug guys and with guys owning the prostitutes in Durban, but I can say that some were definitely taking money. How do you control that when the Unit is not answerable to anyone except its own Head and there are stories everywhere about him—its all in court now for the whole world to see.⁹⁸

Speaking about the effect this situation had on the Unit, another member said:

What this has caused is a very real problem related to morale for those members of the unit who are not facing charges. Other police have the attitude that the Organised Crime Unit is organising crime rather than dealing with syndicates. This hurts the guys who are really straight. At the same time we know there are crooked guys among us and it is difficult to defend what they are doing.⁹⁹

The South African Revenue Service

Many organised crime networks are involved in smuggling activities, running these operations through import/export companies. They rely heavily on corrupt customs officials to allow them to either mis-declare cargo or to under-value it. Many networks have customs contacts who work closely with them. During 2000 SARS lost over R450 million, R160 million of which was as a result of customs duty evasion (the balance of R300 million was taken out of the country illegally).¹⁰⁰ Most of this corruption is facilitated through clearing and forwarding agents who handle the clearing of goods through customs.

As with Home Affairs, criminals often entrap customs officials. In this case, they take incorrect documents with them when they go to collect a shipment. If the customs officials query the documents, a veiled bribe is offered. If the bribe is refused, the correct documents are supplied. If the bribe is accepted, the customs official is hooked.

Money often does not change hands physically but is transferred electronically into the customs official's account or that of a family member. Similarly, 'payment' may take the form of goods or property transferred into the custom official's name or that of a family member.

In February 2000 the Scorpions launched a joint operation in conjunction with members of SARS, raiding the offices and homes of 25 SARS members. One person was arrested and 129 SARS members were suspended as a result of this operation. The operation was linked to an investigation launched in 1999 into the electronics industry, which revealed links between groups involved in illicit activities and customs officials. The investigation also revealed that customs officials had received hi-fis, rifles and even baby clothing in exchange for the return of confiscated goods. One had allegedly received R30,000, a digital camera, an air conditioner and a plane ticket as a bribe from groups involved in the illegal importation of electronic goods.

During the raids by the Scorpions and SARS the home of a senior officer of KPMG was also searched. Subsequent investigations revealed that a bag of cash was delivered to the home of a KPMG employee and that a senior customs staff member had received a R2.5 million bribe.

The home of a senior member of the SARS Anti-Corruption Unit was among those raided. She had accepted loans from corrupt importers and, in exchange, recommended that penalties against them should be dropped. She allegedly received loans of between R2,000 and R4,000 whenever needed and bought a vehicle for which the importers provided the deposit.

The crackdown on SARS officials also revealed that goods worth R300,000 that were stolen from SARS warehouses had found their way onto the open market.

Speaking during the investigation, SARS head Pravin Gordon told the press that a similar investigation would soon be launched into the clothing and textile industry.¹⁰¹

The transport industry

The transport industry plays an important role in the operations of organised crime groups, particularly transnational groups involved in smuggling operations—specifically, the trucking sector that carries large consignments of goods.

It appears that there are two types of corruption in the industry:

- corrupt companies that are involved criminal activities as an integral part of their operations; and
- legitimate companies that have staff members and drivers who are involved in corruption.

Many of the companies involved in unlawful practices run legitimate operations alongside their illegal operations, using their legitimate customers as a front for the illegal operations.

According to a manager of a large container trucking operation, there are approximately 3,600 registered trucking companies in South Africa. It is estimated that about 20% of these operate illegal businesses. This manager regarded the trucking industry as "one of the biggest mafia industries in the country. It is worse than the taxi industry. They have even been known to shoot each other".¹⁰²

Many companies involved in smuggling are known in the industry as 'B route' companies. The name is used because when they haul illegal goods, they avoid main roads and routes and take alternate, or 'B' routes.

In some cases when illegal operators have attracted police attention, they have bought into legal companies and continued to run their illegal operations through them. Often the owners or board of the company being bought are not aware that they are being used as a front for smuggling operations. Another way of dealing with the attention of the police is to close down the company under investigation and establish a new one.

