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**CRIME COMBATING IN PERSPECTIVE: A STRATEGIC APPROACH
TO POLICING AND THE PREVENTION OF CRIME
IN SOUTH AFRICA**

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Crime Combating in Perspective: A Strategic Approach to Policing and the Prevention of Crime in South Africa

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ABSTRACT

The lack of clarity and understanding, in general, of what crime combating or crime fighting entails, lead to unrealistic expectations of what the police are capable of and, consequently, to unfair blaming of the police when crime levels are high. In this article it will be argued that blaming of the police is largely due to misconceptions about the meaning and implications of concepts such as crime combating, policing and crime prevention. These arguments are supported by an analysis of policy development for the police and for policing, as well as the strategic and operational approaches to crime combating in South Africa. The relationship between crime and national security in South Africa is also briefly discussed, as well as the need for a concomitant national security policy and national security strategy.

This article questions the conceptual and terminological correctness of section 205(3) of the Constitution of the Republic of South Africa, 1996, which prescribes the responsibilities (“objects”) of the South African Police Service. The absence of terminological and conceptual clarity in the Constitution, which is the starting point for determining the police’s role in the combating of crime, clearly exacerbates the existing confusion and supports public perceptions that the police must “prevent” crime. No other South African legislation provides any further guidance on this matter. The situation is further complicated by the discrepancy between statute and policy. This adds to the difficulties and uncertainty about the overall location of responsibilities, especially with regard to government departments. It is for this purpose that a defining model for crime combating is proposed, depicting the place of both crime prevention and policing within the broader framework of crime combating or crime fighting. Finally, it is argued that crime combating should form part of an overarching national security policy and a national security strategy which should be coordinated by a national coordinating structure and not by the police or even the criminal justice system.

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Crime Combating in Perspective: A Strategic Approach to Policing and the Prevention of Crime in South Africa

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Introduction

In South Africa, as in many other countries, high levels of crime and the role of the police in combating it, continue to be the focus of debate and controversy. The lack of clarity and understanding, in general, of what crime combating or crime fighting entails, lead to unrealistic expectations of what the police are capable of and, consequently, to unfair blaming of the police when crime levels are high.

In this article it will be argued that blaming of the police is largely due to misconceptions about the meaning and implications of concepts such as crime combating, policing and crime prevention. These arguments are supported by an analysis of policy development for the police and for policing, as well as the strategic and operational approaches to crime combating in South Africa. In addition, the relationship between crime and national security in South Africa is briefly discussed, as well as the need for a concomitant national security policy and national security strategy.

Exposition of the Problem

There can be no doubt that the crime situation in South Africa is serious. According to Hough, (2003:202) the high levels of especially violent crime, are indeed so serious that it has to be considered as one of the main threats to national and individual security in South Africa. In an article by Charlene Smith in the Mail and Guardian (June 22-28, 2001) under the heading "SA's dead speak: How we died", a spokesperson for a combined team from the Medical Research Council and the University of South Africa, which did a surveillance study at 37 mortuaries in six South African provinces, stated that a South African is 12 times more likely to be murdered than the international norm of 5,5 per 100 000 of the population. This equation is based on South Africa's 1996 murder rate of 61 per 100 000. According to the Annual Report of the South African Police Service

(SAPS), 2000/1 (South Africa 2001:23) the murder rate in 1996 was actually slightly higher at 63,9 per 100 000. However, it is worth noting that the murder rate has decreased on a year-to-year basis from 66,9 in 1994/5 to 40,3 in 2004/5 (South Africa 2005:56).

Sekhonyane and Louw (2002:11), in their analysis of the official SAPS crime figures, found that levels of recorded crime began to increase in the mid-1980s and have further escalated since the early 1990s. The twenty most serious crimes increased by 24 percent between 1994 and 2000, with residential burglary increasing by 33 percent and violent crime by 34 percent over the same period. By 2002/3 only murder and car theft had decreased. However, according to the SAPS's Annual Report for 2004/5 (South Africa 2005:56-57), by 2004/5 more types of crime began to show decreases. For example, between 2003/4 and 2004/5 murder decreased by 5,6 percent; attempted murder by 18,8 percent; serious assault by 4,5 percent; common assault by 5,1 percent; serious robbery by 5,5 percent; and common robbery by 5,3 percent. Only rape and indecent assault increased during the same period by 4 and 8 percent respectively.

