

# i n s i g h t @ i p t

<b>Introduction .....</b>	<b>1</b>	<i>This edition arises from a recent victim support project run by the IPT and funded by the European Union Foundation for Human Rights. This has involved the provision of training and facilitation to four police stations in KwaZulu-Natal and two in the Eastern Cape.</i>
<b>What is the VEP? .....</b>	<b>2</b>	<i>The objectives of this project are to ensure that members of the South African Police Service: (1) respond effectively to the needs of victims and (2) contribute to an environment that offers victims an increased access to justice.</i>
A short overview and commentary regarding the victim empowerment programme.		
<b>Victim Empowerment - Can the South African Police Service Deliver?.....</b>	<b>2</b>	<i>One of our key activities within this project was to facilitate dialogue and co operation between victim support service providers and police, as has been envisioned in the National Victim Empowerment Programme. The entire project has been supported by ongoing data collection and research to evaluate the impact of this intervention on actual service provision.</i>
Understaffed, underpaid and under-resourced - can SAPS still provide an effective service to victims?		
<b>The Police as Victims .....</b>	<b>4</b>	<i>This issue of insight is the first of two which is based on information gathered during our work with the six stations. This first issue provides some background information regarding the Victim Empowerment Programme and goes on to discuss the role of the South African Police Service and the particular problems they have experienced in implementing the Victim Empowerment Programme. We also suggest some ways in which various stakeholders could work together for better station-level implementation.</i>
Are police members also victims of an increasingly violent society?		
<b>The Police as Culprits .....</b>	<b>6</b>	<i>In the second part of this series we will document our final project findings and examine the performance of the other role players as well as provide an update on the current status of the Victim Empowerment Programme.</i>
Can we blame the police for some of the problems of non delivery?		
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### What is the VEP?

VEP refers to the national Victim Empowerment Programme which forms part of the government's National Crime Prevention Strategy (NCPS). This medium to long term (25 year) strategy announced in May 1996 includes four main 'pillars'. They are :

- improve the criminal justice system
- develop environments that deter crime
- mobilise community support to fight crime
- upgrade regional security (borders)

The VEP is central to the first of these, improving the criminal justice system by making it more victim friendly, accessible and service orientated. *Much of the pressure for achieving this has fallen on the South African Police Service (SAPS) but it is only one of six agencies responsible for its implementation.* The "lead" department that coordinates the Victim Empowerment Programme is *not* SAPS but the Welfare Department. The remaining four departments include the departments of Justice, Safety and Security, Correctional Services, and Education. All these departments must work together in a well-coordinated way if the VEP is to have any impact.

The VEP was launched at a National conference on Victim Empowerment in June 1998, hosted by the Department of Welfare and with key note addresses by the Minister of Welfare and Population Development, Geraldine Fraser-Moleketi, Deputy Director General NCPS, Dr Bernie Fanaroff and the Director General, Secretariat for Safety and Security, Mr Azhar Cachalia. Despite this apparent high-level government support, there are few visible signs of implementation some 18 months later.

As an NGO attempting to help implement the VEP at the level of SAPS stations, it is the IPT's perception that a lack of both government accountability and public scrutiny are behind the slow pace of implementation. When poor service is received by a victim there are no consequences for the department or the individual responsible. There is little appropriate response from government and no organised public outcry. And while the media continues to occasionally raise these issues, nothing concrete seems to result from this media coverage.

So the VEP remains an idea awaiting implementation. While the inadequate service offered to victims owes much to the poor attitudes and lack of commitment by SAPS members, these problems are sustained by the desperate shortage of resources and the strong feeling

of disenfranchisement experienced by the police. In this *insight* we address ways to solve some of these problems from a policing perspective. The next issue will address what the IPT perceives as an even larger problem: a lack of real co ordination amongst the departments responsible for the delivery of the VEP, as well as the problems associated with Welfare and its role as lead agency. Welfare remains poorly resourced, seems to lack clout and appears inactive regarding the delivery of the VEP