According to people in the trucking industry it is often easy to identify the illegal operators because they are able to charge 50% less than most legal operators. The reason is that the real money is made from the illegal goods they haul, and the legal operations are merely a necessary front.

Some companies haul illegal loads for anyone if the price is right, while others operate with particular crime networks. Some are even owned by the networks.

There is currently no law stating that trucks must show the name and address of the owner. When drivers are questioned by police on the road, they say

they don't know who the owner is. Often drivers do not know what they are carrying but they are the ones who are jailed.

Although it is illegal, some trucking companies don't use local authorities' vehicle testing stations but set up their own testing stations. One reason is that it enables them to use boxes under trucks, normally used to store tools, to smuggle goods. These boxes may have false compartments that an official vehicle testing station would discover.

According to people in the industry¹⁰³ Durban is one of the worst areas for corrupt operators. One reason is that Durban harbour is the first port of call for many ships bringing cargo to South Africa. From there goods can be transported to other countries in the region.

Many trucking companies, both legitimate and corrupt, are forced to pay bribes when taking loads across the borders and regard the bribes they have to pay as part of their operating costs. At the border posts the drivers do not hand over money to the customs officials directly. Instead, envelopes containing the bribes are attached to trucks' spare wheels. Standard procedures have even evolved: two envelopes are used, a brown one for the South Africa customs officials and a white one for the customs officials on the other side of the border.

Even if the load is legitimate, the bribe is normally paid to avoid having the truck delayed by customs officials. However, the size of the bribe varies depending on whether or not the load is legal. A legal load will cost R50–R100 in bribes, while an illegal load can cost as much as R20,000 depending on the nature of the load.

In some cases the drivers of legitimate companies agree to carry illegal goods without their employers' knowledge. This is particularly the case in the container trucking sector, as opposed to bulk trucking, because bulk truckers haul loads both to and from their destinations while container trucks often return from their destinations empty. Truck drivers are then bribed to take illegal goods on the return trip.

There are even cases where the drivers have run the trucks as taxis on their return trip, transporting illegal immigrants. They generally transport people in the second compartment of the container because when border officials open containers they generally only look in the first compartment, which they find empty.

Generally, though, these drivers are involved in small-scale smuggling and the real problem lies with companies whose whole operation centres on smuggling.

Other business and professionals involved in corruption

The trucking industry is not the only sector that is involved in corruption: this report has already made mention of the role of forwarding and clearing agencies in corruption. As with the trucking sector, some corrupt agencies offer their services to any criminal elements while others are linked to, or run by, the organised crime groups themselves. A police officer interviewed estimated that about 45% of forwarding and clearing agents were involved in some form of corruption, although he also pointed out that many agents working for legitimate companies will not involve themselves in corruption.¹⁰⁴

Another sector that contributes to the success of organised crime is the banking sector and this chapter has referred to the involvement of bank employees in fraud operations.

Certain members of the legal fraternity also play a crucial role but they are difficult, if not impossible, to investigate as their activities are protected by client/attorney privilege.

This chapter has also referred to the involvement of certain car distributors, panel beaters and scrap yards in the distribution of stolen goods.

There are also a number of wholesalers who buy stolen goods and then place them on their shelves mixed with legally purchased goods, making the stolen goods almost impossible to trace. The wholesalers offer an important market to organised crime groups wishing to distribute stolen goods on the local market.

Conclusion

While the growth in organised crime is an international phenomenon, its rapid growth in South Africa post-1990 is a matter of serious concern. At a security level the government has taken a number of positive initiatives to deal with the problem. The establishment of the Scorpions, as well as the introduction of legislation allowing for the assets of people involved in organised crime to be seized by the state, are two such initiatives. However, the factors contributing

to organised crime as well as the expansion of the operations and activities of organised crime groups clearly point to the need for this problem to be addressed at all levels of government. The initiative by the Ministry of Safety and Security to promote inter-departmental cooperation is an important one, but it can only succeed if different departments begin to see their involvement in dealing with this problem as integral to their own programmes. In this regard coordination of information and the ability to include issues arising from this information into the planning of different departments are essential. Mistrust and jealousies, not only between different departments but also within departments, often make this task all the more difficult, as does the view of many elements of civil society that crime is the sole responsibility of government.