Although the above decreases certainly are promising, it needs to be pointed out that these are for crimes which are at exceptionally high levels. The real figure for murder, for example, in 2004/5 is 18 793 (South Africa 2005:56). This represents a ratio of 40,3 per 100 000 of the population, which still far exceeds the international norm of 5,5 per 100 000. In comparison, the murder rate (real figure) in the United Kingdom - which has a much larger population than South Africa - for 2003/4 was only 850 (La Grange , Du Toit & De Lange 2004:1).

The Mail and Guardian (19-25 September 1997) carried a report by Cilliers, Director of the Institute for Security Studies (ISS), in which he disputed police claims that serious crime was on the decrease and added that "the major reason is simply that the police are not doing their job" (Thiel 1997:4). In a follow-up letter to the editor of the Mail and Guardian (19 September 1997), Cilliers explained why he did not accept the police's crime figures. His argument was that a victimisation survey, carried out jointly between the ISS and the Johannesburg Metropolitan Council, indicated that certain categories of crime were under-reported by up to 70 percent (Cilliers, 1997).

According to a report by Anesca Smith (2006:14) in the Cape Town-based daily newspaper Die Burger, Mr Pieter Groenewald – spokesperson for the Freedom Front Plus – in his reaction on 6 April 2006 to a report on the high levels of crime, accused the South African Police Service of neglecting their constitutional duty. In Mr Groenewald’s opinion the large number of security guards in South Africa (almost triple the number of police officials), proves that the police are no longer able to protect the citizens of this country and their property (Smith 2006:14).

In contrast, the former National Commissioner of the South African Police Service, George Fivaz, in his foreword to the 1999/2000 Policing Priorities and Objectives, while accepting a number of shortcomings in the police, made the following statement about the high levels of crime in South Africa:

Many of the socio-economic causes of crime, the reasons for political violence and other negative factors continue to exist. Our current unacceptable levels of crime and violence are, therefore, the visible symptoms of what President Mandela referred to as our sick society and the need for the ‘reconstruction and development of the Soul’ (in his opening address to Parliament on 5 February 1999) (South Africa 1999a:9).

These sentiments are echoed in the Strategic Plan for the South African Police Service 2005-2010 (South Africa, 2005:37), where it is stated that:

...[t]he implementation of the National Crime Combating Strategy is impacted on negatively by the prevailing, unfavourable socioeconomic conditions in the country. These socioeconomic conditions, such as wide-scale poverty, lack of access to basic services, etc., may contribute to the root causes of crime, thereby increasing the likelihood for the perpetration of crime.

It is obvious that criticism against and blaming of the police is frequently based on public perceptions of what the police can and should be doing. The public are often ignorant of the complexities of crime as a phenomenon and the real capabilities of the police. Political reaction as well as the typical reaction of the police to this type of criticism and blame, demonstrates two possibilities: Either they share the non-understanding of a complex societal problem, or, for undisclosed reasons, prefer not to speak out on the issue. Nevertheless, from the discussion below it is clear that the police realise that they need to be seen to be “doing something” about the growing crime problem and the high levels of crime.

The police, however, are faced with a dilemma. Crime levels in this country remain high in spite of some positive indications that it is on the decrease (South Africa 2005:56-57). When the South African Police Service announced their annual crime figures during September 2005, the media reaction was that these positive signs were not matched by public perceptions about their safety (Rapport 2005:22). According to a National Victims of Crime Survey, conducted during 2003 by the Institute for Security Studies (ISS), it was found that although there is proof that crime is on the decrease, South Africans still do not feel any safer (Du Plessis & Louw 2005:1).