### Victim Empowerment: Can the South African Police Service Deliver?

The Victim Empowerment Programme is an enlightened approach to crime-fighting and speaks well of the state of South Africa in terms of its policy, white papers and legislation. The rights of victims *should* be the emphasis of our criminal justice system. But has the government ensured that the police have both a workable strategy and the resources, (human and material) to *implement* the VEP? This article highlights that resources at station level must be increased not just in terms of rands but also in terms of a refined strategy of implementation. This will be illustrated according to three key areas where resource shortages persist:

- lack of personnel
- insufficient budget
- material resources

#### Understaffed

Between 1994 and November 1999, the number of SAPS members declined by 27% from 144,000 to 104,657 (civilians excluded). In KwaZulu-Natal (KZN) the number of police members dropped by 18% from 21,000 to 17,185 police members. As of December 1999, the average KZN station is 30% short of its ideal staffing complement as determined by SAPS headquarters in Pretoria. It is not unusual to find some stations operating with only half the required personnel.

The personnel shortages are partly a result of a dramatic slowdown since 1996 in both promotions and recruitments. Prior to 1996 about 600 members were enlisted twice a year. Today that same number is enlisted only once a year, halving the number of new recruits. For example, KZN has only acquired 320 new members over the four year period since 1996 but lost 3,700 owing to deaths, discharge, dismissals, special packages, retirement and resignations. If the

recruitment rate does not keep pace with the attrition rate effective policing is hampered unless there is a dramatic downturn in criminal activity. However, since it skyrocketed in 1994, crime has only just stabilised and certain criminal activities like rape, common robbery, residential burglary, theft, and illegal possession of firearms continue to increase.

A mere shortage of members is not the only problem. It is usually the most experienced personnel who leave the service. This applies to nearly every station and most specialist units like Durban's Commercial Crime Unit that struggles with about 50% of its appropriate staff complement. To make matters worse, a massive programme of transfers in 1997-1998 resulted in many stations losing those senior members with the most knowledge of the area, thereby limiting the capacity for stations to form strong community relationships.

The shortages of both personnel and experienced members create many additional problems:

- high workloads that decrease morale, raise stress levels, and diminish the quality of the work
- a lack of non commissioned officers and constables and an excess of junior and senior officers (owing to few new recruits) reducing the number of members actively policing
- limited opportunities for promotions--this decreases morale and leads to more departures (without new recruits, personnel tend to stagnate in many posts)
- increasing danger for police members (no back-up and limited support in dangerous situations)
- increased trauma that compounds stress in the workplace (e.g., nationally, about 150 SAPS members commit suicide every year).

Worse yet, personnel shortages are compounded when members take sick leave (often associated with stress too). The average daily absenteeism rate in KZN is 11% but during high stress periods some stations can suffer 30-50% shortages on key shifts.

The resultant pressure and stress on the police contributes to the low conviction rates, high crime rates and poor service to the victim. In the six stations where the IPT is training and conducting research as part of a programme sponsored by the European Union Foundation For Human Rights (EUFHR), nearly all the members in interviews say they suffer from chronic stress owing to shortages of personnel.

The logic behind the state deliberately downsizing the police is financial. Between 1994 and 1997 the human resource costs of SAPS rose from 75% to 84% of the budget leaving only 16% for equipment and resources. The government decided to reduce personnel and create a smaller but better equipped membership. However, this strategy does not serve a national policy accentuating crime prevention and one that calls for more police presence on the street. Nor does it serve public will. In IPT interviews in six policing areas, the chief concern of the public is for more visible policing. Often "the bobby on the beat" is what the public perceive as service and what they believe to be the strongest deterrent to crime. When police presence was beefed up during major conferences in Durban (Commonwealth Heads of Government in November 1999 and The Non-Aligned Movement Conference in September 1998) crime plummeted in the city centre. Robbery, which normally occurs at a rate of at least five a day in the city centre, dropped to zero during those weeks.