The market for the products of crime and the available pool of foot soldiers prepared to involve themselves in criminal activities have been crucial to the growth of organised crime and require serious attention. A serious look at the social economy of crime is needed in order for us to be in a position to effectively address both.

The extent to which the general public in South Africa participate in the economy of crime and thereby assist in its continued growth should not be underestimated. Participation can take many forms, including corruption within business, the purchase of illicit goods and the consumption of drugs. Media campaigns have focused on discouraging the public from buying stolen goods but the real impact of these campaigns has not been measured. What maybe required is an in-depth look at how South Africa, which has experienced a period of transition, can begin to address this problem and develop social programme and measures to deal with it.

Corruption within both government departments and business also needs to be looked at more closely. A number of different units and initiatives have been established in an attempt to deal with this corruption. One of the problems with many of them is that the focus has been on corrupt officials rather than on the people by whom they are corrupted. The involvement of business in corruption and its role in the chain of corruption needs to be looked at more closely.

The expansion of transnational organised crime groups operating in South Africa and the prominence of cross border crime suggests that South Africa cannot address organised crime in isolation from its neighbours. The establishment of the Southern African Regional Police Chiefs' Organisation, (SARPCO, a regional forum of police heads within the SADC region), and the increasing

number of joint anti-crime operations involving different countries indicate that most countries in the region have already acknowledged this. However, corruption and the uneven level of resources in the region have made the task of regional cooperation in addressing organised crime a difficult one. Nevertheless, if transnational organised crime groups are going to be dealt with effectively, regional cooperation and the pooling of information will be essential.

Notes

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- 4 I Nebandla, *West African crime syndicates operating within Southern Africa*, South African Institute of International Affairs (SAIIA), Johannesburg, 2001.
- 5 P Gastrow, *Organised crime in South Africa: An assessment of its nature and origins*, Institute for Security Studies (ISS), Monograph Series 28, IISS, Pretoria, 1997, p 22.
- 6 F J Msutu, *Trends and patterns of organised crime in the Southern African region*. Paper presented at ISS regional seminar: Developing legislative responses to organised crime in the SADC region, Pretoria, 26–27 February, 2001, p 9. Msutu is the Head of Interpol's Sub-Regional Bureau.
- 7 Ibid, pp 7-8.
- 8 Crime Information Analysis Centre, South African Police Service, Crime reports, <www.saps.org.za/8_crimeinfo/bulletin/942000/carjack.htm>.
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- 10 Nebandla, op cit, p 33.
- 11 SA is a hub of regional drug trafficking, *The Citizen*, 8 February 2001.
- 12 SA is a top drug smuggling base, *Africa News*, 18 February 2000.
- 13 A Minaar, *A symbiotic relationship? Organised crime and corruption in South Africa*. Paper presented at the 9th International Anti-Corruption Conference, Durban, 1999.
- 14 Msutu, op cit, p 8.
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before the TRC alleged that these drugs were subsequently dumped in the sea in 1993. It appears that some of the people involved in Delta G continue to be involved in the drug trade.

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- 20 Msutu, op cit, p 15.
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- 31 M Shaw, *Crime as business, business as crime: West African criminal networks in Southern Africa*, paper presented at a workshop held by the South African Institute of Internal Affairs, Witwatersrand University, August 2001.
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- 44 Interview with member of the Organised Crime Unit, Gauteng, September 2001.
- 45 Ibid.
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- 47 Interview with an employee of a shipping line, Cape Town, August 2001.
- 48 Interview with an ex-police officer who spent more than a year investigating Chinese smuggling networks, Johannesburg, September 2001.
- 49 Gastrow, 1999, op cit.
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- 51 Interview with a member of the Scorpions, Cape Town, August 2001.
- 52 Gastrow, 1999, op cit.
- 53 Interview with a police investigator, Cape Town, August 2001.
- 54 Ibid.
- 55 Ibid.
- 56 Interview with a member of the Scorpions, Cape Town, August 2001.
- 57 Ibid.
- 58 Interview with a police investigator, Cape Town, August 2001.
- 59 Interview with a SAPS border police member, Johannesburg, August 2001.
- 60 Interview with a director of a large trucking company, Johannesburg 2001.
- 61 Interview with a Durban businessman, Durban, March 2001.
- 62 Affidavit submitted to the High Court (Witwatersrand Local Division) by Business Against Crime Projects Manager, Lorinda Nel, in Case No 21921/00.
- 63 There are a variety of reasons why the fraudulent element of some hijackings goes undetected. Police failings in this regard include poor recording of information when the hijacking is first reported, a lack of effective investigation

