

CHAPTER ELEVEN

CONCLUSION AND RECOMMENDATIONS

11.1 INTRODUCTION

This chapter is a reflection of the entire study and illustrates that the research question was answered adequately. It highlights how the secondary and primary objectives of the study were achieved through the systematic gathering of information by means of a comprehensive literature study on the subject and through interviews with specialists in the field of police criminality, police members and police offenders. The research question: examining police criminality from a criminological point of view was also answered by addressing police criminality from a scientific perspective by using recognised research methodology and recognised theoretical explanations.

The methodological approach to this study was qualitative and this approach was particularly appropriate for the use of interviews to gain as much information as possible. The nature of interviews conducted, specifically with offenders, were more emotive and humanistic allowing the offenders to offer much more information than would have been possible within the limitations of quantitative methodology. The theories used for the explanation of the micro (individual) and the macro (organisational) contributors to police criminality were modern strain theories (general strain theory and institutional anomie) and a version of social control theories (general theory of crime). These theories contained appropriate elements that were applied to pertinent empirical findings.

The methodology used for this extensive study was qualitative in orientation as mentioned below, but one of the research goals for this project was **exploratory** allowing for the maximum collection of information on the research topic. All the information has been thoroughly analysed and this has contributed to the large volume of information pertaining to police criminality and the subsequent need to accommodate it in two clearly divided volumes. The researcher feels that instead of the voluminous nature of the study being a negative quality, it is a positive quality because it indicates the thoroughness with which this research was undertaken to provide a sound information base on the topic of police criminality.

The researcher also feels that no element of this study could be omitted as police criminality is a topical issue and it is significantly under-explored when relating to South Africa (particularly from a criminological perspective), hence the need for this vast explorative study, and the need for a clear, enforceable interventionist model. In order to encourage acceptance of the interventionist model by the relevant authorities it was essential that all the facets of the problem (police criminality) be thoroughly researched first.

The researcher compiled an extensive interventionist model primarily for the benefit of the *South African Police Service*, outlining the most important changes that need to be implemented in order to initially uncover the prevalence of police criminality in the SAPS and then to put measures in place to deal with this phenomenon on an ongoing basis.

11.2 ACHIEVING OBJECTIVES

The primary **objective/goal** of the research was to study police criminality and to explain this phenomenon from a criminological point of view. Police criminality was addressed from a scientific perspective. This was achieved by making use of scientific measures and procedures as well as applying recognised theoretical explanations and recognised research methodology.

In order to achieve the primary goal, **secondary objectives/goals** were set and these included:

- the undertaking of a comprehensive literature study on police criminality,
- gaining expert information on knowledgeable sources in the field of police criminality, and finally,
- addressing police criminality from the viewpoint of the offender.

In addition to the achievement of the primary and secondary objectives of the research, the researcher developed an **interventionist model of police criminality**.

11.2.1 SECONDARY OBJECTIVES

- **Literature study**

A comprehensive **literature review** was undertaken to highlight the numerous and varied elements of police criminality and to obtain recent findings on police crime. These included illustrating the myriad **types of crimes** police officers get involved in, the **risk factors** that lead to police crime causation, explanations of how some officers **descend into criminality**, the **consequences** of police crime and effective **interventions**. A wide range of literature material was accessed to highlight these pertinent elements and the researcher feels that the material was adequate in achieving this. The only shortcoming being that there was not a wide a selection of South African literature available on the subject of police criminality. The

latter dearth of material was sufficiently compensated with the volume and quality of the empirical information gathered.

The graphic quality of the information garnered from literature, pertaining to types of crimes committed by police members, aetiological indicators and the highlighting of individual case studies, contributed to improved cognition of the phenomenon of police criminality. The large quantity of literature information was structured adequately and presented in a reader friendly manner for easier absorption by the reader.

- **Empirical study**

The main literature elements and themes were replicated in the **interview guides** used for the specialist and offender interviews. They were also used in the previous chapter on data interpretation to identify pertinent literature correlations applicable to the empirical findings.

Interviews were conducted with a substantial number of specialists familiar with the field of police criminality. These **specialist interviews** were held with serving members of the South African Police Service, including detectives, psychologists, deputy commissioners, commanders of specialised units, members' of crime intelligence, discipline management and legal services. Ex-SAPS members interviewed include the national commander of the erstwhile Anti-Corruption Unit, the provincial commissioner of the Western Cape and a commander of the erstwhile Murder and Robbery Unit. The remaining specialists interviewed include researchers in the field of policing and police criminality affiliated to non-governmental organisations and universities, a senior manager at the National Prosecuting Authority, a criminologist, a journalist, the executive director of the Independent Complaints Directorate, and members of a police union.

