HIJACKING OF TRUCKS WITH FREIGHT:

A CRIMINOLOGICAL ANALYSIS
CHAPTER 1

INTRODUCTION AND METHODOLOGICAL FOUNDATION

1.1 Introduction

Trucks with valuable freight travel South Africa as well as neighbouring countries on a continuous basis. There is hardly a product imported to, or manufactured in South Africa that is not conveyed by road at one stage or another. Equally, almost every South African citizen at one stage or another relies on the vast road network. The road industry can be considered the lifeline of South Africa’s economy. Hijacking of trucks with freight are a cause of great concern as well as a burden on the South African economy and the transport industry. No country can sustain such a negative impact on its economy, let alone a developing country such as South Africa.

It is therefore important that role-players such as the police and transport industry develop a cooperative approach to the problem facing the industry. Success can only be achieved if all the role-players combine their efforts and cooperate with each other. In order to achieve a cooperative approach it is of the utmost importance that a criminological analysis of the phenomenon (crime, perpetrator, victim, justice system, the development of prevention and the theories explaining the phenomenon) be conducted.

In order to execute the research in a proper way, this chapter will give attention to the methodological detail of the research. A short explanation of the purpose of the investigation, the reason for the investigation, the guiding principles and hypotheses that was utilised in the research, the boundaries or delimitation of the research’s scope, and the methods and techniques utilised during the research,
will follow.

1.2 The goal of the research

Cloete and Stevens (1990:24) are of the opinion that criminology should study the crime phenomenon in its totality, namely the crime, the perpetrator, the victim, prevention measures, theories explaining the behavior of the perpetrator and of the victim, as well as the justice system. To comply with Cloete and Stevens, the aim of the research project was as follows:

The goal of this research project was to describe the nature, occurrence and extent of the hijacking of trucks with freight, the persons involved (this includes the victims and the offenders) and the impact these crimes have on the crime scene in South Africa.

The research also aimed to develop a criminological model for prevention, based on the modus operandi of the offenders.

Based on the theories explaining violent and economic crimes (e.g. anomie, differential association, sub-culture), an attempt was also made to explain the hijacking of trucks with freight. An eclectic stance was applied so as to utilise and apply elements of these theories in the endeavor to explain the phenomenon.

To enhance the goals of the research, the rationale will be highlighted next.
1.3 The rationale for the research

When analysing the statistics of hijacking of trucks with freight, as published by the South African Police Service, nobody can deny that South Africa is experiencing a major problem. Given the impact it could have on the economy, neither the economy nor the industry can sustain this criminal onslaught anymore. Criminological research can assist with the approach to and handling of this phenomenon.

Although research has been conducted in South Africa on the hijacking of passenger vehicles, the criminological research field contains limited information on the hijacking of trucks with freight. In fact, no criminological research on the hijacking of trucks with freight has been done in South Africa. The collecting of knowledge about this type of crime (e.g. the crime, offender, victim, justice system, prevention and theories explaining this tendency) could contribute to the expansion field of the body of researched knowledge of Criminology in South Africa.

This acquired knowledge and information could also be utilised by the South African Police Service (SAPS), departments of Criminology at different universities and the transport industry at large to better understand and address this phenomenon - each from their unique vantage points.

The explanation of the phenomenon will also improve existing and possible new prevention strategies.

Another reason for conducting the research, is the researcher’s personal interest in the crime of hijacking of trucks with freight, as he is responsible for the national management of policing dealing with hijacking of trucks with freight.

1.4 Actuating questions
According to Cilliers (1979:33) the actuating questions are the questions that give rise to research projects. This was also true in the case of this research. The following actuating or contributory questions concerning the hijacking of trucks with freight gave rise to this research:

S Where do most of the hijackings of trucks with freight occur in South Africa?

S During which months, on which days and at which times do these hijackings take place?

S Are hijackings of trucks with freight registered correctly by the SAPS on the Crime Administration System (CAS) of SAPS?

S What is the content of the freight that is hijacked?

S Is the hijacking of trucks with freight being committed by organised groups, syndicates or only by gang members with no connections to organisations or syndicates?

S In what way are the drivers involved in the hijackings?

S Do violence occur during the hijackings?

S What *modus operandi* is used by the hijackers?

S Can the hijacking of trucks with freight be explained by means of existing criminological theories?
S Is it possible to compile profiles for perpetrators and victims of the hijacking of trucks with freight?

S Can a criminological model for the prevention of hijacking of trucks with freight be developed?

Based on the preceding actuating questions, some hypotheses were generated as the guiding principles to direct the research. These included the following:

1.5 Hypotheses

Van der Westhuizen (1977: 45) stated that in the formulation of research hypotheses, the researcher is making an intelligent, informed, calculated guess about the probable outcome of the research. According to Baily (1979: 35), a hypothesis is, therefore, a proposition that is stated in testable form and predicts a particular relationship between two or more variables. All hypotheses are by definition tentative or provisional. They can be either confirmed or rejected by the research. The Ho (Nil hypothesis) states that there is no statistical significant difference between the two variables, while the Ha (alternative hypothesis) suggests the opposite.

Pienaar (1980:158) stated that the sources for the hypotheses are located in daily observations, the experience of the researcher, theory and other research. In the case of this research, the hypotheses were derived from reported cases received by the researcher.

The following hypotheses were formulated for this research:

Hypothesis 1
Ho: Hijacking of trucks with freight is not committed by organised crime
syndicates.

Ha: Hijacking of trucks with freight is committed by organised crime syndicates.

Hypothesis 2
Ho: The use of violence is not becoming more evident during these incidents.
Ha: The use of violence is becoming more evident during these incidents.

