

CHAPTER 4

OUTSOURCING AND THE SOUTH AFRICAN POLICE SERVICE

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After South Africa's first democratic election in 1994, levels of recorded crime increased substantially. Public fear of crime soared, as did the perception that criminals were breaking the law with impunity. Public perception was driven by the belief that the country was facing a 'crime explosion'. Crimes such as vehicle hijacking, rape and murder received prominent media coverage. South Africans felt helpless and the police, lacking the capacity and resources to deal with the upsurge in violent crime, appeared to be incapable of dealing effectively with criminality. There was a lack of faith in the ability of the criminal justice agencies to reduce crime and punish offenders.

In South Africa, members of the public are more likely to come into contact with a private security officer than a member of the South African Police Service (SAPS). In their areas of operation, private security companies are generally able to respond faster than the SAPS to calls for assistance from the public. In poorer, mainly black, communities the infrastructure of the SAPS remains inadequate. Traditionally, until 1994, police resources were concentrated in the country's white suburbs and business areas. While this has been changing, police resources remain disproportionately located in traditionally white areas and the country's city centres.⁹² With the demise of apartheid, informal networks of social control which inhibited certain forms of crime in many black South African townships before 1994, disappeared. As crime increased throughout the country, private security providers have begun to provide selected services to township residents able to afford them.

Transformational issues in the SAPS – such as organisational restructuring, lack of resources, and a reduction in personnel numbers – have detrimentally affected the quality and level of service the police can provide. This has added to the perception that the SAPS is unable to adequately deal with crime in the country, and that the police service needs to look at the private security industry for assistance. The sheer size of the private security industry, and the resources available to it, support this argument.⁹³

Consequently, many people who can afford to do so, engage the services offered by the private security industry – particularly armed response services. Beginning in the late 1980s, the private security industry has grown substantially to cater to the security needs of both individuals and the corporate sector. The industry has grown not only in size, but also in the scope of services it provides. According to Jenny Irish, a long-time analyst of the South African private security industry, the industry is increasingly “performing functions which used to be the sole preserve of the police”.⁹⁴

The Outsourcing Debate

Within the context of the growth of private security, and the potential for filling the so-called ‘policing gap’ with private security resources, proposals were developed which saw the private security sector either assist the SAPS in its policing functions, or advocate for outsourcing certain policing functions to the private security industry.⁹⁵

In an analysis of outsourcing options for the South African criminal justice system, Martin Schönteich argues that “greater private sector involvement in South Africa’s criminal justice system will make the country a safer place to live in”.⁹⁶ Schönteich further postulates that such private sector participation would be “cost-effective” for both the consumer, who could shop around for the best price and security product in the market, and the state which could save money by contracting out many of its criminal justice functions to the competitive private sector.⁹⁷

Schönteich is of the opinion that “there are numerous functions and services performed by the SAPS which could be outsourced to the private sector”.⁹⁸ Examples identified included forensic and specialised criminal investigations, administrative functions, the transporting of prisoners, and the guarding of premises. According to Schönteich, outsourcing these and other police functions would allow police officers, performing administrative and other peripheral policing duties, to focus on core policing work such as conducting visible patrols and investigating crime. This would improve the performance of the police service in a cost-effective manner.⁹⁹

The private security industry appears to be in favour of assisting the SAPS with crime prevention.¹⁰⁰ However, at the time of writing no national formal co-operation agreement exists between the SAPS and the private security industry.¹⁰¹ The erstwhile president of the Security Association of South Africa

(SASA), Alan Hadfield, speculates that opposition to closer cooperation between the SAPS and the private security industry emanates from the middle management level of the police.¹⁰² According to the literature, this opposition is based on fears that the police service could lose control over certain of its functions.¹⁰³ However, such fears are misplaced according to Schönsteich. This is because in practice the police service has not had a monopoly on all its daily tasks and functions for some time.¹⁰⁴ Moreover, an internal SAPS discussion document, written in the late 1990s, concludes:¹⁰⁵

...it would be of use to everyone (private security industry, municipal authorities, businesses, the public and the police) to in some form or another make use of the resources offered by the private security industry in the fight against crime.