These specialist interviews served not only to provide current information on police procedures, policies and training, but reflected their views on police criminality generally. The latter, together with literature information provided the necessary background against which to interpret the offender interviews. In sum: the information gathered from these interviews enhanced the quality of the study content and particularly the validity of the study.

Three **international specialists** were also interviewed for the study. The interviews took place in London, Sydney and via a Digital Video Conference (between Pretoria, Cape Town and New York). The interview in London was conducted with an ex-assistant commissioner

of London's Metropolitan Police, who is currently the director of investigations at the Independent Police Complaints Commission. In Sydney the researcher conducted a pilot interview with the commander of the New South Wales Police Employee Management Branch and in Cape Town the researcher was an active participant in a Digital Video Conference held with the Chief of the New York Police Department's Internal Affairs Bureau and the commanding officer of the Internal Affairs Bureau's Corruption Prevention Division. The international specialist interviews were important from the point of view of correlating the international component of the literature study with the national components of the empirical study.

The international specialists also shared valuable information pertaining to management issues that were included in the researcher's interventionist model. One interviewee, who was eventually put in charge of the London Metropolitan Police's anti-corruption strategy, mentioned how initially his senior colleagues were very hesitant to expose the extent of corruption in certain pockets of the policing organisation. This was overcome and the Met faced a corruption scandal. More positives came out of exposing and dealing with the problem than would have been the case if management denied it. The Met immediately implemented comprehensive anti-corruption **strategies**, which have helped considerably in reducing police criminality.

The themes used to garner information from all the specialists include the broad themes mentioned in the literature study and secondary themes including the *perceived extent of police criminality in all the police organisations represented in this study, police recruitment and training, the police organisation's policies and procedures (disciplinary, grievance and promotions), investigative bodies, independent oversight and the complaints systems.*

The **offender interviews** were conducted with eight offenders incarcerated in four prisons in the Western Cape. The offenders were all males and were serving sentences for crimes that include theft, fraud, corruption, robbery, illegal possession of abalone and murder. Most of the subjects had lengthy careers in the South African Police Service at the time of their arrests. At least half of them were career criminals as well as policemen, having got involved in criminality early in their policing careers. The researcher feels that the information pertaining to police criminality obtained from these subjects was invaluable and pivotal to this study in respect of their openness and honesty in providing quality first hand information on police criminality. The employing of a qualitative orientation enabled the researcher to gather valuable first hand information on the subject.

There were many pertinent correlates between aspects raised by the specialists and by the offenders. For example, the specialists would illustrate how police members carried out certain crimes and what types of crimes they would get involved in. Some offenders reiterated these illustrations, with some of the offenders being involved in the crimes themselves. The latter include drug and gang related crimes in which some offenders were very active. In the gang-soaked areas, there was a symbiotic relationship between the gangs and the corrupt members who police these areas, the gangs were protected and these members had a constant supply of cash and goods. Offenders reiterated the most common form of corruption committed by members in these areas, "tipping-off" gangs about imminent raids, explaining exactly how they did this. Offenders also backed up the illustration of common types of theft committed by members, as explained by the specialists. These include theft from crime scenes such as burglaries.

Other correlations between the specialist and offender interviews include the poor quality of supervision on shifts where supervisors were either in denial or in cahoots, the lack of caring management, the lack of discipline in the police service at present, greed and the unhappiness pertaining to promotions because of political decisions.

The interview guide used to collect as much information on police crime from offenders had a different format to the interview guide used for the specialists. This guide was divided into *three pertinent parts: biographical details, questions reflecting the literature and empirical themes (extent, types of crime, susceptible ranks, units and shifts, contributory factors, policies and procedures and interventions). The third part dealt with the offenders personal circumstances, illustrating their individual crimes and highlighting clear circumstances that led to some offender's descent into criminality.*

- **Methodology**

In order to meet the primary objective of this study, which is studying police criminality and explaining it from a criminological point of view, the topic was addressed from a scientific perspective. The latter included the application of theoretical explanations and the use of relevant research methodology. The use of a **qualitative methodology** was applicable to answering the **what, how** and **why** of police criminality, without the qualitative input of the offenders this study would not have been possible. *Therefore the correct methodology was used to collect the maximum amount of information to answer the research question.*

The primary instrument of data collection was the individual interview. Although interviews can be used in both qualitative and quantitative research, less structured interviews are better suited to qualitative research because of their flexibility. With qualitative interviews the researcher was able to ask broader, probing questions in a less formal environment in order to gain the maximum relevant information on police criminality. This would not be permissible if quantitative methodology was used. The latter involves a more statistical and clinical approach, which would have been wholly unsuited to this research topic. The offender interviews specifically, were more humanistic and emotive, which were essential elements for maximum data collection. A questionnaire type of study would also have been totally inappropriate in answering the research question.