Hypothesis 3
Ho: The majority of the truck drivers who are involved as victims are not participating in the crime.
Ha: The majority of the truck drivers who are involved as victims in the crime are also participants in the crime.

Hypothesis 5
Ho: The majority of trucks with freight that are hijacked are smuggled across the border to neighbouring countries.
Ha: The majority of trucks with freight that are hijacked are not taken across the border to neighbouring countries.

Hypothesis 6
Ho: The majority of trucks that are hijacked are recovered after the incident.
Ha: The majority of trucks that are hijacked are not recovered after the incident.

Next, the nature of the research will be briefly explained.

1.6 Nature of research
When the goal or aim of this research project is considered, it is clear that the problem should first be explored, then described and lastly explained according to different theories. According to Marais and Mouton (1990:43) the term exploratory research refers to the study of a field that is relatively unknown. Because so little is known about the hijacking of trucks with freight in South Africa, this can be classified as exploratory research. Secondly, when research is aimed at describing a certain phenomenon, as this research aimed to do, it can also be called descriptive in nature. Lastly, research should also aim to explain the phenomenon, which makes this research also explanatory.

To achieve the aims of the research, the following demarcation was used:

### 1.7 Demarcation of the research field

According to Grobbelaar and Snyman (1986:17) the demarcation of the research field deals mainly with conceptual demarcation, time-frame and geographical demarcation. According to Van der Westhuizen (1982: 40-42) the researcher should, during the criminological research, ensures clarity on issues such as the crime, the perpetrator, the victim, prevention and the justice system. Therefore, all these aspects are included in this research’s demarcation.

#### 1.7.1 Time-frame and geographical demarcation

With regard to time-frame demarcation, Van der Westhuizen (1982:40-42) stated that the research project should be demarcated with regard to the time span and place. To adhere to this requirement, this research project was limited to all reported incidents of hijacking of trucks with freight, that is 339 in total, between 1st

Regarding the geographical delimitation this research project was limited to all reported incidents of hijacking of trucks with freight that was reported in the provinces of Gauteng, KwaZulu-Natal, Mpumalanga, Free state, North West and Limpopo. The police dockets were used to capture the data. Thus regarding these six of the nine provinces of the Republic of South Africa, the universum or population was used. This was done for convenience sake, because of the distances to the other three provinces.

1.7.2 Conceptual demarcation

According to Stevens (1986:56) the purpose of defining concepts is to introduce new or unknown concepts and to clarify definitions of old concepts to which specific meanings are attached. Whenever a concept is introduced or clarified in this study, the reader should ascribe that exact meaning (operational definition) to the concept when it recurs in the text. It should also be pointed out that in the discussion of various concepts, the definitions of only one set of authors were used. The reason for this is that the specific authors could be described as the most comprehensive. For clarity’s sake and for the purposes of this research the following concepts will be defined and the meanings indicated are the ones adhered to for the purposes of this research:

**Robbery**

According to Hunt (1982:680) robbery can be defined as “....the theft of property by intentionally using violence or threats of violence to induce submission to taking of property from another”. Because this is a comprehensive definition, it will be used in this research.
Vehicle

Slabbert 1998:2 defines a motor vehicle “.... any vehicle designed or adapted for propulsion or haulage on a road by means of any power (not being exclusively human or animal power) without the aid of rails, and includes any trailer of such a vehicle, but does not include a vehicle weighing not more than 230kg which is specially constructed for the use of a person who suffers from a physically defect or disability, and which is designed to carry only one person”. Because this definition is according to the South African law and because this research has been conducted in South Africa, this definition will be used.

Hijacking of trucks with freight

According to Slabbert (1998:1-4) vehicle hijacking of trucks with freight is one of the guises of robbery, and does not constitute a crime different to that of robbery. If a perpetrator therefore hijacks a truck with freight, such a perpetrator would be charged with robbery with aggravating circumstances and not with the hijacking of a truck with freight. Therefore Slabbert (1988:2) and Geldenhuys (2001:39), defined the hijacking of a truck with freight as the “... unlawful and intentional forceful removal and appropriation of a truck exceeding 3500kg, belonging to another...”

Violence

The comprehensive definition of Newman (1979:1), who described violence as “... the exercise of physical force so as to inflict injury on, or cause damage to, persons or property...” will be utilized in this research.

Elements of robbery
According to Snyman (1986: 523-539), the following elements must be present to constitute a robbery, which includes the hijacking of trucks with freight:

- Only a movable material matter can be robbed
- It must be unlawful
- It must be intentional
- Violence or a threat of violence must be present.

The complainants (driver or owners) resistance must be overcome and the property must be obtained by the use of violence against the complainant person. If the driver is first injured by the perpetrator and then dispossessed of his/her vehicle while being physically incapacitated, robbery is likewise committed, provided that the perpetrator already intended to take it at the time of the assault. In the absence of the actual physical violence, a threat to commit violence against the driver or owner of the truck, if he/she does not hand over the truck, is sufficient. Thus the driver (victim) need not be physically incapacitated. The threat of violence may be only expressed or implied. There must also be a causal link between the violence and the taking, thus the truck must be obtained by the perpetrator as a result of violence or threat of violence.