### **Underpaid**

SAPS salaries are fixed by the Public Service Commission at the same scale as other government workers. A constable earns the pay of a government file clerk (R2,800 per month) and a Captain earns about the same as a senior administrative officer in the Pretoria bureaucracy (R7,000 per month). A Superintendent with as much as 30 years of experience earns around R11,000 a month. These are all gross figures before taxes and deductions but include the annual bonus so that the monthly take-home pay is considerably less. In some cases, "danger pay" can increase salaries but only by around R200 to R300 a month. Benefits include subsidies for housing and medical aid but these cover only one-third of the related costs and are taxed. Many stations report cases where junior members take home a few hundred to a thousand rand after taxes and paying their share for housing and medical aid.

Low salaries both impair service to victims and, in the long term, are not particularly cost effective. Improved salaries could :

- prevent the loss of thousands of experienced officers every year to higher paying security firms, corporations, and-- in the case of Durban--the City Police, who earn about twice what the same ranking SAPS officers do.
- prevent major losses of investment in training -- just one trained constable costs the state R25,000 to R30,000

- attract more capable personnel (at the moment, one-third of SAPS members do not have a matric qualification and many are not capable of preparing adequate statements for successful legal proceedings)
- offer a just reward for working in highly dangerous places and under dangerous conditions (globally, South Africa has the highest rate of police members killed on duty)
- increase morale since this contributes to poor performance and police corruption (according to the Human Rights Committee, the police are three times more likely than the average citizen to engage in criminal activity).

### **Under-Resourced**

Shortages of material resources can endanger police members, lengthen response times, create gross inefficiencies and ultimately undermine public confidence. When community members see run-down police stations or cannot get a response to an emergency for lack of vehicles or petrol, they often blame the police.

In baseline surveys of six stations in KZN and the Eastern Cape, the IPT found that the station facilities themselves, mostly designed under apartheid, are not conducive to offering victims a good service. One of the four KZN stations in our study was certified unfit for human habitation. A 1998 SAPS Management Service Survey of 148 out of KZN's 181 police stations found that 41 stations were in extremely poor condition, 76 were in fair condition, and only 31 could be classified as in good condition. Most stations have cramped office spaces, and no facilities for the victim like private statement rooms, disabled access or community care centres. Most do not even have cells adequate to detain the prisoners.

Vehicles are a critical area for offering services to a victim. If a member cannot reach the scene of a crime, as happens frequently in KZN, the chances of either catching the culprit or helping the victim adequately are greatly reduced. According to KZN SAPS Logistical Services the ideal vehicle strength for the entire province is 6,095 vehicles but the actual allocation is 4,732 (a shortage of 1,363 vehicles). Fifty-four percent of SAPS vehicles have clocked over 100,000 km (2,545 vehicles are past recommended replacement date). The petrol allocations for most stations are insufficient for patrolling and attending to emergencies year-round (in January 1999 several stations in and around Durban were reputed to have run out of petrol).

There are actually far too many material shortages to be highlighted in a single article since they range from paper clips and stationery to the need for an entirely new station. Some of the other cited shortages include ranges and ammunition for target practice, radio handsets, furniture, and cells for prisoners.

### **Conclusion**

Altogether the basic working conditions for SAPS members are highly stressful, often dangerous and many police members are traumatised. The government cannot reasonably expect to fully institute a Victim Empowerment Programme with police members working under these conditions. First and foremost, more SAPS trained personnel are required to both respond to and prevent crime. Secondly, these personnel can only be motivated to do a good job if salaries match the danger of the work and the competition for security professionals in the marketplace. Finally, members must be equipped with at least the fundamental materials required for crime-fighting including functional premises, vehicles, cells, radios, and practice ranges including ammunition for practice sessions.

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### **The Police as Victims?**

Police officials regularly deal with traumatic incidents, with limited resources and often under dangerous conditions. In February 1998 a national conference on police officials as victims of trauma and crisis was held in Johannesburg in response to the perceived need to bring together interest groups and expertise around this important issue. That was two years ago and the situation has changed very little.

Police members are victimised in two ways. First, by the dangerous environment in which they work and secondly, by conditions within the SAPS.

### **Dangerous conditions**

Most experienced police officials on active duty have been exposed to many gruesome, traumatic crime scenes, with little or no post incident debriefing or counselling. They are not adequately trained to deal with high levels of violence either. They often become blunted and insensitive, joking about the plight of victims or resorting to destructive coping mechanisms.