The debate, whether to outsource certain SAPS functions and services to the private sector, primarily concerns the following issues:

- The extent to which private security should fill the 'gap' where the police has failed, or is failing, to provide adequate services.
- The need, extent and desirability for the further privatisation of policing, and what policing services could and should be outsourced.
- The security industry's primary role of protecting its clients and their assets, versus the public police's role of crime prevention and combating throughout the country. In other words, the question of the effectiveness of loss prevention versus offender prosecution as a crime deterrent.
- Different standards and criteria for performance measurement of service delivery and client satisfaction. The private security industry measures its success by general business principles and market accountability, while the police measures success taking into account its ability to fight crime and its success rate with reference to arrests.
- Perceptions concerning a general lack of quality, professionalism and specialisation in the training of private security officers. There are relatively few mandatory standards for private security practitioners, as opposed to statutory standards and levels of training provided by the state for SAPS recruits.
- The lack of an effective external oversight body for the private security industry. That is, an adequately funded institution saddled with the

responsibility for excluding certain convicted offenders from working in the industry, applying sanctions against transgressors of industry regulations, and enforcing compliance with such regulations.¹⁰⁶

Much of the controversy surrounding this debate arose because private security had penetrated traditional areas of public policing. The debate is fiercest around such issues as the real motivations behind the private security sector's desire to engage in tasks traditionally reserved for the public police. That is, whether it is purely for generating profits or a genuine concern to combat crime and arrest suspected offenders? The debate also concentrated on the lack of accountability by, and controls over, private security companies that provide policing services outsourced to them. The issue of public and legal liability is a central issue in this regard.

Today, the debate is no longer about whether the private security industry should perform functions traditionally within the preserve of the public police, but where the authority of the private security industry ends and responsibility of the public police begins. That is, exactly which services can be safely outsourced to private security providers without compromising the traditional role of the public police and other law enforcement agencies in fighting crime and upholding the law?

The SAPS and Outsourcing¹⁰⁷

After 1994, in the context of transforming the newly amalgamated South African Police Service, the demands for improved police service delivery increased substantially. This led the SAPS to investigate the possibility of outsourcing or contracting out some of its specialist services.

The possibility of outsourcing some SAPS services was abetted by a number of other factors which led to acute shortages of experienced and specialised personnel within the police service. Shortly after the creation of the new SAPS (an amalgamation of the erstwhile South African Police and a number of homeland police forces), generous retrenchment packages were offered to senior, and mainly white, police officers. This resulted in a shortage of experience and expertise within the newly established SAPS. Over the same time a poorly managed affirmative action policy within the SAPS, and high levels of public insecurity, resulted in an exodus of experienced police officers to the burgeoning private security industry. The personnel shortage was further exacerbated by a hiring moratorium of new police personnel between 1995 and

2002 – over this period the number of police employees decreased from over 140,000 to 121,000.

The shortage of skills within the SAPS has been particularly severe. With the opening of the country's borders after 1994, and South Africa's developed banking and transport infrastructure, various forms of organised crime (e.g. money laundering, cyber crime, vehicle hijacking and narcotics syndicates) experienced rampant growth. By the late 1990s it had become clear to senior management in the SAPS that the organisation faced a shortage of specialised expertise to meet the demands new forms of organised crime were placing on it.

It was the significant decline in overall numbers of both uniformed officers and detectives, however, which provided the biggest impetus for senior police managers to seriously consider outsourcing options for the SAPS. That is, the need to make optimal use of existing trained police personnel largely overcame the reluctance of police management to consider outsourcing as a means of reducing the work pressure on its operational personnel. Accordingly, outsourcing was seen as a means by which uniformed personnel could be released from their desk- and office-bound jobs and placed back on to the streets. By outsourcing non-core policing functions, it was hoped to make a larger proportion of uniformed officers available for 'taking back the streets' instead of performing administrative and clerical jobs. In other words, outsourcing would allow the SAPS to concentrate on its core business of combating and investigating crime, upholding the law and maintaining order.