Organised crime

The concept organised crime and related concepts pose a problem to most researchers dealing with organised crime world-wide. The concept organised crime has been used with various meanings. The International Criminal Police Organisation (INTERPOL) (Hills 1997:9), for example, defined organised crime as “... any group of criminals having a corporated structure whose primary objective is to obtain money through illegal activities, often surviving on fear and corruption...”, while Alexander (Hills 1997:9) defined it as an “... activity which
implies any combination or conspiracy to engage in criminal activity as a significant source of income or livelihood, or to violate or aid, abet, facilitate, conceal or dispose of proceeds of the violation of criminal laws relating to prostitution, gambling, counterfeiting, money laundering, narcotics or corruption of law enforcement officials or other public, officials or employees...”

In the South African situation, cognisance was taken of the different definitions of organised crime that are used world-wide to establish a suitable definition of organised crime for South Africa. According to Hills (1997:9) the majority of organised crime structures in South Africa are informal associations that change and are not synonymous with a typical La Costra Nostra or a Cali Syndicate. Organised crime in South Africa did, according to Hills (1997:9), obtain its own dynamics consisting of loose associations rather than the rigid corporated structures. It is thus very important that a definition of organised crime should be applicable to the South African situation. According to Van Wyk (1999), the SAPS found the formulation of a definition of organised crime that would be applicable to the South African situation very problematic. Only after various work sessions the following definition of organised crime was formulated in the middle of 1998 during a Detective Management Forum in Pretoria, namely, “... the systematic commissioning of crime motivated by a craving for profit or power...”

Within the parameters of this definition a criminal group involved in crime, including the hijacking of trucks carrying freight, must meet the following criteria before the crime can be labeled as organised crime:

- The criminal group has to involve the collaboration of more than two people

- It has to be suspected of involvement in serious criminal offences
- It has to have been involved in such serious criminal activity for a prolonged or indefinite period

- It has to be motivated by the pursuit of profit and/or power

- It should simulate and/or employ commercial or business-like structures. By way of division of labour, group members should have their own appointed tasks

S It should employ some form of discipline and control (disciplinary sanctions)

S It should be engaged in money laundering

S It should use violence and/or other means suitable for the purpose of intimidation

S It should attempt to exert influence on political structures, the media, public administration, judicial authorities, or the economy (corruption)

S It should abuse state, provincial, national and international borders.

It should be noted that, before a criminal group can be identified as an organised criminal organisation, at least six of the said criteria need to be fulfilled including the first four on the list (Van Wyk, 1999).

**Victim**

According to Schneider (Van der Hoven 1986:135) a victim can be described as
“... a person, organisation, the moral order or the legal system when endangered, maimed or destroyed by a criminal act...”

When comparing the said definitions with the phenomenon of freight-carrying trucks, it is clear that there are basically three victims of the crime: the driver (direct victim), as well as the owner of the truck and the company that owns the freight (indirect victims).

**Crime prevention**

According to Block (1981:5) crime prevention could be described as any organised activity aimed at preventing or limiting criminal behaviour to a minimum, while Naude et al. (1986:182) define the term as the “... protection of a possible crime target, the minimizing of the crime vulnerability and the setting-up of obstacles in the quest to minimize the opportunity to commit crime...”.

In practice, crime prevention includes all measures taken that will prevent the criminal from committing a crime and/or to deter the prospective criminals (Oosthuizen, 1998:6).

**Corruption**

In South Africa the law states that anyone who gives or offers to give any benefit not legally due to any person who has any power or duty by virtue of any employment, with the intention to influence or reward the person to commit or omit to do any act in relation to such power or duty, is guilty of corruption (Sayed & Bruce, 1998:4).

1.8 **The measuring instrument**
In developing the measuring instrument, aspects like the correct registration of the incident, the day and time of the incident, time laps before reporting it, and the place where the hijacking occurred, as well as applicable aspects of the *modus operandi* of the perpetrators were gathered from the dockets. These questions also related to leaving the driver behind, the seriousness of the sustained injuries, the type of freight hijacked, use of prostitutes to stop the drivers, threatening them with and using fire arms, pretending to be traffic officers or hitchhikers. The performance of the SAPS regarding these incidents as well as the sentences meted out, also formed part of the questionnaires. Of course the biographical data of the victims and perpetrators that were recorded on the dockets, including race, gender and numbers involved in the incidents, also formed part of the research schedule.

### 1.9 Data gathering techniques

According to Grobler and Snyman (1989:20) criminological research is dependent on the gathering of data from sources such as historical and field sources. When analysing the different techniques of data gathering, it is clear that historical as well as field sources were used in this research project. Historical sources such as books, newspapers, magazines and personal interviews were utilised to gather data for the research. Field sources in the form of police dockets for the first quarter of 2001, were used to gather information. However, it should be mentioned here that the dockets were completed very poorly and that had a detrimental effect on the empirical data and the statistical manipulation of the data as it is reflected in the statistical tables.

### 1.10 Layout of the research
To achieve the goals of the research in a systematic way, the results of the literature research and the empirical research are presented as follows:

In Chapter 1 the methodological foundation and introduction are presented. Chapter 2 follows with a discussion of the nature and extent of the crime of hijacking trucks with freight. Chapter 3 covers the perpetrator in detail. In Chapter 4 the organised elements of this crime are exposed. Chapter 5 covers the victims. Chapter 6 attends to the prevention and Chapter 7 to the role of the criminal justice system regarding this phenomenon. In Chapter 8 the findings and conclusions are listed and discussed briefly.

1.11 Summary

In this chapter the methodology that was used during the research of the phenomenon of hijacking of trucks with freight was given, namely the purpose and rationale of the investigation, actuating/contributory questions asked, hypotheses, the nature of the research, the demarcation of the research field, methods, procedures and data gathering techniques that were utilised in the research.