The police are also the victims of many attacks. A total of 215 attacks were reported to SAPS Provincial offices between January 1998 and May 1999 (In 115 of the cases, the members were on duty and in 100 cases

they were off duty). It is noteworthy that many police members who rely on public transport, travel to work in fear and frequently wear civilian clothes en route to work to conceal their identities.

Worse yet, police members are at high risk of death or serious injury. In this province, an average of five SAPS members are murdered every month and an additional six are injured.

South Africa has the worst record globally for policemen killed in the line of duty (with only China coming close). Between 1994 and 1998, 1,200 police members were murdered countrywide, with a national total of 237 in 1998. The 1999 figure is likely to exceed this. By comparison, the number for the United States, a country of 260 million people, is 70 per year.

The tables below indicate that in KwaZulu-Natal alone, with a population of only 8.4 million, 60 members were murdered in 1998, a figure close to that of the American total.

At the 1998 conference on police as victims, many delegates blamed police management for both “a lack of understanding and sensitivity regarding the trauma experienced by members and lacking the skills to manage these crises. This means that with the trauma of members often going unnoticed, appropriate steps such as debriefing or referral are not taken. This situation is exacerbated by a general lack of problem solving skills among both managers and members, resulting in the escalation of small crises, feelings of being overwhelmed and an increase in stress.”<sup>1</sup>

The IPT has found the same situation working in stations in KZN and the Eastern Cape. The problem is exacerbated by both a lack of resources and inadequate support offered by the social work and psychological services within the Police

Service. Many members are also reluctant to use internal SAPS psychologists because it is perceived that the consultations are not confidential and will effect their chances of promotion.

The impact resulting from the number of police members suffering from trauma is largely ignored. Members not only suffer themselves but can have a detrimental effect on others and ultimately impair the delivery of a good police service.

Members continuously exposed to trauma without counselling support can eventually develop Post Traumatic Stress Disorder (PTSD) which results in irritability, mood swings, emotional numbing, increased use of alcohol or drugs and physical aches and pains. The families of police members are often affected by displaced anger and aggression which can result in wife battering and family violence.

The entire police service is affected by the decrease in performance and the increase in absenteeism which can often be attributed to traumatised police officials with low morale and low self esteem.

Both the victim and the community receive a poorer service since traumatised police members perform poorly, are chronically absent, and many take medical leave and early retirement resulting in a reduced work force.

It is vital that the problem of police officials as victims is taken seriously, and the establishment of effective support mechanisms for members within the SAPS should be seen as an integral part of the efforts to improve service delivery. Police officials who are able to recognise and deal effectively with their own stress and trauma, are better equipped to provide an empathetic service to the victims of crime and violence within the community.

1. “Proceedings of a National Conference on Police Officials as Victims of Trauma and Crises” Juan Nel, Dept Psychology, Unisa. A full copy of the report is available through [www.ipt.co.za/publications/nel](http://www.ipt.co.za/publications/nel)

#### Attacks on SAPS Members in KwaZulu-Natal : 1998 / 1999

	1998	1999 (up to May)	Total
<b>Attacks on SAPS members</b>	162	53	215
<b>Attacks while on duty</b>	86	29	115
<b>Attacks while off duty</b>	76	24	100
<b>Members injured</b>	70	30	100
<b>Total members murdered</b>	<b>60</b>	<b>21</b>	<b>81</b>

### The Police as Culprits ?

While SAPS members may be victimised in the sense of being subjected to numerous unacceptable working conditions, we must balance that view by noting that members of the police service must act in a way that gains the respect of their communities. There can be no excuse for the criminal behaviour displayed by numerous members of SAPS. Furthermore, the organisation's own inefficiency and corruption have been cited by numerous analysts as a major contributor to the country's high crime rate and the failure of public-police partnerships.