Beeld (2001:10), in its editorial of 13 June 2001, under the heading “Tyd om te loop” (“Time to go”), accused the Minister for Safety and Security of failing in his duty. Beeld (2001:10) subsequently called on the Minister “to make room for someone else”. The editorial of The Star of 11 February 1997, under the heading “SAPS: farce and tragedy”, proclaimed that “... if the SAPS was a private company and the results were this bad, the management would be out ... the fact is inescapable: the SAPS is wildly inefficient”.

Matthews (2000:185), in a paper entitled “Government Responses in South Africa”, which he read during September 2000 at a conference on “Crime and Policing in Transitional Societies”, explains the dilemma of the police:

This poor public image, coupled with increasingly poor service, has resulted in a situation in which it became increasingly acceptable to blame crime and violence on the police, rather than adopting a broader understanding of the whole problem.

Research Rationale

Based on the above exposition of the seeming incompetence of the police the following five critical questions were identified:

- (1) What is it that the police are not doing (and which they should be doing)?
- (2) What are the police doing wrong?
- (3) What are the deficiencies within the police that causes their real or perceived incompetence?

- (4) Is it justifiable to blame the police for high levels of crime and, if so, is it fair to blame only the police? and
- (5) What are the solutions?

In turn, these critical questions gave rise to the following reasons for further research, including research to determine a more strategic approach to crime combating and the role of the police:

- A continuation of the current approach, where the police service is the only government agency legally (and perceptually) incumbent to “prevent” crime, will not solve the crime problem.
- In order to be effective against crime, it is necessary to determine the relevant roles of all government agencies, including (but not exclusively) that of the police, in a “concerted effort” against crime and to coordinate that effort authoritatively. It will also be valuable, in the process, to assess the relevant roles of provincial and local governments and non-governmental organisations.
- If the role of the police is correctly defined in terms of what a (any) police agency is realistically capable of, it will enable the police to focus their efforts and resources in a manner suited to their capabilities.
- It will motivate police officials and enhance morale if they are tasked in accordance with that which they are able to do and for which they have been trained.
- Tasking in terms of the capabilities and realistic expectations of the police will also allow for a more fair and credible evaluation of the effectiveness of the police.

Accordingly, this article will show that the combating of crime can only be effective if it is approached from a strategic perspective. Consequently, a definition of strategy as well as a brief analysis of the relationship between crime and national security is provided prior to the discussion of issues more directly linked to the police and policing.

Defining Strategy

For purposes of understanding what the term “strategic perspective” – concerning crime combating – means, it is necessary to first define “strategy” as a concept. According to Snyder (1999:13-14), the concept was originally developed to describe the conduct of war and military operations. However, over the years the application of the concept was gradually broadened and modernised. In 1966, for example, Earle (1966:viii) defined strategy in a wider sense as “... the art of controlling and utilizing the resources of a nation – including its armed forces”.

The importance of Earle’s definition lies in the fact that it includes – and therefore is not limited to – the utilisation of armed forces. In 1999 Snyder (1999:14) was able to unequivocally state that the term “strategy” is no longer the “sole province” of the military, and even civil institutions have started to use it to describe their planning and plans.

After considering these developments along with a number of definitions, it was decided – because of its adequacy for the arguments in this paper – to adapt and use a definition of strategy by Liddell-Hart (1967:335). In its adapted form, therefore, strategy can be defined as “... the art of distributing and applying all available resources, human and material, to fulfil the ends of policy.”

At the level of national government (national) strategy would then by implication mean the distribution and application of all government resources – and not only the police or the criminal justice system – to fulfil the ends of national policy. In this instance national policy should be concerned with the overall combating of crime.

Crime and National Security

As with strategy, the concept “national security” developed from an initial purely military application to also include non-military threats. Consequently, it is fundamental to recognise that crime in South Africa poses a major threat to this country’s national security. This view is supported by Hough (2002:5) in a paper delivered during February 2002 at a conference on the future of safety and security in South Africa. The recognition of crime as a national security threat, implies an understanding that crime and its risk factors are multi-dimensional, and

that the state's efforts to combat it requires much more than a police force or even a criminal justice approach.

