

i n s i g h t @ i p t

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Why another journal?
And why one on the
Web?- an introduction
to i n s i g h t @ i p t.

This first issue of i n s i g h t @ i p t begs the question “Why another publication?” and “why a web based one at that?” The answer lies partially in the history of the IPT. So who are we? Essentially we are a facilitation, training and research consultancy founded in 1990 with expertise in the facilitation and management of change processes and, more specifically, the conflicts which generally arise during organisational transitions. Based in KwaZulu-Natal, South Africa, we have over the previous 9 years worked extensively with political parties, schools (both learners and educators) and the police.

**Training within the
SAPS2**

We look at factors
contributing to the
limited impact training
has had on the trans-
formation process.

*Our focus has been to facilitate the building of a common language between diverse groups and the development of the interactive skills which translate a human rights document into a living democracy. We currently provide services to **The Education Department**, in order to ensure a democratic and nurturing environment for youth in schools, and to **The South African Police Service** to assist them in providing a community orientated service reflective of the values enshrined in our Constitution.*

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KZN stands alone in its
inability to set up a
functioning Safety and
Security Secretariat. We
ask why?

In the course of this work we constantly come across information regarding issues which we believe warrant greater public attention or further analysis. Due to other commitments we have been unable to give this the attention we felt was deserved. Late last year the SAIH (a student organisation based in Norway) offered us seed money for a project and - after much internal debate and discussion - we agreed that an issue-focussed web based periodical could begin to fill this information gap. We chose the web as a means of dissemination due to its low cost and wide range. We will however supplement each publication with a limited number of paper copies.

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looks at the ICD’s role
in police transformation.

The issues raised will generally be linked to the areas of education and police transformation since this is the environment in which we currently operate. There may, from time to time, be exceptions to this rule.

This first i n s i g h t @ i p t will be quickly followed by a second focussing on the 1999 South African General Election, and a third dealing with issues of school violence. Others will follow regularly throughout the year and we would welcome any comments, suggestions or questions from readers.

Training within the SAPS

It is widely acknowledged that the transformation of the South African Police Service (SAPS) from a former “force” to a community orientated “service” requires a marked change in both the attitudes and skills of the members of the SAPS. It is also widely accepted that the achievement of this shift lies partially in the training and retraining of these police members.

In this respect the national training department of the SAPS have had input from numerous foreign countries. Examples include basic training sponsored by the Commonwealth, training in management and public order policing (Belgium), and community policing (UK, Netherlands and Denmark). One can also gain ground from learning from the experiences of similar transformation processes underway elsewhere (for example, Royal Ulster Constabulary or the British Metropolitan Police who are undergoing anti-prejudice training).

However SAPS stands alone in that ours is a transformation of a police service which is vastly under skilled in core competencies. For example KwaZulu-Natal has an enormous backlog of members untrained in the basic areas of job competency. Nearly one in three police officers do not have driver’s licenses; roughly 33% of the 140 000 KwaZulu-Natal police officers are functionally illiterate. In addition, throughout SAPS there is pressure to move away from confession based detection to detection based on evidential investigation, which requires vastly different skills. This compounds the problem that 32% of detectives have never received basic detective training.

However, the provision of basic skills training in KZN is hampered by other deficits and needs including:

- an inadequate provincial budget for training (it amortizes out at R38 per member per year)
- an understaffed provincial training department (the national SAPS training department amounts to 41 people)
- rank and file members who have little understanding of the new legislation within which they operate
- the need to transform attitudes and values within the service

Despite this restrictive environment numerous new courses have been designed since 1994 with transformation as the goal (for example Ubunye and

Diversity Management). Police records indicate that nearly half the police members in the province have received training in the course of a year with 8 238 members receiving training in 1998 out of a total complement of 18 000 members. For example, during the period Jan to Dec 1998:

- 719 members underwent training in Victim Empowerment
- 231 members underwent stress management training
- 2 202 members received training in various investigative fields
- 1 204 members attended the team-building Ubunye course

Yet, despite the high number of members who have undergone training of one sort or another, the question remains - Why has there been so little measurable impact? We believe that there are several contributing factors for this and examine eight of these below.