Corruption and criminality are rife among police members. Bribery, extortion, paid protection rackets, and robbery are among the 3,000 investigations pending against SAPS members. Bribes appear to be shockingly common. Of the 384 departmental prosecutions instituted against SAPS members in the first six months of 1999, 118 were for accepting bribes to facilitate prison escapes. It seems police are also three times more likely than any other profession to engage in crimes like robbery and rape. Between October 1998 and September 1999 more than 100 policemen were *charged* with rape. Despite this, no member of SAPS is serving a prison sentence for it.

For residents of KwaZulu-Natal, it was a cynical moment early this year when members of Durban's Organised Crime Unit were accused of organised crime themselves by the National Directorate of Public Prosecutions.

In addition, police brutality has become legendary since the BBC released a film globally showing SAPS officers beating a man after arrest. In 1998 negligence and torture resulted in the death of more than 700 people in police custody. Compare this to other police services such as the Royal Ulster Constabulary, in Northern Ireland, where there have been only five deaths in custody *since 1985*.

Police brutality has financial repercussions too. Between 1995 and 1998 more than R65 million was paid out in compensation for this, further depleting an already inadequate budget.

Corruption, criminality, and brutality relate back to poor management and a lack of accountability. Much of this weak management style originated in the inability of outgoing Commissioner George Fivaz and former Minister Sydney Mufamadi to work together. They were unable to combat corruption, raise morale or really improve service

delivery. The 1997/1998 Auditor-General's Report cited 'serious deficiencies' in controls on personnel expenses, excessive absenteeism, and a range of other problems.

A strong political will to clean up the service and management structures to enable this are required. Criminality should not be rewarded by transfers or retrenchment practices. Management structures must include highly qualified commissioners at station level with both the power and the will to fire corrupt and inefficient members, and who will be held accountable for their station's performance.

If the new national Police Commissioner, Jackie Selebi, and the new Minister of Safety and Security, Steve Tswete, can work together it will facilitate team-building and accountability throughout the service.

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### Making Victim Empowerment a Reality: What we can all do to make it work

The current situation can be improved through the coordinated efforts of community volunteers, NGOs, businesses, and the police themselves. The state must either improve its strategy or refine its implementation process while also allowing for certain budgetary increases. We have listed a series of ideas to show how there are a multitude of creative ways in which various role players could contribute to an improved service to the victim. If you have any further ideas or comments on the ones listed, we welcome your input for our next issue of *insight@ipt*

#### Role of the State

Listed below are some ideas which offer insight into how institutional arrangements can be made at the national level to increase the human and material resources that are available for policing. Until there is commitment to a plan that will increase *both* human *and* material resources at the station level, training and facilitation of Victim Empowerment by NGOs like the IPT cannot be utilised to the fullest benefit by both police and victims alike.

- Further decentralise the police service so that stations can manage their budgets according to local needs and without the bureaucracy of constantly requisitioning higher authorities
- In conjunction with decentralisation, reduce the size and scope of Area level management (freeing

up more personnel for stations and units, reducing bureaucratic delays) and replace it with a tight team charged with facilitating cooperative policing between stations, clusters of stations, and Community Police Fora structures

- Allow station commissioners to hire and fire staff. Centralised decision-making regarding staffing makes it near impossible to get rid of inefficient, incompetent, and/or corrupt members
- Phase out Public Order Policing and bring those members into Prevention of Crime units at local stations
- Minimise the number of specialist units and transfer any excess members into understaffed stations
- Offer tax breaks for police members to increase their take-home salaries
- Increase danger pay to fit with the dangerous conditions and areas which many police members confront
- Ensure that funds set aside for CPFs are distributed directly to Community Policing Forums and not caught up in the red tape of provincial and area structures.
- To foster better public understanding of the police and their needs, the government should consider working with the SABC to create a television drama around which the problems and solutions to South African policing can be exposed

### **Role of Communities**

A key question is “Why should the average individual contribute time and effort to the VEP?” It is the citizens of KwaZulu-Natal (KZN) who have the most to benefit from better cooperation, because it is their lives and those of their family and friends which are directly on the line. KZN vies for its place among the top three crime-ridden provinces in South Africa, a country second only to Colombia as the ‘murder capital of the world’. In the course of a year, 25% of the provincial population will be directly affected by criminal activity. Some 20,000 crimes both major and minor are committed in KZN every day resulting in 400 people entering provincial hospitals with crime-related wounds. On average, ten will die.