The specialist interviews were conducted primarily in the Western Cape and the offender interviews took place exclusively in this province. Permission to conduct this study was obtained by the researcher from the Minister of Community Safety and the Provincial Police Commissioner in the Western Cape. Because the researcher is resident in the Western Cape (**see Attachment B**) it was feasible to conduct the research on an exploratory level, primarily in this province. The ideal option would have been to conduct a study on national level in order to gain a holistic view of police criminality in the South African Police Service and to implement a corrective policy accordingly.

- **Theoretical explanation**

The theoretical explanation is another element of the scientific approach applied to this study. In the previous chapter, pertinent empirical findings were interpreted (within an individual – micro and organisational-macro context) and their literature correlates were highlighted. Themes from this body of information were then used for the application of relevant theories to explain police criminality.

The theories used to explain police criminality consisted of two *strain* theories: General Strain Theory and Institutional Anomie, which were used to explain macro (organisational) elements, and the General Theory of Crime, which is derivation of a social control theory, was applied to the explanation of micro (individual) elements that contribute to police criminality.

It is important to briefly highlight why these particular theories were used to explain macro and micro contributors to police criminality. According to Curran and Renzetti (2001: 132)

Agnew's new version of **strain theory** has been pivotal in the revival of strain theory in criminology, largely because it is an interdisciplinary approach using literature from *sociology*, *psychology* and *equity/justice*. Agnew's version of strain theory includes ideas from other popular criminological perspectives such as *social learning theories* and *control theories*. The shortcomings of earlier strain theories include their limited contribution on what constitutes strain. Agnew also broadens on the relationship between strain and criminality and mentions various factors that influence an individual's choice to become deviant.

The essence of **general strain theory** as applied to police criminality is that when *individuals experience strain or stress in their lives, they may commit crime*. There are many negative elements within the policing environment that together with innate human weaknesses, result in criminality. *These include the lack of promotion, lack of discipline, the chasm between the salaries of the higher ranks and the salaries paid to the lower ranks as well as the stressful nature of policing and the high levels of aggression and anger amongst certain members*. White and Haines (2000: 60) add that *the main focus of analysis in strain theory is on strains related to **structural (organisational) opportunities** and **cultural processes***. Crime is often the result of the lack of means or opportunities to achieve the same goals as other individuals in society.

Institutional anomie theory focuses on material gain, success and the accumulation of wealth. With respect to the police, *elements of greed and wealth accumulation are very evident in corrupt officers. These corrupt police members will take advantage of institutional weaknesses to create opportunities to commit crimes*. A police organisation should instil positive qualities into its members, such as ethics and integrity and it should have effective management and corruption controls in order to be a good quality organisation. Strain theories propose that crime is related to and moulded by wider *social processes and structures*. *Crime is therefore due to social processes that reflect social strain within society* (White & Haines 2000: 59).

The **general theory of crime**, used to explain crime on a micro (individual) level, pertains to *weaknesses within the individual*, these individual shortcomings include the *lack of self-control, impulsiveness, propensity to deviance, analogous deviant behaviour and the pursuit of instant gratification*. These factors are compounded by **motivation** and **opportunities** to commit crime and a *lack of detection and punishment*. The crimes corrupt members commit are done by choice making them *rational acts*. Again, all these elements come to fruition when an opportunity arises to commit wrongdoing. The general theory of crime was an

effective instrument to use when explaining individual characteristics that contribute to crime causation, because it contains elements predominantly of *self-control* as well as elements of *social control*, *rational choice* and *psychological theories*. These elements were all pertinent in explaining police criminality.

- **Criminological response**

Because the concept of police criminality was studied within a criminological paradigm, the researcher as a criminologist should be continually aware of the presence and perpetuation of police criminality henceforth. Criminology is the scientific study of crime and criminality/criminal behaviour and this is highlighted in this study by the variety of crimes committed by police members. These crimes include **violent crimes** such as murder, assault and police brutality, **public order crimes**, including drug-related crimes, substance abuse and sex-related crimes. **Enterprise crimes** committed by police members include fraud and informer fraud and **property crimes** relate to theft, vehicle-related crime and abalone poaching. Corrupt officers **abuse the criminal justice system** in the following ways, through compromising classified information, noble-cause corruption and by sabotaging prosecutions. Other crimes that members get involved in include **complicity with syndicates and gangs**. The latter being an insidious and ongoing practice of many corrupt members of the South African Police Service who work in police station's in the gang-soaked areas of the Western Cape.