The South African White Paper on Intelligence (South Africa 1994) supports the broad view of national security. The White Paper, for example, states that in recent years the focus in terms of security moved from a narrow and exclusively military-strategic approach to a much broader application. Accordingly the White Paper describes the current national security threat to South Africa as follows:

The main threats to the well-being of individuals and the interests of nations across the world do not primarily come from a neighbouring army, but from other internal and external challenges such as economic collapse, overpopulation, mass-migration, ethnic rivalry, political oppression, terrorism, crime and disease... (South Africa 1994:7).

The South African White Paper on Defence (South Africa 1996a:3) also takes the view that national security is no longer a predominantly military and police problem. The concept has been broadened to incorporate political, economic, social and environmental issues. The White Paper, therefore, makes it clear that it perceives the greatest threat to the South African people as:

... socio-economic problems like poverty, unemployment, poor education, the lack of housing and the absence of adequate social services, as well as the high level of crime and violence (South Africa 1996a:3).

The broadening of the concept of national security to include the political, economic, social, cultural and personal dimensions in addition to the military dimension, was again confirmed by the White Paper on South African Participation in International Peace Missions which was tabled in the South African Parliament in February 1999 (South Africa 1999b:5).

Against this background, where crime and its risk factors are regarded as a threat to national security, it would seem obvious for South Africa to adopt a national security policy and a national security strategy to combat or fight this threat in all its dimensions. To ensure the effective and efficient implementation of such a policy and strategy a national or central coordinating structure such as a National Crime Combating (or Prevention) Agency will be crucial.

Responsibilities of the South African Police Service

At this stage and keeping in mind the recognition by the South African Government of crime and its risk factors as a broad national responsibility, it is important to briefly consider the responsibilities of the police.

The responsibilities of the South African Police Service are contained in section 205(3) of the Constitution of the Republic of South Africa, 1996. This section completely changed the formulation of the functions of the police, or the “objects” of the police as they are now called. According to section 205(3), the objects of the “national 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.

The formulation of the objects (functions) of the police in section 205(3) differs from previous functional stipulations (in law) in two particularly important respects:

- Firstly, the functions of the police are described as objects. According to the *Concise Oxford Dictionary* (2001:981), “object” means either a goal or a purpose. This creates the impression that the new formulation is aimed at achieving a desired result in almost idealistic and normative terms.
- Secondly, the term “combat” is used for the first time. It is neither defined nor explained, which immediately raises questions as to its meaning. In practice, “combat” is often confused with “prevent”, or the two terms are used interchangeably. However, the mere fact that it is added to the more traditional functions of the police implies a difference in meaning.

It is, however, of little use to consider only the statutory responsibilities of the police without also considering the implications of at least two important government policies which have been developed since 1994.

Police Policy Development

The development of policy for the police and for policing in South Africa since 1994 is, on the whole, obscured by the discrepancy between theory and practice,

as well as between statute and policy. The National Crime Prevention Strategy (NCPS) (South Africa, 1996c) and the White Paper on Safety and Security (South Africa 1998) are good examples of excellent policy statements which, in practice, are largely ignored.

Both the NCPS and the White Paper recognise the variance between crime and its causes, and that the police can do very little about these causes. In both policy documents it is pointed out that the role of the police lies in short-term activities, such as law enforcement, while crime prevention relates to longer term socio-economic and environmental developments. Longer term development issues are regarded as the responsibility of other (non-police) roleplayers.

Another positive policy development is the clear distinction in the White Paper between policing (or law enforcement) and crime prevention. Policing and law enforcement are used as interchangeable terms and refer to criminal investigations, targeted visible policing and the delivery of service to victims of crime. The White Paper also refers to the importance of crime intelligence to enhance the effectiveness of policing. These are the things the police can do. Crime prevention, on the other hand - except for the relatively small contribution of deterrence - refers to those longer term activities aimed at addressing the socio-economic and environmental conditions which are thought to cause crime and/or to create an environment conducive to crime. In the White Paper this is referred to as social crime prevention.