There are also great economic benefits to be realised from a reduced crime rate not least of all foreign investment and tourism. This economic stimulus would directly impact on the pocket book of citizens by, reduced insurance rates, increased revenue for businesses owing to increased tourism, and lower health service expenditures (up to 80% of a hospital’s budget can go to treating wounds caused by bullets and knives).

Better police-citizen co-operation holds the key to improved intelligence, respect for the law, and the arrest and conviction of criminals who are often well-known in their communities. One of the intentions of the VEP is to build this trust. Many citizens learned to distrust the police during the apartheid era and this legacy of mistrust continues. Forty-one percent of those polled in a national survey by the Independent Newspapers in early 1999 say they distrust police.

The problem of distrust has been exacerbated by the failure of the state to act efficiently to forge better relations between citizens and the state. The majority of Community Police Fora are still inoperative or dysfunctional. Furthermore, the criminal justice system is so poor that 85% or more of the crimes go unpunished in the province (the overall conviction rate by the most liberal measures is no more than 15%).

There are four primary ways citizens can help the police:

- Volunteer work - volunteers are needed in nearly every station to help answer the telephone, type up documents, support victims, and to maintain the facility (repairs, painting). Sometimes volunteers from churches and other organisations provide counselling to victims and assist them through the justice system.
- Donations : Nearly every police station is short of the most basic supplies from paperclips to office furniture. If you are upgrading a room in your house, you may find that the local station would greatly appreciate your old carpets, furniture and other basic items.
- Participating in the CPF: Participation in the local CPF is an organised way of forging closer police-community relations. The police learn from participants about needs in the community and the participants find ways for the police to improve service to victims. These are examples of the types of assistance that CPFs offer:

- ▶ establishing trauma rooms to comfort and assist victims of rape and other violent crimes
  - ▶ organising volunteers to answer phones in the Community Service Centre
  - ▶ running crime awareness campaigns
  - ▶ organising school security committees to combat violence in schools
  - ▶ training b-grade reservists to take statements
  - ▶ training car guards to assist victims
  - ▶ setting up neighbourhood watches and business watches
- Reporting all crime: If nothing else, citizens can be diligent about reporting crimes. Crime statistics have an influence on how many police serve your area. By not reporting a crime, you reduce the crime-fighting capacity in your community.

### Role of Non Government Organisations

Many NGOs are already active in the field of victim support and empowerment, providing a much needed resource to supplement the limited efforts of the state.

Some key ways NGOs can participate include:

- training - the provision of training to SAPS members, volunteer groups and community members can provide a vital injection of skills and knowledge. Different types of training and information are required by the various constituencies including:
  - ▶ training of SAPS members in victim support skills, interviewing techniques, communication skills and the legal duties imposed on members in terms of national instructions and regulations. One of the key problems underlying the poor service delivered by SAPS is the poor attitude of members and NGOs are often in a good position to effect attitudinal changes through training and facilitation.
  - ▶ training of volunteer groups in trauma counselling skills and providing them with the tools and knowledge to support victims
  - ▶ providing community groups with information regarding the law and due process.
- lobbying and advocacy - NGOs can have a profound effect when acting as advocates for the

implementation of policy and delivery of service by government departments.

- dissemination of information - NGOs often have access to up-to-date information about legislation, government departments, and service providers. Sharing this information with the media, the public, victims groups and key stakeholders can ensure that they are kept up to date with developments in the criminal justice system.
- watchdogs - the role of the NGO as critic has decreased over the last few years but this is vital if we are to ensure that government departments remain accountable to the public and deliver on policy. NGO's can help ensure that promises made are promises kept.
- networking - by developing joint initiatives with other organisations, NGOs can maximise the impact of their interventions
- facilitation - NGOs can help stations to help themselves by facilitating the process through such methods as strategic planning workshops, support in drafting business plans, helping stations to approach the businesses community, and putting them into contact with other service providers.

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