Police crime is definitely a major concern for the criminologist because members of the SAPS are supposed to serve the community, but too often the same community is used as a criminal outlet for dishonest police members who steal from them and who refuse to carry out their policing functions diligently in order to assist them. It is essential for members of any policing organisation to balance the altruistic, community service side of their job function with the law enforcement and associated potential for enduring and inflicting physical harm, with no room in the equation for police criminality.

11.3 RECOMMENDATIONS

The interventions mentioned below compliment and overlap the extensive illustration of essential interventions into police criminality highlighted in chapter five of this study. This interventionist model is primarily for the benefit of the South African Police Service and

should be regarded as a criminological input to address the phenomenon/problem of police criminality.

INTERVENTIONIST MODEL

Before suggesting an array of interventions into police criminality and based on the empirical findings of this study, it would be prudent to suggest that **an independent, non-political, non-partisan Commission of Enquiry needs to be established as a matter of urgency to ascertain the prevalence and the extent to which police criminality has permeated the South African Police Service. To attempt to deny its existence or to consistently blame it on a few “bad apples” is foolhardy. It is obvious from consistent media reports as well as from figures in the SAPS annual reports that this policing organisation has a significant problem with police wrongdoing.**

It is also a cause for concern in a country such as South Africa with an unacceptably high crime-rate that the police organisation enables **opportunities** for its corrupt members to engage in wrongdoing due to the **lack of any meaningful anti-corruption controls/strategy. There is no leadership on this issue besides the odd sound bight: “corruption will not be tolerated.” Organisational weaknesses extensively highlighted during the study exacerbate the problem and these need to be rectified as a priority.**

The South African Police Service must clean itself up first and this will, in turn, impact positively on reducing the crime rate in the country. There has been too much anecdotal evidence of victims of crimes literally handing suspects over to the police and being turned away, with no action taken against the perpetrator, leaving him/her free to continue their criminality, adding to the high crime statistics that reflect badly on the SAPS. This behaviour is completely unacceptable, and the reasons for this need to be thoroughly investigated.

It is totally idealistic to believe that police corruption and criminality can ever be completely eradicated, but it has to identified and managed.

11.3.1 FIGHTING DISHONESTY

Although dishonesty is largely the result of socialisation or an innate characteristic of an individual, it can be kept in check by implementing certain control measures pertaining to the police organisation.

Early Warning Systems should be utilised. Action must be taken immediately against members whose behaviour is obviously problematic. If a member is on the wrong track, his manager should start instituting corrective measure before this behaviour manifests in criminality. *In the case of one offender interviewed, he had a number of charges against him but he was allowed to continue his undetected criminal activities throughout his career. This member's problematic behaviour in terms of the charges against him should have at least caught the attention of his managers.* **Managers should be trained to do behavioural profiling.** This includes monitoring complaints against police members, picking up signs of personal problems and being aware of any negative policing practices by the member such as gratuitous assault.

Lifestyle Surveillance would also not have gone amiss in the police station where at least two offenders worked. These individuals went to work everyday in vehicles which were much more expensive than those of their managers. This is a fairly obvious sign to enquire where junior rank members get the money to afford vehicles such as these. If there is suspicion that members are clearly living beyond their means, *bank accounts must be scrutinised, outside observations must be done (to notice expensive clothes, jewellery etcetera) and commanders should visit their homes to subtly ascertain their material standard of living.*

INTEGRITY TESTING has been proven to be a highly effective tool in measuring and dealing with dishonest police members. This measure is used extensively by police organisations in more established democracies, such as the United Kingdom, the New York Police Department and the New South Wales Police in Australia. All these policing agencies have **specialised units** who carry out these tests throughout the year.

There are two types of integrity tests and both of them are important. **Targeted integrity tests** (which are a **proactive** measure) are intelligence-driven tests where information has been received (from the public, colleagues or even informers) that a particular officer is corrupt. A targeted test is carried out which includes surveillance techniques, both audio and visual. If the officer is caught committing a crime, he is arrested and convicted. With **random**

integrity tests (which are a **reactive** measure), there is no specific intelligence against a member, but members are randomly subjected to integrity tests throughout the year. Scenarios are set-up (such as hiding drugs in a rubbish bin), and the officers that are called to the scene are videotaped handling the situation. If they pass the test, they are not told that they were tested. If they fail, the evidence is used against them. This is an invaluable way of testing any officer's integrity and honesty and how they handle temptation. It is important that these tests are carried out with oversight in order to avoid entrapment.