The discussion in the SAPS around outsourcing, and which services to outsource, was part of a wider debate on 'civilianising' certain police functions. Civilianisation is the appointment of qualified civilians to certain appropriate posts within the SAPS previously filled by police officers. Where necessary, highly qualified civilians can be recruited to the SAPS through a process known as 'lateral entry'. That is, suitably qualified and experienced civilians can be appointed directly to senior posts within the SAPS. Such senior civilians are appointed under the South African Police Service Act and not the Public Service Act. Public Service Act appointees usually involve lower level support staff such as administration and provisioning clerks, messengers, telephonists and secretaries.

Another element of the outsourcing debate in the SAPS was about privatising certain functions or services traditionally delivered by the public police. That is, selling selected police services to the private sector which would continue

providing them to a paying clientele only. An evaluation of the possible role of the private security industry, in providing privatised policing services, was undertaken for the SAPS in 1997.¹⁰⁸ It was concluded that the SAPS could not abrogate its constitutional responsibilities. The country's constitution is very specific about the objectives of the SAPS:¹⁰⁹

[t]he objectives of the police service are to prevent, combat and investigate crime, to maintain public order, to protect and secure the inhabitants of the Republic and their property, and to uphold and enforce the law.

Given the aforementioned constitutional provision, the SAPS made a principled decision in the mid-1990s that no core policing functions (as determined by the SAPS) would be outsourced. That is, only non-core functions capable of being outsourced without affecting the ability of the police to prevent, combat and investigate crime would be outsourced. This decision led to an internal debate on what could be regarded as non-core SAPS functions. Questions were raised about a number of functions, some of which remain unanswered to this day. For example, is the guarding of awaiting trial prisoners at court houses a core policing function, or does it merely serve to provide security which can be provided by private armed guards?

A further guiding principle on outsourcing non-core policing functions is centred around cost. That is, if it costs more to outsource a specific service or function than what it would cost the SAPS to perform the job itself, then outsourcing is deemed to be not feasible. In other words, the SAPS has to benefit financially from outsourcing any service to the private sector.

Finally, the SAPS approached outsourcing from a policy perspective. Namely, to advance the government's Reconstruction and Development Programme (RDP) through the economic empowerment of small emerging black-owned companies. In line with the RDP, black-owned companies, and individuals from previously disadvantaged communities, are encouraged to tender for local SAPS outsourcing contracts to provide selected services such as building maintenance, cleaning, catering and gardening services.

By the late 1990s the outsourcing debate in the SAPS had largely disappeared. A wide range of functions performed by police members, such as guarding, and logistical, financial and personnel services had been considered for outsourcing. However, in most cases the outsourcing option was rejected, often because the outsourcing debate had led to speculation about the continued

existence of certain units and posts within the SAPS. This created rumours about job security in the SAPS resulting in low staff morale.

What has been Outsourced?

After much internal debate and discussion only a limited number of carefully selected functions and services, historically performed by the SAPS, have been outsourced to the private sector. Some of these are discussed in greater detail below.

Guarding of government buildings

At the time the SAPS was established in 1995, Municipal Police officers (also disparagingly known as '*kits konstabels*' or '*instant constables*' because of their short training period of six weeks) were used for guarding police stations and other government buildings. After 1995 many Municipal Police officers with the necessary qualifications, became full members of the SAPS. Guarding functions previously performed by Municipal Police personnel were outsourced to local security companies. Outsourcing contracts were later extended to include access control to SAPS buildings and the guarding of police garages.

Building maintenance

The day-to-day maintenance of police buildings has been outsourced. Individual station managers can send out local tenders for maintenance services. Once a tender has been approved by the provincial office, the local station manager is accountable for ensuring that the outsourced service provider performs the agreed upon work. While the Department of Public Works continues to undertake major repairs and the construction of new police buildings, the department itself also outsources much of its work to private contractors.