Chapter 2 proceeds to study the nature and extent of the phenomenon.
CHAPTER 2

THE NATURE AND EXTENT OF HIJACKING OF TRUCKS WITH FREIGHT

2.1 Introduction

According to Cloete and Stevens (1990: 21-23), the study field of Criminology deals with crime in its totality and consists of the crime, the perpetrator, the victim, the justice system and crime prevention. Therefore, in the criminological analysis of the hijacking of trucks with freight, it is thus important that attention be given to these areas, namely the crime, the perpetrator, the victim, the justice system and crime prevention.

To enhance and support this approach, the focus in this chapter will be on the crimes with special reference to the historical background, the extent of hijacking of
trucks with freight in South Africa, the type of freight hijacked, under-reporting of
tuck hijacking, and an international comparison with South African figures as well
as the impact of this phenomenon.

2.2 Historical background

Historically, one of the first recorded cases of hijacking in South Africa involved
according to Lubbe (1998) the notorious Stander (who was a police official at the
time) bank robbery gang in the early seventies, who hijacked a motor vehicle in an
attempt to escape from the then South African Police.

With regard to the hijacking of trucks with freight, it cannot be determined when the
first hijacking of this nature occurred. This is due to the fact that the SA Police
previously recorded all robberies, which included hijackings of trucks with freight,
under a code robbery with aggravating circumstances. Although no crime statistics
are available it seems that the hijacking of trucks with freight came to the fore at the
latter stage of 1989 (Lubbe:1998). It was also at this time that the murder and
robbery units of the SA Police were requested to investigate these criminal
activities.

2.3 The extent of hijacking of trucks with freight

Although it seems that the hijacking of trucks with freight only started during the
latter part of 1989 (Lubbe:1998), the first-ever statistics in this regard were recorded
in 1991, according to an article in the Fleetwatch magazine (O'Leary 1995:30).

2.3.1 Period 1991 - 1995

According to O'Leary these crimes showed a gradual increase of 67.2 percent from
an initial 500 incidence in 1991 to 836 in 1994. During 1995, however, this
tendency showed a sharp increase to 1692 incidents, representing an increase of
102.4 percent. The above figures pertaining to the hijacking of trucks with freight
between 1991 and December 1995, as well as the regions involved, are depicted in
table 2.1

Table 2.1 Hijacking of trucks with freight 1991-1995

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>Witwatersrand</td>
<td>384</td>
<td>442</td>
<td>410</td>
<td>594</td>
<td>1409</td>
<td>3239</td>
</tr>
<tr>
<td>Natal</td>
<td>18</td>
<td>18</td>
<td>22</td>
<td>50</td>
<td>72</td>
<td>180</td>
</tr>
<tr>
<td>Eastern Cape</td>
<td>4</td>
<td>8</td>
<td>12</td>
<td>3</td>
<td>15</td>
<td>42</td>
</tr>
<tr>
<td>Western Cape</td>
<td>7</td>
<td>1</td>
<td>3</td>
<td>8</td>
<td>8</td>
<td>27</td>
</tr>
<tr>
<td>Northern Cape</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Eastern Transvaal</td>
<td>15</td>
<td>26</td>
<td>61</td>
<td>71</td>
<td>87</td>
<td>260</td>
</tr>
<tr>
<td>Western Transvaal</td>
<td>7</td>
<td>5</td>
<td>4</td>
<td>11</td>
<td>11</td>
<td>38</td>
</tr>
<tr>
<td>Northern Transvaal</td>
<td>25</td>
<td>35</td>
<td>29</td>
<td>31</td>
<td>-</td>
<td>120</td>
</tr>
<tr>
<td>Far Northern Transvaal</td>
<td>7</td>
<td>4</td>
<td>13</td>
<td>6</td>
<td>21</td>
<td>51</td>
</tr>
<tr>
<td>Free State</td>
<td>32</td>
<td>46</td>
<td>45</td>
<td>61</td>
<td>69</td>
<td>253</td>
</tr>
<tr>
<td>Total</td>
<td>500</td>
<td>586</td>
<td>599</td>
<td>836</td>
<td>1692</td>
<td>4213</td>
</tr>
</tbody>
</table>

Table 2.1 identifies the then Witwatersrand, Eastern Transvaal, Free State, Natal
and the Northern Transvaal as the primary problem areas (De Kock 1997).
It should be borne in mind that statisticians, consultants, planners and researchers world-wide all acknowledge that mistakes can occur as far as statistics are concerned. One of the factors that throw doubt upon the validity and reliability of the mentioned statistics for the period 1991 - 1995 is the capturing of the data. No crime code existed for the capturing of the incidence of hijacking of any types of vehicles - never mind those carrying freight - on the SA Police Service data base during the period 1991 - 1995. The then provinces were instructed to report all incidents of hijacking of motor vehicles - which included the hijacking of trucks with freight - to the then Crime Information Analysis and Interpretation Centre (CIAIC) of the SA Police Service, as a daily crime review. According to De Kock (1997:7) the statistics presented in the daily crime review were misleading and a deflated image of the incidence of this crime was registered. It was established that not all of the incidents which should have been reported, were reported - and that the statistics did not include the data of the former homelands.

In view of the unreliability of the statistics obtained by the daily crime review and the seriousness of the tendency, it was decided to amend the crime code list to include crimes such as the hijacking of trucks with freight. The amendment was made and since 1996 data on this tendency has been captured, resulting in the true picture emerging only since that date.

2.3.2 Period 1996 - 2001

The statistics pertaining to the hijacking of trucks with freight between 1996 and 2001, as well as the provinces that were affected, are depicted in table 2.2 below.