*These tests must apply equally to the **corruptor** and the **corrupted**, because as an interviewee mentioned, if a criminal observes one officer being arrested for corruption, he will go out and corrupt another. In the NYPD integrity tests are also done on supervisors to ensure that they are managing correctly.*

11.3.2 ORGANISATIONAL INTERVENTIONS

11.3.2.1 Recruitment and Training

Bearing in mind that poor recruitment policies and implementation are the start of dishonesty problems in a police organisation, it is essential that these policies are the best they can be. Police organisations must **avoid “letting the worm into the apple.” Only the best recruits should become police members.**

All new recruits must be thoroughly vetted before they enter the Service. This includes conducting background checks on them, checking for criminal records, financial records, interviewing friends, neighbours and family members and requesting testimonials from their last school attended. Security clearances should also be done on recruits, not just on members entering specialist units. Stringent psychometric tests should be done and police managers should not be allowed to override a decision taken by police psychologists to disallow entry if a member fails, particularly not on political grounds such as Affirmative Action. Every time a member is promoted they should be vetted again. An extremely vulnerable area for wrongdoing that emerged in the empirical study were the SAP13 evidence stores. Members should be vetted before they commence work in these facilities.

Recruits with a **tertiary education** should be prioritised for selection. New recruits who do not have any tertiary education should be sponsored by the organisation to be able to study further immediately. The money spent on the latter can be reclaimed by the organisation from

its Sector Education and Training Authority. The police need visionaries in this regard.

It also became evident in the study that some individual's were against aspects such as **compulsory random drug-testing**, lifestyle surveillance techniques and integrity tests for fear of infringing someone's constitutional rights. *These integrity measures must be implemented and this must be stipulated in a new recruits contract of employment.* These preventative measures are in the public and the employer's best interest. **Polygraph testing** does happen in the SAPS, but members can refuse to undergo these tests, rendering the entire exercise pointless.

Training

*Regarding the training of new recruits, the concept of **ethics and integrity** has to be included in the basic training curriculum as a matter of urgency. They also need to be inculcated into police members throughout their careers, particularly when members are promoted, to ascertain whether they can cope with increased responsibilities and to see how they handle ethical dilemmas. Ethics training should be conducted by experts on police ethics.*

*As in the NYPD, SAPS recruits should also receive training on ethical decision-making, ethical dilemmas, integrity, discipline, law and receiving gifts. Role-playing should be done around these issues, especially how to avoid real corruption problems emanating from elements of police culture such as the code of silence and the "us versus them" mentality towards the public. **Recruits in the NYPD are shown videos of old integrity tests where officers had failed and they are left in no doubt that problematic behaviour will be uncovered and punished. They are told in no uncertain terms what is expected of them as police officers. The SAPS should seriously consider using ex-members who have been convicted of crimes to talk to new recruits and to point out the severe consequences of their behaviour.*** This would not be a problem as there are police offenders out there who are willing to participate.

Ethics counselling should be available to members who wish to avoid the negative "police culture" traps or need advice on other ethical dilemmas. Management should send out a message that it is brave to report corruption (obviously with suitable reporting mechanisms in place). *Ethics and integrity can be encouraged within the organisation through education by means of booklets, role-playing, posters and guest speakers (such as experts on police ethics).* The SAPS should consider opening a **Professional Standards Unit** or a **Police**

Professions Council that will oversee all integrity and ethics issues, policing improvements and the professionalisation of the Service.

Professionalism

It is also evident from this study that the Service is severely lacking professionalism. This was attributed primarily to the removal of **paramilitary training and the subsequent collapse of discipline**. *It is therefore necessary to include this type of training in the basic training curriculum again.* Negative aspects such as disdain for the public, insubordination and familiarity are unacceptable in an organisation such as policing. Professionalism will have to be reintroduced by insisting on the implementation of small things, such as being fined for eating or drinking in front of the public and members should be disciplined for insubordination and for refusing to do their duties. Even petty indiscretions should not be tolerated. *Members should be reminded that being a police official is a noble and honourable career and there is no place in the police for dishonest or unprofessional individuals.*

Policing is highly specialised, that is why it is so important to select the correct people to carry out this function. Police members must be so well trained that they feel confident and knowledgeable when doing their work. They must know their powers and how to use them correctly, such as knowing when to arrest someone and when they can discharge a firearm etcetera. Professionalism is also encouraged by linking a career in the police to an applicable academic qualification, and nobody should be allowed to become an officer without tertiary qualifications. The latter is being overridden in the SAPS at the moment for political reasons.