Lack of inter departmental communication and coordination

On paper, the training division falls clearly within the human resource management component while in real terms training operates in virtual isolation of other human resource components like personnel services, legal services, human resource development and equal opportunity services. While training has a valid role to play in each of these functions there is little or no interaction between training and other human resource personnel, information is not shared and joint strategies are not formulated. It seems sensible that no one component of human resources would make strategic decisions without consultation and information from the other components and yet this happens on a daily basis.

Problems of communication are compounded by the centralisation of training at a national level. This means that provincial training managers report directly to a national training head as do provincial human resource heads. While some information is shared at the national level, there is almost no structural interaction between the human resource component and training component at provincial or regional levels. This organisational structure is further confused by the division of the national training component into three sub components:

- **Basic Training** - responsible for the basic training of all trainees at the various training colleges
- **In-service and specialised training** - responsible for training programmes which

last throughout the working life of the employee and which is aimed at providing him or her with job specific and general skills

- **Management Development** - responsible for the development of managers within the SAPS

These divisions are not repeated at provincial level and so lines of reporting and information sharing are further hampered by the creation of numerous power bases. The net result of these organisational failings is that opportunities to add value through co operation are ignored while information is hoarded rather than shared. It is therefore impossible to gain an overall sense of organisational progress.

National decision making without cognisance of local issues

Numerous operational and material decisions are made at a national level with little understanding of either local needs or conditions. For example, a budget set at national level might be deemed sufficient to cover accommodation and refreshments within the environment of Gauteng. However this budget is inadequate in KwaZulu Natal where, because of large distances, travel costs will be far higher. Issues such as "who pays for petrol" becomes a local problem which hinders the training function.

This lack of real consultation also impacts on the development of training material. This is often well produced and relevant for areas which are in close proximity, or well resourced, but woefully inadequate for rural areas. One example can be taken from the guidelines for dealing with Victims of Sexual Offences. In the guideline members are instructed to send a patrol vehicle immediately to the victim's address when an offence is reported by telephone. They are also instructed to ask whether the victim needs an ambulance and if so to send one immediately. All good advice and in line with global practice but impossible for a rural police officer who probably has one vehicle to cover the whole area, where roads are impassable, where there is no ambulance service and where the victim has probably had to walk miles simply to use the phone. If we are going to ensure service orientated policing it is vital that members are given skills which are applicable and relevant within their actual working environment.

Provincial training departments should have greater input and control over the type and content of training design in order to ensure that it is locally relevant.

Lack of evaluation

A key problem with training is the lack of post training evaluation. No systematic attempt is made to measure whether training has made any impact or resulted in any change. Measurable outcomes are not set prior to training and participants on course are not given any indication of how they should utilise the skills when they return to duty. Without a systematic process of evaluation it is impossible to identify successful training programmes or to make changes to unsuccessful ones. Without knowing what works and what does not there can be no improvement. Training should be recognised, not as an activity on its own, but rather as part of an overall strategy to achieve a measurable and clear objective.

Training is seen as a solution

The actual provision of training is seen as the final objective rather than as part of a process of transformation (the policing priorities for 1999/2000 have identified "improved levels of professionalism within the SAPS" as a goal of "Priority 9: Professional Conduct". The performance indicator for this goal is the "number of members trained in relevant essential basic skills..."). This indicates a clear misunderstanding of the training function -- attendance at a training course does not guarantee change within the workplace and is not a measurement of anything other than the training department's capacity to deliver numbers. A more effective indicator of performance would be the number of members who utilised the skills on the job.

Training is often seen as something separate from the real activities of the police which results in members going on course and then returning to the "real world" having gained little. No link is seen, nor is one created by trainers, between the skills and attitudes covered by training and their application on the job in order to improve both service delivery and self esteem.