Table 2.2 Hijacking of trucks with freight 1996 - 2001

<table>
<thead>
<tr>
<th></th>
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<th></th>
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<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Eastern Cape</td>
<td>189</td>
<td>180</td>
<td>163</td>
<td>200</td>
<td>196</td>
<td>156</td>
</tr>
<tr>
<td>---------------------------</td>
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<td>------</td>
<td>------</td>
<td>------</td>
<td>------</td>
<td>------</td>
</tr>
<tr>
<td>Free State</td>
<td>121</td>
<td>100</td>
<td>124</td>
<td>106</td>
<td>132</td>
<td>115</td>
</tr>
<tr>
<td>Gauteng</td>
<td>2287</td>
<td>2699</td>
<td>3678</td>
<td>3421</td>
<td>2789</td>
<td>2101</td>
</tr>
<tr>
<td>KwaZulu-Natal</td>
<td>605</td>
<td>884</td>
<td>1168</td>
<td>1178</td>
<td>960</td>
<td>773</td>
</tr>
<tr>
<td>Mpumalanga</td>
<td>282</td>
<td>236</td>
<td>300</td>
<td>302</td>
<td>309</td>
<td>773</td>
</tr>
<tr>
<td>North West Prov</td>
<td>88</td>
<td>88</td>
<td>137</td>
<td>95</td>
<td>84</td>
<td>102</td>
</tr>
<tr>
<td>Northern Cape</td>
<td>6</td>
<td>4</td>
<td>6</td>
<td>6</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Limpopo</td>
<td>64</td>
<td>62</td>
<td>136</td>
<td>92</td>
<td>89</td>
<td>78</td>
</tr>
<tr>
<td>Western Cape</td>
<td>52</td>
<td>43</td>
<td>61</td>
<td>106</td>
<td>205</td>
<td>173</td>
</tr>
<tr>
<td>RSA total</td>
<td>3694</td>
<td>4296</td>
<td>5773</td>
<td>5506</td>
<td>4769</td>
<td>4276</td>
</tr>
</tbody>
</table>

**Provincial focus**

When analysing the SA Police Service statistics for the period 1996 to 2001 as provided by Boettcher (2002) it is clear that truck hijacking increased sharply (56.2%) from 3694 incidents reported in 1996 to 5773 cases reported in 1998. For the period 1998 to 2001, however, truck hijacking shows a sharp decrease (34%) from the 5773 cases reported in 1998 to 3792 cases reported in 2001.

**Area and station focus**

**Area: Gauteng**

The areas in Gauteng with the highest incidence of hijacking of trucks with freight and which could be considered as problem areas, are: (i) North Rand, (ii) East Rand, (iii) Johannesburg, (iv) Soweto, (v) Pretoria and (vi) Vaalrand.

During the period 2001, (i) 510 cases or 24.3 percent of all cases reported in Gauteng took place in the North Rand; (ii) 447 cases or 21.3 percent in the East Rand; (iii) 370 cases or 17.6 percent in Johannesburg, (iv) 256 cases or 12.2 percent in Soweto, (v) 195 cases or 9.3 percent in Pretoria and (vi) 190 cases or 9 percent in the Vaalrand.
Stations: North Rand area

The stations in the North Rand area which could be considered as hot-spot stations are (i) Edenvale, (ii) Sebenza, (iii) Norkempark, (iv) Etwatwa, (v) Daveyton and (vi) Benoni.

During the period 2001, (i) 69 or 13,5 percent of cases reported in the North Rand area were reported at the Edenvale station, (ii) 60 or 11,8 percent of cases at Sebenza, (iii) 48 or 9,4 percent of cases at Norkempark, (iv) 48 or 9,4 percent of cases at Etwatwa, (v) 47 or 9,2 percent at Daveyton and (vi) 44 or 8,6 percent at Benoni.

Stations: East Rand area

The stations in the East Rand area which could be considered as hot-spots are, (i) Vosloorus, (ii) Alberton, (iii) Brackendowns, (iv) Katlehong, (v) Heidelberg and (vi) Boksburg North.

During the period 2001, (i) 58 or 12,9 percent of cases reported in the East Rand area were reported at the Vosloorus station, (ii) 39 or 8,7 percent of cases at Alberton, (iii) 37 or 8,3 percent of cases at Brackendowns, (iv) 34 or 7,6 percent of cases at Katlehong, (v) 32 or 7,1 percent of cases at Heidelberg and (vi) 30 or 6,7 percent of cases at Boksburg North.

Stations: Johannesburg area

The stations in the Johannesburg area which could be considered as hot-spots are (i) Booysens, (ii) Mondeor, (iii) Cleveland, (iv) Johannesburg Central, (v) Jeppe and (vi) Hillbrow and Randburg.

During the period 2001, (i) 50 or 13,5 percent of cases were reported in the
Johannesburg area at the Booysens station, (ii) 44 or 11.9 percent of cases in Mondeor, (iii) 43 or 11.6 percent in Cleveland, (iv) 28 or 7.6 percent of cases in Johannesburg Central, (v) 24 or 6.5 percent in Jeppe and (vi) 20 or 5.4 percent each at the stations of Hillbrow and Randburg.

**Station: Soweto area**

The stations in the Soweto area which could be considered as hot-spots are (i) Orlando, (ii) Diepkloof, (iii) Moroko, (iv) Naledi, (v) Meadowlands and (vi) Kliptown.

During the period 2001, (i) 49 or 19.1 percent of cases were reported in the Soweto area at the station of Orlando, (ii) 36 or 14.1 percent of cases in Diepkloof, (iii) 34 or 13.3 percent in Moroka, (iv) 29 or 11.3 percent in Naledi, (v) 26 or 10.2 percent in Meadowlands and (vi) 18 or 7 percent in Kliptown.