Unfortunately the White Paper does not further explore the specific role of the police in terms of its contribution to crime prevention. The argument in this paper is precisely that the role of the police in relation to crime prevention, apart from carrying out preventive arrests, is complementary and consists of the following:

- Effective policing which can act as a strong deterrent; and
- the provision of information (for example, the incidence of crime, trends and tendencies, "hot spots", prevailing conditions and perceived causes, et cetera) to those institutions that have a primary responsibility for crime prevention.

As far as the discrepancy between statute and policy is concerned – with specific reference to the police and policing – it is apparent that in many respects these are

in total conflict with each other. For example, whereas both the NCPS and the White Paper acknowledge the fact that the police cannot prevent crime, legislation - after 1993 - projects a preoccupation with crime prevention as a primary police responsibility. Improbable as it may seem, government obviously approves of both (conflicting) positions, since it is government who either makes these laws and/or policy statements, or approves them. This may indicate a particular level of ignorance on the part of political leaders as to the complexities inherent to the concepts of crime and policing. It may also explain why good policies are not properly implemented.

Policing and Crime Prevention

Based on the direction provided by the White Paper on Safety and Security (1998), the police in their Policing Priorities and Objectives (PPOs), were able to take a firm stand on their role in relation to crime prevention, in particular social crime prevention. In this regard the PPOs made it clear that:

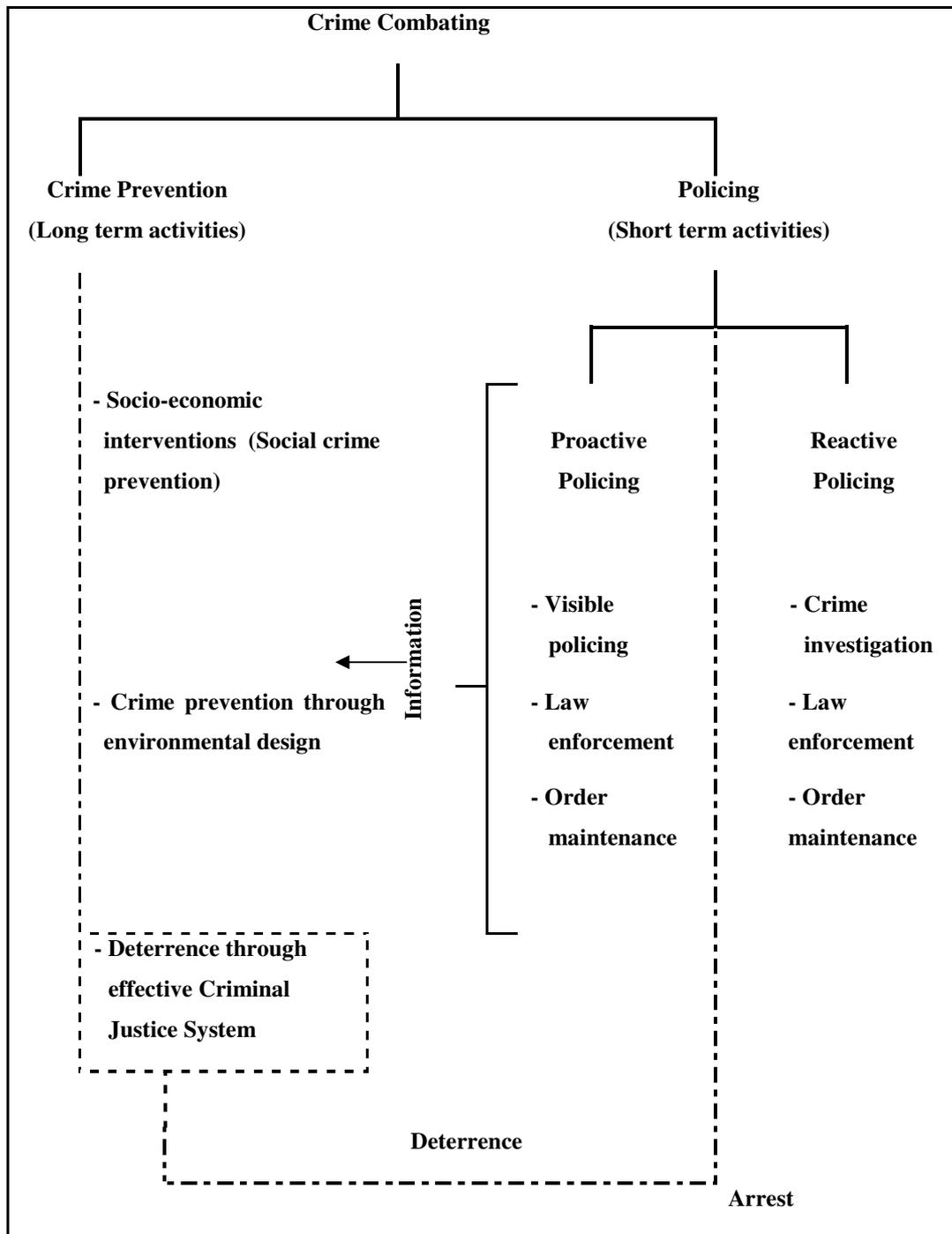
...[a]lthough effective policing or law enforcement will always contribute to the prevention of crime, the White Paper now recognizes the fact that the burden of responsibility for the prevention of crime does not rest with the SAPS (South Africa 1999a:11).