Lack of accountability and post training supervision

Currently within the SAPS there is no reward for excellence and no penalty imposed for poor performance or unacceptable behaviour. Members can ignore instructions from superiors, not work for days and can even openly participate in criminal activities with little or no action being taken against them. At worst they may be transferred to another station where they are free to replicate their behaviour.

Where there is almost no internal motivation for commitment or excellence, there must be some external motivation for the use of new skills and attitudes. This critical issue within the SAPS infuses all levels and impacts directly on the poor transference of skill from training into the workplace. A member given training in dealing appropriately with victims may continue to act in an unacceptable manner with little or no repercussion. This lack of post-training supervision sends out a clear message: members are not really expected to change their behaviour-- training is just cosmetic.

Low Morale within the SAPS

The extremely low morale of members of the police service is an enormous hindrance to the effective transfer of learning. Members are uninterested in acquiring new skills. As they put it "What's the point?". Self improvement is seen as a way to get out of the service rather than as a way to progress within it. This low morale results from numerous external and internal sources -- a moratorium on promotions, a vastly under-resourced working environment, constant pressure and criticism from the media and communities, lack of support from police management, and confusion as to their new role to name but a few. It is exacerbated by the uncertainty caused by the actual transformation process which has in general been poorly managed and has removed the structures which gave the police some coherence without replacing them with an effective substitute. Police members are uncertain both about their current role as well as their future within the organisation. Issues such as the "en mass" transfer have created a feeling amongst members that they have been failed by their own organisation. This does not contribute to a culture of lifelong learning.

Training staff with limited training competency

While there is no doubt that members of the SAPS training departments are dedicated to their work, many members appointed to the department have no training skills or experience. They seem to be simply transferred into training from other components. Training is a very specific and highly skilled discipline which, in the corporate environment, would require specialist degrees and on the job experience. It is significant that SAPS members almost unanimously rate training conducted by external organisations such as non-government organisations, business etc. as superior to internally conducted training. In addition to content changes it is vital that a greater focus is placed on the quality and appropriateness of

instruction.

Poor selection methods for participants

There is no clear and objective method for the selection of participants for training -- members are chosen by "who's available" rather than being based on the individual's current competencies and the needs of the organisation. Effective training requires that members should be matched with training courses which will provide relevant and appropriate skills to their actual jobs. This requires extensive co operation between the appropriate departments to ensure that members are well chosen and appropriately utilised after training.

The present selection process is conducted on an ad hoc basis with little consultation and no follow up. This wastes many training hours. Training impact is also diluted by the injection method of participant selection where a few members are selected from numerous stations and then sent back after training in the hope that a 'ripple effect' will occur within the station. The failure of this process is almost inevitable and it might be more effective to saturate one station with training before moving on to another. The drawback to this method is that the pressure on SAPS to deliver training means that work done in one station draws criticism from others who feel left out of the process.

Organisational support and commitment

There are two identifiable deficiencies which could be rectified through training interventions -- a lack of job related skills (literacy, police procedures, investigative skills, driving etc) and a prevalence of inappropriate attitudes. The deadly combination of poor skills and bad attitudes require:

- relevant work related training
- training designed to change attitudes and behaviours
- leaders with good management skills and positive attitudes

These three elements are essential if we are to create a police service which is both effective and empathetic.

A skills deficit can be addressed through appropriate training, but attitude cannot be changed by training alone. It requires extensive organisational support and commitment (the rules and regulations must encourage the new attitudes and individuals must be rewarded or penalised as appropriate). This problem is demonstrated by the Ubunye programme which is "directed at unifying the organisation... a

transformation tool aimed at sensitizing members to a common vision, mission and value system". These are not objectives which can be achieved by training in isolation of active leadership. A vision is created by leaders who are visible, who gain the support and commitment of their staff and who act as organisational role models. This is patently not the situation within the SAPS, either provincially or nationally.