into reported cases of hijackings and a lack of coordination among police units. Further, people reporting hijackings are treated like victims and are seldom cross-examined: being hijacked is a traumatic and life threatening experience and victims require sensitive handling by police officers immediately after the experience.

Unfortunately, this also allows for people who report fraudulent hijackings to receive empathetic treatment. In addition, there is a growing sophistication of those involved in fraudulent hijacking, making investigation more difficult. Insurance companies' failure to screen and investigate hijacking cases rigorously contributes to the problem. Companies which are victims of fraudulent hijackings further compound it: many fail to report the crime or to lay criminal charges against any of their employees involved in the fraud because it carries negative implications for their insurance.

- 64 Interview with a journalist from the KwaZulu-Natal *Saturday Independent*, Durban, August 2001.
- 65 Ibid.
- 66 Ibid.
- 67 Ibid.
- 68 Interview with a KwaZulu-Natal SAPS member, Durban, July 2001.
- 69 Interview with a former prisoner, Soweto, July 2001.
- 70 Ibid.
- 71 Ibid.
- 72 Interview with a prisoner, Westville, August 2001.
- 73 Interview with a former prisoner, Soweto, July 2001.
- 74 In May 2001, two Durban police officers were arrested and charged for their involvement in a cash-in-transit heist. They were linked to a group of 16 people who were all found guilty of involvement in the heist. One of the police officers was a member of the unit responsible for investigating cash-in-transit thefts.
- 75 Interview with a Durban journalist, Durban, July 2001.
- 76 Interview with a Durban police officer, Durban, August 2001. A detective from Ulundi who made arrests after the assassination of a local taxi operator in mid-1999 found that the people arrested were members of the SAPS from Gauteng. During subsequent investigations he was approached and offered R25,000 to 'lose the docket'. When he refused to do so he and his family were threatened.

- In December 1999 he survived an attack on his home. The suspects in this case secured bail but never returned to court.
- 77 The South African Corruption Act 56 of 1992.
- 78 Minaar, op cit.
- 79 Ibid.
- 80 Ibid.
- 82 Interview with a member of the Human Rights Committee, Johannesburg, September 2001.
- 83 Ibid.
- 84 Ibid.
- 85 Ibid.
- 86 Ibid.
- 87 Ibid.
- 88 Ibid, September 2001.
- 89 Ibid.
- 90 Interview with a journalist from the *Independent on Saturday*, Durban, September 2001.
- 91 Interview with a Westville prison warden, Westville Prison, Durban, September 2001.
- 92 *Beeld*, 8 June 2001.
- 93 *Sunday Tribune*, 4 July 1999.
- 94 *The Mercury*, 30 July 1999.
- 95 *The Mercury*, 16 September 1999.
- 96 *Mail and Guardian*, 17–23 March 2001.
- 97 *The Mercury* 23 June 2000.
- 98 Interview with a member of Durban's Organised Crime Unit, Durban, August 2000.
- 99 Ibid, September 2001.
- 100 SARS raid 'touched the tip of the iceberg', *Business Day*, 2 February 2001.
- 101 Ibid.

- 102 Interview with a manager of a transport company, Durban, September 2001.
- 103 Interview with a border police official, Johannesburg International Airport, Johannesburg, October 2001.
- 104 Ibid.