11.3.2.2 Managerial Interventions

This study clearly highlighted many **police managerial shortcomings** that need to be rectified expeditiously in order to limit police corruption and criminality. *Police management should not consider the exposure of corruption and criminality in its ranks as a scandal but as an opportunity for rectifying the situation, which will ultimately put them in a better light (if they fear for the **reputation** of the SAPS).* The reality is that many South Africans perceive the police to be corrupt. These perceptions are enhanced by the regular corruption and criminal incidents by police highlighted in the print media and on television. *Public perceptions and the lack of action by police managers, is unfair on the many good police members doing an extremely difficult job already. **There needs to be clarity for all on the pervasiveness of this phenomenon.***

Another concern highlighted in the study was the fact that so many police members get drawn into corruption within the first few weeks of their careers. This is certainly not a new phenomenon, especially in police stations in high crime and gang areas. *What quality management is in these stations that tolerate this behaviour? **These stations must have adequately trained and experienced managers who will not tolerate this kind of corruption.** If the management were competent and serious about fighting corruption they would identify these problem officers immediately and get rid of them.* These corrupt members continue their parallel careers until they are no longer protected (for whatever reason – in one offender’s case he instituted a grievance against his commander and he was arrested on firearm licences-related charges, more than a decade after his parallel career began). There is clearly a need for the correct type of **mentor** for these new recruits, somehow the “old” corrupt cabal of police members at a particular station tend to get in first and rapidly socialise willing recruits into police criminality. Why are these “old” corrupt members still at their posts? *This is a management problem and it is going take a lot of dedication and will from senior leaders to start to address this problem because it is so deeply entrenched. The researcher does not wish to downplay the difficulties experienced by these members who police gang-soaked and high crime areas, and the difficulties experienced by good members who wish to remain that way. **The temptations for making easy money in these neighbourhoods are overwhelming, but unfortunately, so are the opportunities. With the correct quality management/supervision and effective corruption controls, this problem can certainly be diminished.***

Good, quality supervision is essential because it can change the culture of the police organisation and it ensures that corruption controls are enforced by managers. Commanders must be held accountable for their staff’s corrupt behaviour.

Managers must be adequately trained and experienced (or at least knowledgeable) in order to identify deviance amongst their staff. There must be senior officers working on night shifts especially in “problem” police stations. These supervisors must diligently check member’s pocket books and follow up on all complaints, in order to ascertain whether patrols are in fact policing related, or if they are used as a guise for collecting illicit goods/money. These officers should visit crime scenes as well. Station commanders should be rotated to avoid familiarity and favouritism. Once an officer has been promoted, he/she should also leave the station as it is difficult for these individuals to suddenly become their friends’ manager.

It would appear that in the SAPS today, members are being promoted above their levels of skills, experience and competency. This situation obviously fuels wrongdoing amongst members who are so inclined because their managers are not qualified or trained to manage.

The SAPS needs strong, positive leaders. Examples must be set from the top. It is important that the police commissioner addresses new recruits and existing members on the importance of integrity and the Service's commitment to fighting police wrongdoing. There must be **constant emphasis on ethics, pride and professionalism.** South African Police members particularly need to be reminded that there are many positives in policing, these need to be highlighted and celebrated. **Successful crime and corruption prevention in any police organisation starts at the top, with strong leadership. Quality leaders do make a difference.**

Another shortcoming that was evident in this study was **detached management.** Interviewees mentioned that police members tended to talk to everyone else about their problems but their managers. It is fair to assume that this is because managers are not interested in listening to their staff. **SAPS managers need to adopt an open-door policy and better communication between management and staff should be a priority. There needs to be a support culture of the rank and file by managers. This will also make it easier for junior members to bypass their immediate supervisors in order to report corruption in their policing environment. The chasm that exists between managers and their staff must be closed. Police managers must realise that their members are their greatest asset and like any successful company, treat the staff well and experience the rewards. Unhappy staff are unproductive and de-motivated, no organisation can afford to have this type of workforce.**

It would also appear as if there is not enough attention paid to the **psychological well being of police members.** Traditionally police culture has dictated that police members who seek psychological assistance for any problems were considered to be weak. This appears to be changing, but the social Employee Assistance Programme needs to be better resourced and supported by management. The relatively high incidence of police members involved in family shootings and suicides indicate serious weaknesses in the police's social programme. *The **debriefing** of members must be made compulsory after any shooting incident and any other traumatic incident experienced by them. Untreated psychological issues can manifest in criminal behaviour.*

It was also mentioned in the study that commanders are loathe to attend ad hoc presentations by the Employee Management Programme, sending junior staff along who are not the ones that need to manage the **social and psychological aspects of policing**. This behaviour must change and commanders must be compelled to attend these programmes because if they do not, how are they able to recognise psychological problems experienced by their members? *It has been proven that good psychological care equates to good performance by police members.*

11.3.2.3 Policies and Procedures

Grievance

The existing grievance procedure in the SAPS needs to be simplified and expedited. The entire process is too lengthy and bureaucratic. It should also be made clear to members who have instituted the grievance that they are responsible for follow-ups and for driving the process.