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The Role of Civilian Secretariats for Safety and Security in KZN

Provincial Secretariats for Safety and Security are a significant and legally mandated part of police transformation in South Africa. Yet KwaZulu-Natal (KZN) lags behind all the provinces in establishing this sector of the provincial government. What role should the Provincial Secretariat play in effective KZN policing? Is the Provincial Secretariat fulfilling its mandate in the province? The IPT used existing policy documents, legal documentation, including copies of correspondence, and telephone interviews to help answer these questions. This included contacting the provincial secretariats in every province for comparative information that told us just how far behind the establishment of this post is in KZN.

The post of a Provincial Secretariat for Safety and Security is a product of three of the most important documents in contemporary South Africa because, to a large degree, their successful or unsuccessful implementation strongly affects the safety and well-being of our country's citizens. The documents are:

1. the South African Constitution;
2. the South African Police Service Bill of 1995; and
3. the White Paper for Safety and Security which was approved by the cabinet in September 1998.

The Constitution was drafted in a way that mandated a role for civilians at both the national and provincial level in safety and security owing to a lack of civilian oversight of police during the brutal history of apartheid. Section 208 states explicitly: "A civilian secretariat for the police service *must* be established by national legislation to function under the direction of the Cabinet member responsible for policing." Section 207 states that the national commissioner "must appoint a woman or man as provincial commissioner

for each province". The responsibilities of the Civilian Secretariat were outlined in Section 206 (3) of the Constitution. Here a strong civilian role is asserted for the purposes of:

- monitoring police conduct
- overseeing the effectiveness and efficiency of the police service
- promoting good relations between the police and the community
- assessing the effectiveness of visible policing policy
- liaising with cabinet members responsible for policing

Subsequent Bills on policing followed upon these constitutional provisions and legislated a role for both national and provincial secretariats to oversee the conduct and operations of the police that serve the citizens of South Africa. The South African Police Service Bill of 1995 then provided for the establishment, organisation, regulation and control of the South African Police Service (SAPS). Among its primary acts was the establishment of a civilian Secretariat for Safety and Security that would be replicated at the level of provincial government (Chapter 2, Section 2b, South African Police Service Bill).

Consistent with the constitution, the South African Police Service Bill established the Provincial Secretariat to "perform such functions as the Minister may consider necessary or expedient to ensure *civilian* oversight of the service (Chapter Two, Section 3b). This means ensuring efficiency of service delivery, implementing national policing, and qualitatively improving the relationship between police and the communities they serve. The provincial posts were to be arranged via consultation between provincial government and the National Minister of Safety and Security.

Finally, the 1998 White Paper on Safety and Security issued under the title "In Service of Safety", further outlined the responsibility of provincial government to render an effective and efficient service to the citizens of South Africa. The role outlined included:

- initiating and co-ordinating social crime prevention programmes
- mobilising resources for social crime prevention programmes
- co-ordinating a range of provincial functions, -- health, education, welfare, and local government in order to achieve more effective

crime prevention

- evaluating and supporting the social crime prevention programmes at government level
- implementing and taking joint responsibility for social crime prevention programmes where local government is poorly resourced or lack capacity
- the establishment of public and private partnerships to support crime prevention

It is obvious that the functions of a secretariat, as mandated in law and based on the principals of the South African Constitution, require neutral civilian leadership. Otherwise, the police are assessing themselves to determine their own effectiveness in serving civilians. Yet the situation in KZN is such that we have:

- no permanent post, only an Acting Secretariat
- the Acting Secretariat while technically a civilian is a retired police general
- two of the secretariats' staff are police members
- the secretariat has filled only six out of 42 allocated posts

This situation renders the Secretariat's role as a watchdog body nigh impossible. Thus, five years after the promulgation of the constitution, four years after the enactment of the Police Service Bill, and 18 months after the final White Paper, the Province of KZN still lacks not only a truly *civilian* secretariat but in fact any secretariat.