According to the strategic framework in the PPOs the “inherent nature” of police work allows for police intervention mainly after a crime has either been planned, attempted or committed. Therefore, in order to really be effective in the prevention of crime, intervention is necessary before a crime is even planned (South Africa 1999a:12).

The reasoning of the police is obvious: once a crime has reached the planning stage it means that the potential offender is already predisposed to the commission of a crime and believes that an opportunity exists (precipitation) to commit the crime and to get away with it. In this instance, prevention should have been achieved by actions aimed at removing the need (predisposition) to commit the crime. Removing the predisposing factors should therefore be the primary focus of crime prevention interventions. The degree of success in terms of addressing the need should have a corresponding degree of inhibiting influence in relation to opportunity. Therefore policing, as a deterrence, affects the precipitating factors

of crime and should accordingly be regarded as a secondary form of crime prevention.

FIGURE 1: CRIME COMBATING, CRIME PREVENTION AND POLICING



Crime prevention and proactive policing should also not be confused. Whereas crime prevention refers to all activities by all roleplayers - including the criminal justice system and therefore also the police - policing (both pro- and reactive)

refers only to the activities of the police. In this regard, proactive policing should be understood to refer to all those police activities which either prevent a crime from actually taking place (interventions), or which act as a deterrent to crime.

The relationship between crime combating, crime prevention and policing (pro- and reactive), is illustrated in Figure 1. This relationship rests to some extent on the exposition provided in the White Paper on Safety and Security (1998:6, 12, 14-21), and is also in line with the views postulated in this paper. In Figure 1 the division of crime combating into the interrelated, yet separate, concepts of crime prevention and policing is clearly shown. The list of activities under crime prevention is certainly not exhaustive, but indicates the types of activity that constitute crime prevention.

The diagram (Figure 1) indicates how the activities of the police can contribute to crime prevention in the form of arrest, information and deterrence. However, it is important to understand that some police functions have both a proactive and a reactive value. For example, law enforcement would normally take place after a crime has been committed, which makes it a reactive action. On the other hand, law enforcement for minor transgressions may prevent other or more serious offences. This is precisely the reasoning behind the “broken windows” theory and the “zero tolerance” approach. Dennis (1997:3), for example, describes zero tolerance as:

... a no-nonsense policing approach with a clear message that all laws will at all times be enforced, particularly those laws aimed at preventing disorder and other less serious crime.

Crime investigation, although primarily a reactive function, can also act as a deterrent if carried out efficiently and successfully. Visible policing, which is predominantly a proactive function, may similarly lead to the arrest of offenders if performed effectively.