**Stations: Pretoria area**

The stations in the Pretoria area which could be considered as hotspots are (i) Rietgat, (ii) Mamelodi, (iii) Akasia, (iv) Soshanguve, (v) Pretoria-Central and (vi) Erasmia.

During the period 2001, (i) 23 or 11.8 percent of cases were reported in the Pretoria area at the station of Rietgat, (ii) 20 or 10.2 percent of cases in Mamelodi, (iii) 19 or 9.7 percent in Akasia, (iv) 17 or 8.7 percent in Soshanguve, (v) 14 or 7.1 percent in Pretoria-Central and (vi) 11 or 5.6 percent in Erasmia.

**Stations: Vaalrand area**

The stations in the Vaalrand area which could be considered as hot-spots are (i) Orange Farm, (ii) Kliprivier, (iii) Sebokeng, (iv) De Deur, (v) Vereeniging and (vi)
Evaton.

During the period 2001, (i) 47 or 24,7 percent of cases were reported in the Vaalrand area at the station of Orange Farm, (ii) 26 or 13,6 percent of cases in Kliprivier, (iii) 21 or 11,5 percent in Sebokeng, (iv) 20 or 10,5 percent in De Deur, (v) 17 or 8,9 percent in Vereeniging and (vi) 15 or 7,8 percent in Erasmia.

**Stations: West Rand area**

The stations in the West Rand area which could be considered as hot-spots are (i) Westonaria, (ii) Kagiso, (iii) Florida, (iv) Randfontein, (v) Krugersdorp and (vi) Magaliesburg and Roodepoort.

During the period 2001, (i) 34 or 25,5 percent of cases were reported in the West Rand area at the station of Westonaria, (ii) 26 or 19,5 percent of cases in Kagiso, (iii) 17 or 12,7 percent in Florida, (iv) 14 or 10,5 percent in Randfontein, (v) 10 or 7,5 percent in Krugersdorp and (vi) 8 or 6 percent in Magaliesburg and Roodepoort respectively.

**Areas: KwaZulu-Natal**

The areas in KwaZulu-Natal with the highest incidence of hijackings of trucks with freight and which could be considered as problem areas, are (i) Durban-South, (ii) Durban-North, (iii) Umfolozi, (iv) Midlands, (v) Tugela and (vi) Ulundi.

During the period 2001, (i) 211 cases or 27,2 percent of all cases reported in KwaZulu-Natal took place in Durban-South; (ii) 191 cases or 24,7 percent in Durban-North; (iii) 136 cases or 17,5 percent in Umfolozi, (iv) 106 cases or 13,7 percent in Midlands, (v) 55 cases or 7,1 percent in Tugela and (vi) 50 cases or 6,4 percent in Ulundi.
Stations: Durban-South area

The stations in the Durban-South area which could be considered as hot-spots, are (i) Mariannhill, (ii) Umlazi, (iii) Pinetown, (iv) Chatsworth, (v) Bhekithembe and (vi) Montclair.

During the period 2001, (i) 49 or 23,2 percent of cases reported in the Durban-South area were reported at the station of Mariannhill, (ii) 22 or 10,4 percent of cases in Umlazi, (iii) 19 or 9 percent in Pinetown, (iv) 18 or 8,5 percent in Chatsworth (v) 17 or 8 Bhekithembe and (vi) 11 or 5,2 percent in Montclair.

Stations: Durban-North area

The stations in the Durban-North area which could be considered as hot-spots, are (i) Kwa Mashu, (ii) Durban Central, (iii) Greenwood Park, (iv) Inanda, (v) Phoenix and (vi) Newlands East.

During the period 2001, (i) 46 or 24,8 percent of cases were reported in the Durban-South area at the station of Kwa Mashu, (ii) 25 or 13,8 percent of cases in Durban Central, (iii) 16 or 8,3 percent in Greenwood Park, (iv) 16 or 8,3 percent in Inanda, (v) 16 or 8,3 percent in Phoenix and (vi) 14 or 7,3 percent in Newlands East.

Stations: Umfolozi area

The stations in the Umfolozi area that could be considered as hot-spots are (i) Empangeni, (ii) Richardsbay, (iii) Eshowe, (iv) Kwambonambi, (v) Esikhawini and (vi) Mandini.
During the period 2001, (i) 35 or 25.7 percent of cases were reported in the Umfolozi area at the station of Empangeni, (ii) 18 or 13.2 percent of cases in Richardsbay, (iii) 14 or 10.2 percent in Eshowe, (iv) 12 or 8.8 percent in Kwambonambi, (v) 8 or 5.8 percent in Esikhawini and (vi) 8 or 5.8 percent in Mandini.

**Stations: Midlands area**

The stations in the Midlands area that could be considered as hot-spots, are (i) Plessislaer, (ii) Mpumalanga, (iii) Escourt, (iv) Mountain Rise, (v) Howick and (vi) Alexandra Road.

During the period 2001, (i) 15 or 14.1 percent of cases were reported in the Midlands area at the station of Plessislaer, (ii) 12 or 11.3 percent of cases in Mpumalanga, (iii) 11 or 10.3 percent in Escourt, (iv) 8 or 7.5 percent in Mountain Rise, (v) 6 or 5.6 percent in Howick and (vi) 5 or 4.7 percent in Alexandra Road.

**Areas: Mpumalanga**

The areas in Mpumalanga with the highest incidence of hijackings of trucks with freight and which could be considered as problem areas, are (i) Highveld, (ii) Eastern Highveld and (iii) Lowveld.