Discipline

*Police organisations need to move away from disciplinary systems that are too **legalistic**. These systems are cumbersome, lengthy and expensive. Poorly trained police presiding officers are not equal to some of the lawyers hired by members to defend them at these hearings. A distinction should be made between possible dismissible offences and those that only require counselling. The execution of any disciplinary matter must be **expeditious** and implementation must be **fair**.*

Discipline should be viewed as a corrective measure and not as punishment, particularly if a member has made an honest mistake. The SAPS should have a *dedicated discipline management unit with its own investigators because not everyone can do this type of work*. Some people cannot handle confrontation, nor do they like to discipline individuals they consider to be their friends. *A separate unit that deals exclusively with disciplinary issues will assist with the expeditious and fairness aspects of this unpleasant task.*

If there are serious allegations against a member, they should be **suspended**. A worrying aspect of suspension was raised during the study and this was when members are

suspended without pay and their cases drag on for longer than the 60 day period stipulated in the policy, they were often assisted financially by criminals. This is extremely risky because if the member is reinstated, his/her loyalties will not be with the police service. They will be with those that helped him to pay his bills. **If a member's case is not finalised in the prescribed 60-day period, his/her salary should be reinstated.**

Promotions

*A pertinent feature of this study was the deep sense of unhappiness among certain members of the South African Police Service about promotions at the moment. The actual promotions policy is considered to be a **good policy**, but its implementation is problematic. Many interviewees admitted that being promoted was **not a case of the "best person for the job,"** but that element's such as Affirmative Action and equity take precedence. These racial and political aspects also take precedence over qualifications. Although, given South Africa's history, nobody can deny the need for equity, its implementation has been perceived to be going on for too long at a great expense to professionalism and police morale. A lot of expertise has been lost due to the vigorous implementation of these race-based policies. Management needs to prioritise and bring back **merit and qualifications** as the primary promotional determinants.*

Perhaps it is time for the SAPS to take cognisance of the recruiting and promotions policy of the London Metropolitan Police, which states that: "we will hire (and promote) you despite your race, gender, disability or creed. We will hire you purely on your ability to do the job." Everybody is given an equal opportunity to progress.

Also, because there are fewer ranks for members to be promoted into and limitations on promotions, **good members should be promoted financially within their ranks.** This is essential to maintain morale and good performance. Although senior managers have suggested they cannot work outside the promotions policy – change the policy. Managers need to think "outside the box" in this regard. This also needs to be applied specifically to lower ranks, for example, in the case of police members who are good "street cops." **These member's unique skills are lost when they move up the ranks in search of better remuneration and benefits. This must change.**

All middle and senior managers' promotional determinants should include being tested for their handling of corruption problems in their unit.

Another problem with regards to promotions experienced by the SAPS at the moment is the unacceptability of individuals who have been promoted to commissioned officers (such as captains) without attending an officer's course. If the individual does eventually attend this course and it transpires that he/she is not officer material, it is too late, the decision cannot be rescinded. The same principle applies to individuals who have been made detectives without job-specific training.

11.3.2.4 Complaints/Investigations and Oversight

Complaints

Control and accountability needs to be enhanced by strengthening the receiving and processing of complaints against police members. There must be good complaint mechanisms in place that are well resourced and managed by specially trained police members. The community should be encouraged to report corrupt officers and to follow up these complaints.

Managers need to be **proactive** when receiving complaints about errant members, and not wait until the situation becomes serious before admonishing the member. Complaints should be handled fairly, with managers listening to both sides and not immediately assuming the member's culpability, in order to avoid the occurrence of unfair and unsubstantiated complaints against the police. The management of complaints also needs to be handled by a specialist unit, such as the **Professional Standards Unit** mentioned earlier, because there is reactive and proactive work involved.

Whistle blowing must be seen as being acceptable and it should be encouraged. Whistle blowers must be protected. At the moment it appears as if there is no cohesive system in place in the SAPS if members wish to report corrupt colleagues. It is not good enough that junior staff must report corruption to their immediate supervisor, particularly if the supervisor is corrupt! There is nowhere else for the member to turn and this perpetuates police wrongdoing. There should also be a **dedicated 24-hour telephone line that a member can call anonymously to report corrupt colleagues. Police members should be rewarded for reporting corruption and punished for ignoring it.**

Investigations

The SAPS's response to corruption allegations are purely **reactive**, investigations are only initiated when concrete evidence is produced. This is an extremely limited practice, which allows many corrupt activities and members to go undetected. In order for police corruption and criminality to be effectively dealt with, a police agency must have **proactive** mechanisms in place, such as integrity tests. These and other mechanisms, including investigations, must be dealt with by a **highly specialised, independent, well-resourced anti-corruption unit**. Members who work in this unit should be hand picked and vetted thoroughly. Contrary to best international practice, the SAPS do not have a unit of this nature. Most interviewees believed that this was a priority in the SAPS if corruption was to be dealt with meaningfully.