In addition to the examples already mentioned, proactive policing can lead to the arrest of a potential offender under the following circumstances:

- where good and timely intelligence or information from the public enables the police to arrest a potential offender before the actual commission of the crime; and

- where positive observation by alert police officials leads to the arrest of a potential offender before the crime is carried out.

The Operational Approach

The police's approach to bridging the difficulties created by the conflicting roles allocated to them in terms of legislation and policy, apart from attempting to resolve these discrepancies with "appropriate" terminology, was to continue with what can only be described as an "operations approach". This approach was a continuation of the Community Safety Plan concept of 1995 and was "sold" to the public as the operationalisation of the 1996/1997 police plan (South Africa 1996d). However, it is apparent that - unlike the Community Safety Plan and the police plan itself - all pretence of implementing the recently adopted concept of community policing was abandoned.

The operationalisation of the 1996/1997 police plan with Operation Sword and Shield, as it was called, was launched as a "no nonsense, back to basics" plan and was a clear indication of the intention of the police to focus on the more traditional methods of policing. These methods (and activities) consisted of visible and targeted patrols (vehicle, foot and equestrian), high-density ("flooding") operations, roadblocks, cordon-and-search operations, stop-and-search operations, and air-supported operations in so-called "priority areas" or crime "hot spots" (Fivaz 1996).

The results of these hard-core police operations in terms of arrests, confiscations and seizures were impressive, but created new problems for the rest of the criminal justice system. The courts were not capable of processing the sudden increase in cases, and the problem of overcrowding in South Africa's prisons worsened.

Between 2000 and 2002, the police not only abandoned the idea of a written police plan, but concentrated even more on operations. Operation Crackdown, which was launched in April 2000 as part of the operationalisation of the National Crime Combating Strategy (NCCS), was more focused and sophisticated than earlier operations (South Africa 2000). It obviously resulted in more blockages at courts and the overcrowding of prisons.

The large-scale utilisation of the operations approach by the police continued into the current so-called strategic plan phase. The current phase originated during 2002 with the publication of the first Strategic Plan for the South African Police Service 2002-2005 (South Africa 2002). This phase is mainly characterised by the fact that the police now, again, had a written plan - albeit a three-year strategic plan. In addition to providing strategic direction for policing, the Strategic Plan also presented the framework for annual operational plans at all levels.

Another salient feature of the Strategic Plan is the obvious and growing importance of the Justice, Crime Prevention and Security (JCPS) Cluster, where the police - at least at the level of Director-General level - are the lead agency. The JCPS Cluster is playing an increasingly important role in determining priorities for member departments. This development must be seen as positive, but still far from the over-arching national coordinating structure called for in this paper.

Operational Results and Impact on Crime

It is logical, if police action is the primary solution to the crime problem, to expect large scale police operations to make a visible impact on crime. Table 1 below provides a summary of the types of actions carried out by the South African Police Service during the financial years 2002/2003, 2003/2004 and 2004/2005, as well as the operational results achieved.

The sheer volume of arrests as a result of these focused high-density operations creates obvious problems for the courts and prisons, such as blockages, backlogs (courts) and overcrowding (prisons). At a parliamentary media briefing on 13 February 2004, Dr. Penuell Maduna (2004:10), Minister for Justice and Constitutional Development, stated that South Africa's prison population stood at 185 632 at that stage, while the prison capacity was only 110 874. This translated to an overpopulation of 74 758 or 65 percent.