During the period 2001, (i) 155 cases or 53.6 percent of all cases reported in Mpumalanga took place in the Highveld area; (ii) 80 cases or 27.6 percent in the Eastern Highveld and (iii) 54 cases or 18.6 percent in the Lowveld.

**Stations: Highveld area**
The stations in the Highveld area that could be considered as hot-spots, are (i) Dennilton, (ii) Vosman, (iii) Kwamhlanga, (iv) Siyabuswa, (v) Middelburg and (vi) Witbank.

During the period 2001, (i) 33 or 21,2 percent of cases were reported in the Highveld area at the station of Dennilton, (ii) 25 or 16,1 percent of cases in Vosman, (iii) 19 or 12,2 percent in Kwamhlanga, (iv) 18 or 11,6 percent in Siyabuswa, (v) 13 or 8,3 percent in Middelburg and (vi) 12 or 7,7 percent in Witbank.

**Stations: Eastern Highveld area**

The stations in the Eastern Highveld area that could be considered as hot-spots are (i) Delmas, (ii) Grootvlei, (iii) Sundra, (iv) Balfour, (v) Bethal and (vi) Emhalenhle.

During the period 2001, (i) 21 or 26,2 percent of cases were reported in the Highveld area at the station of Delmas, (ii) 12 or 15 percent of cases in Grootvlei, (iii) 7 or 8,7 percent in Sundra, (iv) 5 or 6,2 percent in Balfour, (v) 5 or 6,2 percent in Bethal and (vi) 5 or 6,2 percent in Emhalenhle.

**Stations: Lowveld area**

The stations in the Lowveld area that could be considered as hot-spots are (i) Kabokweni, (ii) Nelspruit, (iii) Witrivier, (iv) Barberton, (v) Hazyview and (vi) Kanyamazane.

During the period 2001, (i) 12 or 22,2 percent cases were reported in the Lowveld area at the station of Kabokweni, (ii) 9 or 16,6 present cases in Nelspruit, (iii) 6 or 11,1 percent in Witrivier, (iv) 6 or 11,1 percent in Barberton,
(v) 5 or 9.2 percent in Hazyview and (vi) 4 or 7.4 percent in Kanyamazane.

To give more information regarding the nature of the hijacking of trucks with freight in South Africa, next the type of freight that was hijacked, will be analysed.

### 2.4 Type of freight hijacked

According to Eloff (1998) the official statistics as kept by the SA Police Service pertaining to the hijacking of trucks with freight do not make any provision for data capturing of the type of freight that has been hijacked. The only way to determine the type of freight that is targeted, is through docket analysis.

According to the Association of Marine Underwriters in South Africa (1996), the following goods were mostly transported when hijacked.

1. Foodstuffs
2. Cigarettes
3. Liquor
4. Cosmetics
5. Motor vehicle parts
6. Tyres
7. Furniture

According to Donald (1998), petrol, nickel and aluminum are also in demand. Cases have occurred where trucks transporting petrol were hijacked. The petrol is then sold at R1.00 per litre to filling stations. Donald also mentioned that it seems as if hijackers are targeting anything of monetary value.
Table 2.3 illustrates the findings of the docket research regarding the type of freight taken during the hijacking.

Table 2.3 Type of freight hijacked

<table>
<thead>
<tr>
<th>Type of freight</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Groceries</td>
<td>7</td>
<td>2.1%</td>
</tr>
<tr>
<td>Stationery</td>
<td>1</td>
<td>0.3%</td>
</tr>
<tr>
<td>Iron/steel or any metal material</td>
<td>9</td>
<td>2.7%</td>
</tr>
<tr>
<td>Alcohol</td>
<td>1</td>
<td>0.3%</td>
</tr>
<tr>
<td>Fuel</td>
<td>3</td>
<td>0.9%</td>
</tr>
<tr>
<td>Cigarettes</td>
<td>1</td>
<td>0.3%</td>
</tr>
<tr>
<td>Clothing</td>
<td>4</td>
<td>1.2%</td>
</tr>
<tr>
<td>Building material</td>
<td>1</td>
<td>0.3%</td>
</tr>
<tr>
<td>Meat</td>
<td>3</td>
<td>0.9%</td>
</tr>
<tr>
<td>Fruit/vegetable</td>
<td>3</td>
<td>0.9%</td>
</tr>
<tr>
<td>Tyres</td>
<td>3</td>
<td>0.9%</td>
</tr>
<tr>
<td>Medicine</td>
<td>1</td>
<td>0.3%</td>
</tr>
<tr>
<td>Dairy products</td>
<td>2</td>
<td>0.6%</td>
</tr>
<tr>
<td>Furniture</td>
<td>3</td>
<td>0.9%</td>
</tr>
<tr>
<td>Other</td>
<td>40</td>
<td>11.8%</td>
</tr>
<tr>
<td>Unknown</td>
<td>35</td>
<td>10.3%</td>
</tr>
<tr>
<td>Data not available from the dockets</td>
<td>222</td>
<td>65.4%</td>
</tr>
<tr>
<td>Total</td>
<td>339</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

From the research it is evident that (i) iron/steel material, (ii) groceries, (iii) clothing, (iv) fuel, meat, tyres, fruit/vegetables, furniture, (v) dairy products followed by (vi) medicine, building material, cigarettes, alcohol and stationery were mostly hijacked. It is noteworthy to mention that the household goods, that is alcohol,
groceries, stationary, cigarettes, clothing, meat, fruit and vegetables, medicine, dairy products and furniture, constituted 26 (7.8%) of all the recorded incidents. If the not recorded cases are left out of the calculation (339 - 221 = 118), these 26 types of cargo represent 22.03 percent of all the hijackings. The logical reasons seems to be that these items can be easily distributed and are consumed on a regular basis - which makes it even more difficult to trace.