Acting in the Secretary post of KZN's Secretariat for Safety and Security is retired Police General Wynand Van der Merwe who presumably receives a state pension. Both his non-civilian background and his status as a recipient of government retirement benefits make it difficult to appoint him in a permanently paid position. In fact, he was not appointed as the secretary but as a consultant. Yet for four years he has served in this role and there appears to have been no effort to replace him with a permanent secretary. KZN is really the only province in this situation. Presently, the Secretary of the Gauteng Secretariat is on suspension pending a possible disciplinary decision but a permanent post does exist.

General van der Merwe is aided by four civilian staff and two seconded police officers. No other province employs the police in this role. This raises problems regarding the intent of the constitution and our existing legislation. Democratic accountability and

transparency in the police service cannot be promoted by a Secretariat that includes the police. The reliance on a police general and seconded police officers compromises the Secretariat's credibility and its capacity to act in an independent manner. Altogether this contradicts and compromises the intent of the constitution, South African Police Service Bill, and the White Paper on Safety and Security.

As to staffing, the secretariat should be aided by a 42-member civilian staff but only four posts have been filled by civilians and three by active-duty or retired police. According to the General, this owes to "the province's financial problems and an embargo placed on new employment". Indeed the secretariat appears to operate on a small budget. For 1997/1998 a budget of R1,651,000 was allocated and then R1,071,000 was cut. The allocation for 1998/1999 was cut by R604,000 to leave only R1,047,000.

Other people consulted suggested that political problems between the ANC dominated central government and the IFP dominated provincial government lay behind the budget cuts. The province may be reluctant to pay for a programme that is viewed as central-government dominated.

Whatever has caused the inadequate staffing and establishment of the KZN Secretariat for Safety and Security, its outlined functions require at least seven times as many people to conduct research, offer legal services, build corporate and community relations, to facilitate community police fora, oversee RDP funds, and other matters. The table below, while incomplete, is useful for illustrating the conditions of staffing in KZN compared with other provinces. KZN appears to have the fewest number of staff in post and the highest percentage of non-civilian staff other than the national office.

The table also shows that the secretariat function in other provinces could be subject to certain criticism. They are all understaffed and the national office, like KZN includes seconded police officers. More importantly, note that two Secretariats (the Free State and Northern Province) refused to divulge *any* information about their staffing. One would think that the civilian secretariat would be delighted to assist ordinary citizens with such basic information. This resistance may indicate that there is still a culture of 'silence' and 'secrecy' in certain provinces surrounding a post that is ostensibly a civilian oversight position.

Staffing Overview of Secretariats for Safety and Security

| Area | HOD | Allocated Staffing | Staff in Post | % filled | Non Civilians |
|-------------------|-------------------------------|--------------------|---------------|----------|-----------------------------|
| National Office | Mr A Cachalia | 73 | 55 | 75% | 4 (SAPS) |
| KwaZulu-Natal | Gen W A van de Merwe (Acting) | 42 | 6 | 14% | 2 (SAPS) |
| Northern Cape | Mr R Bula | 19 | 15 | 79% | 0 |
| Gauteng | Ms S Pienaar (Acting) | 49 | 35 | 71% | 2 (ex-military backgrounds) |
| Western Cape | Mr M Joshua | 39 | 28 | 72% | 0 |
| Mpumalanga | Adv. M S Soko | 41 | 30 | 73% | 0 |
| North West | Mr M J Rasegatla | 41 | 32 | 78% | 0 |
| Eastern Cape | Mr D Mafu | NA | 28 | NA | 0 |
| Free State | Mr A J Venter | NA | NA | NA | NA |
| Northern Province | Mr S. Cachalia | NA | NA | NA | NA |

A very serious concern relating to the KZN secretariat is the failure to disperse funds of any significance for the development of Community Police Forums (CPFs). The secretariat has financed very few CPF workshops, managed only one province-wide conference for major stakeholders, and some functions. The largest 'workshop' occurred in 1997 in Durban, included 40 people, and cost approximately R33,000. It appears to have generated no outcomes, structures, or plans. Yet the KZN Secretariat was awarded R3 million in Reconstruction and Development Programme (RDP) money in the 1994/1995 financial year. None of these funds were dispersed that year and consequently the money was rolled over for two consecutive financial years (1995/1996 and 1996/1997). Finally, it was forfeited to the provincial treasury.