Table 1: Comparative results of police “Crime Combating” operations during 2002/2003, 2003/2004 and 2004/2005

Type of actions	National total		
	2002/2003	2003/2004	2004/2005
Roadblocks	61 213	72 443	61 084
Cordon-and-search operations	63 465	76 233	81 342
Vehicles searched	3 581 684	3 598 990	4 105 761
Premises searched	355 833	608 483	617 460
Persons searched	7 570 187	8 906 239	9 938 366
Stop-and-search operations	156 885	166 278	276 538
Air-supported operations	2 205	1 644	1922
Vehicle patrols	491 025	676 329	826 493
Foot patrols	645 766	320 112	385 201
“Successes” (Results)	2002/2003	2003/2004	2004/2005
Arrests (serious and violent crimes)	444 738	445 779	449 352
Arrests (less serious crimes)	647 951	564 022	681 128
Number of firearms recovered/confiscated (22 120 firearms were reported lost/stolen in 2002/2003, 20 164 in 2003/2004 and 15 837 in 2004/2005)	21 027	35 248	23 813
Number of vehicles recovered (111 528 vehicles were reported stolen/robbed in 2002/2003, 104 720 in 2003/2004 and 93 518 in 2004/2005)	45 152	34 055	43 041

These figures are based on information taken from the Annual Reports of the South African Police Service 2002/2003, 2003/2004 and 2004/2005 (South Africa, 2003:18; South Africa, 2004:11-12; South Africa, 2005:35-36).

During the same parliamentary briefing and reporting on the crime situation, Dr Maduna (2004:5) only highlighted those crimes which showed a decrease, and remained silent about crimes which had increased. In fact, government officials

seem reluctant, in their claims about reductions in crime levels, to mention the very high levels of some of these crimes. They also seem reluctant to point out that the decreases they claim, are generally too small to make any meaningful impact on the overall levels of crime and, accordingly, to increase the feeling of safety and security among the public.

In this regard, and in spite of all the “successes” of police crime combating operations since 1994, violent crime in 2004/2005 was still 12 percent higher than in 1994/1995 and property crime 21 percent (Altbeker 2005:1). There are also doubts about the reasons for some of the decreases and, as indicated in one of the media reports quoted above, this may point to an even more disturbing possibility, namely that victims are losing faith in the police and are less inclined to report crimes.

Police claims about operational successes and a resultant positive impact on crime, should, therefore, be considered with circumspection. The operational successes or results of the police may indeed have contributed to decreases in some crime categories, as claimed by the police, but crime levels in South Africa remain extraordinary high. It is also debatable whether an increase in police operations can further contribute to a reduction in crime. There is growing evidence that the outcome of the fight against crime will eventually be determined less by what the police do and more by what is done to address the root causes and other risk factors of crime. Consequently, it is a fundamental error in reasoning to claim that the police are capable of reducing crime, when the factors that cause crime are beyond their control.

Conclusion

This article questions the conceptual and terminological correctness of section 205(3) of the Constitution of the Republic of South Africa, 1996. Section 205(3) prescribes the responsibilities (“objects”) of the South African Police Service. The absence of terminological and conceptual clarity in the Constitution, which is the starting point for determining the police’s role in the combating of crime, clearly exacerbates the existing confusion and supports public perceptions that the police must “prevent” crime. No other South African legislation provides any further

guidance on this matter. The situation is further complicated by the discrepancy between statute and policy.

In addition to terminological and conceptual confusion about the role of the police, there is a similar confusion about crime combating terminology and concepts in general. This adds to difficulties and uncertainty about the overall location of responsibilities, especially with regard to government departments. It is for this purpose that a defining model for crime combating is proposed in Figure 1, depicting the place of both crime prevention and policing within the broader framework of crime combating or crime fighting.

It is also argued that the combating of crime should be viewed as a national security issue, a much wider array of roleplayers than only the police or the criminal justice system. In fact, it is argued that crime combating should form part of an overarching national security policy and a national security strategy which should be coordinated by a national coordinating structure and not by the police or even the criminal justice system.

Recommendations

Based on the above arguments it is recommended that:

- A national crime combating centre or agency be created to coordinate the development and implementation of a national policy and strategy to combat crime as a general threat to South Africa's national security;
- section 205(3) of the South African Constitution, 1996, be reformulated to distinguish between the functions and objects of the police, and to exclude crime prevention; and
- the South African Government consider the appointment of a working group to develop definitions for concepts connected to crime combating for inclusion in the Constitution, 1996, and other relevant legislation.

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