SAPS management take the view that "corruption is everybody's problem." It is everybody's problem in terms of being aware of its existence and reporting it, but not everybody can investigate a colleague. *Investigating police requires special skills by individual members in an independent unit who are conscious of how police can hide evidence and that police know how the system works. The element of surprise is essential.* SAPS should learn from an organisation like the NYPD's Internal Affairs Bureau, which is a highly effective corruption-fighting unit.

Oversight

Some interviewees mentioned that they could not get any answers when enquiring about the function of the **Secretariat of Safety and Security**. This needs to be clarified and if there is no definite function beyond acting in an advisory capacity to the relevant minister, perhaps this body should be skilled to act in a police oversight capacity.

The **Independent Complaints Directorate** is an effective police oversight and investigative body but it is not independent, they are answerable to the Minister for Safety and Security. There must be **totally independent oversight of police organisations to avoid any political interference. Internal oversight is also essential and this can be achieved by establishing an anti-corruption unit.**

11.3.2.5 General Interventions

Police **salaries** appear to be an international debate within all police organisations that perceive the lower ranks of the organisation to be poorly paid. Interviewees in this study were fairly divided on the issue of whether members are paid adequately or not. The researcher believes that the lower ranks' salaries should be increased especially if police want to project the image of a professional, highly specialised career. *Poor wages are an anathema to this ideal because professionals are not attracted to policing at this level as a result of the low wages.*

Lower ranking members should also be the ones who are **entitled to some perks**, such as cellular phones and the use of official vehicles, as the officers in the forefront of policing, they need these more than desk-bound senior managers.

It is unheard of in established democracies that the police commissioner is a **politician**, and that many senior positions in the police are held by politicians. *This is unacceptable because of the danger of political appeasement.* Lateral entry into the police is encouraged, particularly by individuals from various professions, but not politicians.

Detective commanders and other managers have to attend **too many meetings and submit too many reports** on a monthly basis. Why are all these meetings necessary, are they contributing to effective policing? Surely it would make sense to limit meetings and reports to absolute necessity and allow detectives to assist their staff with their policing function.

The South African Police Service should not be afraid to **learn from other police organisations**. They have already adapted many good operational aspects from international colleagues, *but they now need to adopt the positive aspects of police corruption and crime fighting done by these agencies.*

Police management must rethink or terminate the invidious practice of rewarding **incentives** to select members. This has caused untold resentment and it has negatively affected morale.

A police interviewee suggested that five basic things needed to be done to combat crime and corruption amongst police members:

- Investigate
- Prosecute
- Raise awareness
- Educate through communication, and
- Implement a framework of good governance/ethics.

Perhaps the SAPS should heed its own advice by implementing as a matter of urgency its Corruption and Fraud Prevention Strategy.

11.4 FURTHER RESEARCH

Suggested topics for further research pertaining to police criminality are South Africa – specific. As this study was conducted primarily in the Western Cape province of South Africa, it is essential that **similar studies be undertaken in the remaining eight provinces of South Africa, and at national level.** If this is achieved, there will be comparative information available for police management to use to decide on the best anti-corruption policies to formulate and implement. The Western Cape has a significant gang problem and this should be kept in mind when formulating policy.

The concepts of **ethics and integrity** and their contribution to policing need to be researched in a South African policing context. These elements have been researched extensively and put into practice in countries such as the United States of America and the United Kingdom. It is evident that these two elements contribute positively to a more “clean” and professional police organisation and should be applied in the SAPS.

Another concept that requires exploration is the **role of the corruptor in police crime.** This phenomenon needs to be highlighted and understood. Who are the individuals or groups that entice police members into crime with big rewards? Researching this aspect of the police crime equation will help researchers and police managers to avoid the pitfalls associated with the corruptor.

Although this is bordering on the operational side of policing, which is not a feature of this study, it is important to do research on the **nature of the relationship between police**

managers and their subordinates including cultural and psychological elements. As this study has highlighted, negative relationships and managerial shortcomings do contribute significantly to police wrongdoing.

There also needs to be additional research done on the **concept of the police criminal**, the individual and the factors outside of the policing organisation and environment that has led to his/her criminal behaviour. These include innate devious tendencies and childhood and other experiences they may have endured that were never dealt with and perhaps contributed to wrongdoing. In other words, why do only a small percentage of individuals become corrupt and not others working under the same conditions? The whole concept of an individual's **descent into crime** is extremely interesting and will go a long way in helping criminologists and police managers understand exactly why a police member crossed that thin blue line between upholder of the law and lawbreaker.