The reason given by the Secretariat for failing to disperse the RDP money was that no CPFs had been established but this was clearly not the case as there are lists in the possession of the Durban Area Community Police Board dating from 1995 showing the establishment of some 30 CPFs in the Durban area alone. Thus, the secretariat has neither researched nor adequately explained the loss of these funds including R250 000 which was transferred directly to the Provincial Premier's office and never used for

community policing. The Executive Committee of the Durban Area Community Police Board (chaired by Mr Terry DeLacey) flatly stated in a March 1999 letter to the National Secretariat for Safety and Security that "this board believes the Provincial Secretariat is either totally out of touch with community policing or has deliberately withheld funds for reasons best known to itself." An investigation was requested.

Altogether we are faced with a situation in KZN, the most violent province, where problems in the police are rife and where CPFs have progressed very slowly as they are in dire need of funding and support, with a barely operable Secretariat for Safety and Security. A civilian secretariat is a vital and legal part of police transformation that is being sorely neglected in the province for political or financial reasons or both. This is a position that should be above politics and given the state of crime and violence in the province, and its legal mandate, the Secretariat for Safety and Security should be a priority item for funding.

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The ICD and Transformation of the SAPS

The Independent Complaints Directorate (ICD) is a statutory body under civilian control which was established in terms of Section 222 of the Interim Constitution (Act 200 of 1993) and chapter 10 of the South African Police Act (Act 68 of 1995).

The mission of the ICD is to promote proper police conduct. Its vision is a transformed South African Police Service consistent with the spirit and purport of the constitution.

ICD benefiting the police

Most police officers confidently assert that internal control of the police is the only way to manage the problem of police misbehaviour. According to these members people who have never experienced the police officer's lot cannot review police conduct fairly. Because of this perspective, the police argue that they should be left to police themselves. This perspective is founded on the fact that the overwhelming majority of police officers are ignorant about the role of the ICD.

Firstly, it is important for the police to recognize that civilian participation in the complaints-handling is essential, to their image of being community conscious. Police forces in all the developed democracies are talking about a new kind of professionalism that sees "consumer satisfaction" as an appropriate goal of policing. This new professionalism, unlike the old, stresses connection with communities rather than autonomy, civilian feedback rather than contempt for other opinion. The ICD thus provides a system for the police to obtain information regarding what their customers think of them and their service.

Secondly, the ICD is critical to the legitimacy of the police. Its purpose is not simply to investigate erring individuals but to demonstrate to communities that the police are responsible as an institution. In many occasions the ICD deflects unfounded criticism, isolates the persistently erring member and attests to the good faith of the police. Many complaints against the police are more misunderstandings than abuses of power and such complaints will be handled satisfactorily to all concerned through the ICD's mediation mechanism. The police morale may actually increase because the burden of defending the generally high quality of the police performance is also borne by the ICD. It is thus incumbent upon the ICD to investigate allegations fairly and in an unbiased manner. It is also the ICD's function to gather all

available information, whether it supports the complaint or the officer complained of, and to determine the appropriate action to take.

Thirdly, the ICD also examines complaints to determine recurrent problems in police operations and this might lead to changes in policy, practice, training and supervision. The information generated in these investigations will provide the police with early warning of systemic problems or rogue officers. The ICD will also, if required in certain instances, provide the police with professionally researched advice on how to remedy problems that give rise to complaints. It is also through its monitored cases, that it provides on-the-job training to enhance police investigative skills by way of advices.

These processes will also have many other spin-offs, including:

- respect and support of the community
- professional pride in belonging to a respected body
- better success rate in respect of convictions
- restore respect for the law by example

It is clear from the above that the ICD is not intending to undermine legitimate police operations but to assist in transforming the service into a body which deserves and receives the respect and support of the community in preventing and combating crime.

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