Vehicle fleet management

Certain functions around the maintenance and management of the SAPS vehicle fleet have been outsourced. For example, towing services as well as the servicing, repairing and the maintenance of the police vehicle fleet has been outsourced. The use of private motor mechanics differs between areas. Either pri-

vate mechanics (with their tools and an assistant) are hired on a job-by-job basis to work on police vehicles at a police garage, or servicing and maintenance is contracted out to specific garages for the work to be done there.

Vehicle pounds

The provision of guarding services at police vehicle pounds has been outsourced to private security companies. Other outsourced services include vehicle pound related towing services, the moving of vehicles within pounds (e.g. from 'unidentified' to 'identified' vehicle sections), cleaning and maintenance of pound premises and vehicles, and access control to vehicle pounds. These services were specifically outsourced to deter theft from vehicle pounds by corrupt police members.

Consultants and experts

The SAPS commissions outside consultants and experts to assist it on a variety of issues. For example, outside consultants have been used to assist the police in developing new policy, such as the White Paper on Safety and Security. Outside consultants have also been used to develop standards and procedures for specific police activities such as developing performance indicators or establishing hiring criteria for certain positions. Such services are usually outsourced in cases where persons with the requisite skills cannot be found within the SAPS.

IT services

In 1998 the State Information Technology Agency (SITA) was established to serve the information technology needs of government departments. Shortly thereafter the SAPS outsourced the provision of its IT needs to SITA. The outsourcing arrangement includes maintenance of, and support for, software applications.

Other

Other services and functions that have been outsourced by the SAPS include:

- cleaning services at police offices and buildings;

- gardening services at all police facilities;
- catering services;
- laundry services and the provision of meals at police training colleges and single quarters;
- providing meals for prisoners detained at police holding cells; and
- the crew and maintenance personnel for the police's aircraft.

What has not been Outsourced

While the SAPS has outsourced a number of its non-core functions, many are still performed by police staff themselves. What follows is a discussion of many of these non-core services and functions, and an analysis of the reasons why they have not been outsourced.

Transporting prisoners

The SAPS is responsible for transporting all arrestees to court. These are suspects arrested off the street or at a crime scene who, by law, have to appear in front of a judicial officer within 48 hours of their arrest. Suspects who have been arrested and kept in police holding cells at a police station before their first court appearance are consequently transported by the police from the place of arrest to the police station, and from the police station to the local court. For example, if the police arrest a suspect on a Saturday, such a suspect is usually detained in police holding cells until the following Monday morning, when the police transport the detainee to the local court for the purposes of a bail application.

When accused persons are detained awaiting trial (i.e. they are not released on bail) after their first court appearance, they are transported to the local prison either by members of the Department of Correctional Services, or the police. The transporting of awaiting trial prisoners from prison to court for purposes of trial or a bail application is also done by either the Department of Correctional Services or the SAPS, depending on the area, the seriousness of the offence with which the accused has been charged, and the perceived dangerousness of the accused.

Generally, awaiting trial prisoners are transported from prison to court by police members in SAPS vehicles. Awaiting trial accused who are perceived to pose a flight risk or to be particularly violent, are additionally escorted and guarded by members of the Public Order Police (which is part of the SAPS). However, in smaller centres and for low-risk prisoners members of the Department of Correctional Services often transport and escort prisoners to the local court.

The SAPS has investigated outsourcing the transporting of prisoners to and from court. However, this outsourcing option was rejected, partly because no uniform national policy on the transporting of prisoners by the SAPS and the corrections department exists. The outsourcing discussion is complicated by the fact that high-risk prisoners are presently escorted and guarded by armed police guards. This raises questions about the extent to which an outsourced prisoner transportation service would be responsible for transporting and guarding high-risk prisoners. If a high-risk prisoner escaped, who is held accountable in such a situation? Should private security guards be permitted to track down and re-arrest such escapees? Or, should the outsourcing contract extend only to the transporting of prisoners, with the SAPS retaining responsibility for escort and guarding functions? These are questions which must be resolved before outsourcing the transportation of prisoners can be seriously contemplated.

Guarding prisoners and court orderly duties

The police are responsible for guarding all persons detained in holding cells situated at court houses throughout the country. Moreover, virtually every courtroom in the country is staffed by two or more uniformed police officers who serve as 'court orderlies' for the courtroom in which they are located. Court orderlies are responsible for escorting prisoners to and from the court holding cells to the courtroom, maintaining order and security in court, and a variety of other administrative functions. The SAPS has investigated – and rejected – the possibility of outsourcing the guarding of court-based prisoners and the court orderly function to private security guards.

The Department of Justice and Constitutional Development is responsible for court administration. Based on this, the SAPS has argued, the justice department should pay for outsourced guarding services to secure prisoners at court and court orderly functions. The justice department, however, argues that the SAPS has always been responsible for providing these services and should

consequently also be responsible for financing any replacement service outsourced to the private sector.

The dispute was resolved after a number of high-profile escapes of dangerous prisoners from courtrooms, and the assassination of judges and magistrates. This resulted in a number of judicial officers refusing to hear cases unless uniformed police officers were guarding them and their courtrooms. After a re-evaluation of court security subsequent to the aforementioned escapes and attacks on magistrates and judges, it was decided that the maintenance of security within a court, and the guarding and control of prisoners in court-based holding cells, would remain the responsibility of the SAPS.

State mortuaries

In South Africa, state mortuaries are administered and controlled by the SAPS. This includes functions such as transporting bodies to the mortuary (in SAPS vehicles), providing storage facilities, preparing inquest documents and assisting in post-mortems. The actual post-mortem examinations are, however, conducted by pathologists attached to the Department of Health.

After a lengthy investigation it was decided to transfer the administration of mortuaries (with the exception of the transporting of bodies) to the Department of Health. This decision has, however, not been implemented because of a dispute about the issue of funding. The SAPS budget is a national one while each (provincial) Department of Health, which is a provincial competency according to the constitution, receives its funding from provincial government. Provincial health departments are reluctant to take over these funding responsibilities for mortuaries, arguing that they are a national responsibility. Moreover, the national Department of Health has not budgeted for running the country's mortuary service in its entirety. As a result, the SAPS continues to administer and run state mortuaries until such time when the health department allocates the necessary funds for this purpose. This has been stalled by the provincial health departments which refuse to accept financial responsibility for the state mortuaries in their provinces.

While the SAPS would like to cede responsibility for the transporting of bodies, this is opposed by the health department. The Department of Health wants the SAPS to continue providing this service as the latter already has mortuary vans, and the police are usually the first on the scene of an unnatural death. As part of any criminal investigation it is the police who can

quickly arrange for a body to be transported to the nearest mortuary. Moreover, the health department argues, as the body of an unnatural death forms part of the chain of evidence required for the purposes of a trial or an inquest, the police should retain ownership of a body from the scene of death to the point where it is handed over to a mortuary worker.

SAPS Video Unit

Many of the functions performed by the SAPS Video Unit do not relate to the core services provided by the police service. Non-core services performed by the Video Unit include developing public relations and other promotional material for the SAPS. The Unit also creates material for POL-TV, an internal SAPS TV channel broadcasting a few hours a week. Many of the training videos made for the police's Training Division are also developed by the Unit.

In addition to the above, the Unit assists the police's detective service by filming crime scenes for investigative purposes, or for the prosecution service to use in a subsequent trial. The Unit also assists the SAPS by filming demonstrations, marches and other public events that potentially may lead to violence. Although a large proportion of the Unit's personnel are specialist camerapersons and video technicians, the SAPS has decided not to outsource any of the Unit's operations.

Firearms Register and Criminal Record Centre

The functions of the Central Firearms Register (CFR) were expanded with the promulgation of the Firearms Control Act of 2000.¹¹⁰ With the implementation of new firearm registration structures a number of positions in the CFR have been transferred from uniformed police officers to civilian SAPS employees. Such 'civilianised' positions include firearm registration clerks at specific police stations, and firearm application and data capture clerks at the CFR.

The Criminal Record Centre (CRC) is responsible for checking the fingerprints of persons charged with having committed a crime against their fingerprints database of convicted persons. Many CRC functions are performed by civilian administrative and data capture clerks employed by the SAPS. Management positions in both the CFR and the CRC are occupied by police officers. Given this, it is unlikely that the functions of either the CFR or the CRC will be outsourced to the private sector in the foreseeable future.

VIP protection and guarding of parliament

The specialised function of VIP protection for cabinet ministers, Members of Parliament (MPs) and other South African and foreign political dignitaries could be outsourced to private security specialists. This has, however, not been done because of political considerations. So far the government has always felt strongly that such a sensitive security function should remain under firm state control and be provided by a government department. The VIP Protection Unit will remain the responsibility of the SAPS until a political decision is made to either outsource it to another government department (e.g. South African Secret Service or National Intelligence Agency) or to specialist private security companies.

Uniformed SAPS officers guard parliament and perform access control functions at parliament, even though the guarding of other government buildings has largely been outsourced to private security personnel. The perceived sensitive security needs of parliament and MPs has meant that the SAPS remains responsible for this function. Somewhat surprisingly, however, the provision of guarding and security services at some provincial legislatures (including Gauteng) has been outsourced to private security companies.

Outsourcing by Default

Certain policing functions, while not formally outsourced by the SAPS, are nevertheless performed by private security practitioners. In these cases private security companies have 'by default' successfully filled a demand for security services, the supply of which the SAPS is unable or unwilling to monopolise. Some of the more notable traditional police services outsourced 'by default' are discussed below.

Responding to alarms

Responding to burglar or intruder alarms situated in private homes, business premises and factories is, strictly speaking, part of the police's crime combating and prevention functions. However, because of resource constraints this function is decreasingly being performed by the SAPS. In response, private security operators have exploited the gap in the provision of alarm-response services and built up an impressive 'armed response' capability in most urban areas in South Africa. The police's previous alarm-response service has been

outsourced to the extent that both the provision and the payment for this service is provided by, respectively, private security operators and fee-paying customers. In effect the previously state-provided alarm-response service has been privatised, with the private sector selling an alarm-response service to customers who have the means to pay for it.

Many Africa private security companies have established their own armed reaction units – a rapid reaction ability whereby armed guards respond to activated alarms. As this sector of the security industry developed in the early 1990s, many private alarm systems were linked not only to the radio-control centre of a security company, but also directly to the local police station. In practice, the SAPS found that a large proportion of alarms were activated in error and were ‘false alarms’.¹¹¹ As a result many police stations have stopped monitoring alarms installed in private homes and businesses, or insist that the private security company screen every activated alarm and only forward positive calls to the police. This has decreased the burden on the police to respond to every activated alarm by transferring the onus of first response to a private security company.

CCTV in CBDs

Outsourcing ‘by default’ has been taking place in the field of electronic surveillance, notably the installation of closed-circuit television (CCTV) cameras in public places, and the monitoring thereof in high-tech control rooms operated by private security companies in a number of Central Business Districts (CBDs) in South Africa.¹¹² The funding, installation, operation and maintenance of these CCTV networks has been a boon to the SAPS. South Africa’s urban CCTV networks provide a significant support service to the police, without requiring any financial outlay or expensive infrastructure expenditure by the SAPS.

Sport and other public events

In the past, the provision of security at large public events, such as sport tournaments and music concerts, was provided by the police. With the growth in the size of sport events, and the professionalisation of many sports, sporting associations began to accept greater responsibility for providing physical security at their events.

Today, the organisers of sporting events are generally responsible for providing access control and internal security at events. Such security services are usually

provided by the security companies specifically hired for the job by the event organiser. The SAPS has retained responsibility for providing private security for external or perimeter security. Moreover, the SAPS co-ordinates and maintains overall control of all security arrangements at large public events.

Future Outsourcing Possibilities

The SAPS continues to perform a range of peripheral policing functions, the provision of which should be considered for outsourcing. For example, support services such as human resources management, financial services, trauma counselling services and logistics could be outsourced without impinging on the police's core function of preventing, detecting and investigating crime. While such services have not been outsourced, they have undergone a substantial civilianisation process whereby police officers have been replaced by civilian SAPS personnel. Other functions, presently performed by the SAPS, which could be fully or partially outsourced to the private sector are discussed below.

Training

Presently SAPS personnel supply the bulk of the organisation's training needs. The SAPS could, however, share a greater part of its training burden through innovative partnerships with tertiary educational institutions and relevant non-governmental organisations (NGOs), many of which already offer some training to the police. By outsourcing its training needs to carefully selected and evaluated educational institutions, the SAPS can ensure that its members receive the latest and most relevant training programmes available. Moreover, many tertiary educational institutions have state-of-the-art facilities and equipment, enhancing the level of training they can provide.

The staff shortages in the SAPS Training Division, coupled with burgeoning training needs as the SAPS is anticipated to employ an additional 36,000 new recruits between 2002 and 2006, are likely to compel the organisation to out-source a significant portion of its training requirements.

Crime information analysis

The SAPS is responsible for collecting, collating, interpreting and disseminating all crime data it collects throughout the country. With some 2.5 million

recorded crimes annually, the police's Crime Intelligence Management Centre (CIMC) and Crime Information Analysis Centre (CIAC) lack the personnel to deal with all crime statistics-related enquiries from other criminal justice agencies and the public. Moreover, both the CIMC and CIAC are primarily staffed by police officers, so that both Centres lack professional statisticians, database operators, criminologists and sociologists to adequately analyse the raw information at its disposal. It would be prudent of the SAPS to outsource some of the more specialised statistical and analysis functions in the CIAC, and to a lesser extent the CIMC, to experts in the private and academic sectors.

Forensic Science Laboratory

With the increase in recorded crime in the late 1990s, and the post-1994 emphasis on evidence-driven (instead of confession-based) investigations, the police's forensic science laboratories have been unable to cope with the amount of forensic material they are requested to analyse and convert into evidence useful in court. To make matters worse, the SAPS has found it difficult to attract skilled forensic scientists at the salaries the public service can offer. To reduce the backlog in forensic analysis, and effectively analyse unusually complex pieces of forensic evidence, selected services presently performed by the police's forensic science laboratories could be outsourced to private forensic practitioners and technical laboratories.

Conclusion

The SAPS has outsourced a number of its functions and services to private-sector service providers. Nevertheless, a multitude of non-core policing functions are being performed by an overworked police service. The provision of many such non-core policing functions could, with the proper controls and police oversight, be outsourced to the private sector.

In South Africa the public police is responsible for an incredibly wide array of services. Commissioner-of-Oaths duties, court orderly or bailiff functions, laboratory-based forensic analysis, the operation and administration of mortuaries and the transportation of prisoners, are all services which are generally not performed by sworn police personnel in modern police services in other parts of the world. Young men and women do not join the police service to sign piles of affidavits, look after bodies in a mortuary, or act as court-based security guards. Making the police responsible for these tasks is not only

demoralising to the police officers involved, but wasteful of the expensive training police recruits get to investigate and combat crime. Such wastefulness is especially inexcusable in a country like South Africa, where violent crime rates are extraordinarily high.

The SAPS' principled decision not to outsource core policing functions is sound. However, as has been elaborated upon above, the implementation of this decision has been ambiguous and fraught with uncertainty. There is, for example, no logical reason why the transporting of prisoners or the guarding of court rooms should not be outsourced to private security service providers. South Africa has a well developed private security industry regulated by a statutory body, the Security Industry Regulatory Authority, which is accountable to the Minister for Safety and Security. Properly managed and supervised, the SAPS need not fear that, by outsourcing selected services, it is relinquishing control over such services to chaotic market forces. Outsourcing the multiplicity of peripheral tasks the police service presently performs, will permit the SAPS to meet its constitutional obligations, to prevent, combat and investigate crime, to maintain public order, and to uphold and enforce the law.