A disturbing factor is the large number of cases, that is 35 (10.32%) where the freight that was hijacked was recorded as Unknown. The obtaining of poor statements by the South African Police Service seems to be the reason for this. What is even more disturbing, is the 221 (65.2%) of the dockets that did not have the information about the nature of the cargo recorded.

It seems clear from this table that hijackers are targeting anything of monetary value - although the majority seems to be household content - depending on what they can sell on the market.

### 2.5 Status of freight

Table 2.4 illustrates the findings of the docket research regarding the status of the freight that was taken during the hijacking:

<table>
<thead>
<tr>
<th>Status of freight</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recovered</td>
<td>23</td>
<td>6.8%</td>
</tr>
<tr>
<td>Sought</td>
<td>76</td>
<td>22.4%</td>
</tr>
</tbody>
</table>
According to Table 2.4 the majority of freight that was hijacked, was not recovered. This is contrary to the recovery of the trucks where the majority was indeed recovered. This is an indication that the hijacking is directed at obtaining the freight and not so much at obtaining the truck. Another problem that could be linked to the non-recovery of the freight is the difficulty in identifying the freight once it is off-loaded and distributed. The fact that the majority of the hijacked cargo contains consumables, also enhanced this observation.

### 2.6 Value of freight

Table 2.5 illustrates the findings of the docket research regarding the value of the freight that was taken during the hijacking:

<table>
<thead>
<tr>
<th>Value in Rand</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 50 000</td>
<td>18</td>
<td>5.3%</td>
</tr>
<tr>
<td>50 001 - 100 000</td>
<td>17</td>
<td>5.0%</td>
</tr>
<tr>
<td>100 001 - 200 000</td>
<td>11</td>
<td>3.2%</td>
</tr>
</tbody>
</table>
### Table

<table>
<thead>
<tr>
<th>Category</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>200 001 - 300 000</td>
<td>8</td>
<td>2.4%</td>
</tr>
<tr>
<td>300 001 - 400 000</td>
<td>3</td>
<td>0.9%</td>
</tr>
<tr>
<td>400 001 - 500 000</td>
<td>3</td>
<td>0.9%</td>
</tr>
<tr>
<td>500 001 and more</td>
<td>9</td>
<td>2.7%</td>
</tr>
<tr>
<td>Unknown</td>
<td>51</td>
<td>15%</td>
</tr>
<tr>
<td>Data not available on docket</td>
<td>219</td>
<td>64.6%</td>
</tr>
<tr>
<td>Total</td>
<td>339</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

From the table it is evident that the value of the freight that was hijacked varied between (i) R0 and R50 000, (ii) R50 000 and R100 000, (iii) R100 000 and R200 000, (iv) R500 000 or more and (v) R200 000 and R300 000. Once again the majority of the values of the freight that was hijacked, could not be obtained from the case docket and the Unknown response (51) is therefore high. This can once again be attributed to poor taking of statements by members of the South African Police Service.

### 2.7 Under-reporting

According to the information contained in De Kock (1997:4-5), the decrease and/or increase in any crime statistic can, to a lesser or greater extent, be influenced by the decrease and/or increase in the under-reporting of crime in general.

With regard to the under-reporting of crime, the Nedcor Project (Eloff 1998) found that out of 1 000 crimes committed, only 450 (45%) were reported. The report also stated that people were sceptic about statistics because they reflect only crime reported to the SAPS. The report estimated that all unreported crime in South Africa could be as high as 50 percent.
According to De Kock (1997:4-5) the Human Science Research Council (HSRC) also researched the under-reporting of different crimes over a period of six months. In this regard, the report indicated that 25 percent of under-reporting of robbery with aggravating circumstances occurred. Due to the fact that statistics pertaining to robbery with aggravating circumstances also include the hijacking of trucks with freight, it could be that under-reporting also occurred in this regard.

When dealing with the extent of under-reporting of hijacking of trucks with freight, one has to take cognisance of the fact that the industry transporting freight is worth millions of rand. Due to this, the industry has to make sure that in case something should happen to the freight while being transported, it is covered by insurance. The result is that insurance companies demand a SAPS case number before they will consider any claim involving crime. The assumption can thus be made that the extent of under-reporting of this type of crime is very limited (Eloff 1998).

According to Donald (1998) it may happen that companies in possession of better technology, for example tracker tracing technology, recover the trucks with freight and do not report the incident. He is however of the opinion that this is very rare. The factual correctness of his opinion could not be determined from the docket analysis.

In order to get a more comprehensive picture of the hijacking of trucks transporting cargo, next the reporting of these crimes in other countries will be highlighted briefly.

2.8 International comparisons

When looking at the statistics of the hijacking of trucks with freight in South Africa, the question arises whether we are the only country experiencing this tendency.
According to Douglas (1998), it seems that although no statistics are available, the hijacking of trucks with freight is also a national problem in North America. The following reports on the extent of the hijacking of trucks with freight in other countries were received from Interpol, Pretoria:

<table>
<thead>
<tr>
<th>Country</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Italy</td>
<td>In 1996, 754 hijackings of trucks with freight occurred, compared to 524 incidents in 1997.</td>
</tr>
<tr>
<td>Ankara</td>
<td>For the first 6 months in 1996, 5 incidents occurred, compared to the 9 incidents in 1997 and 24 in 1998.</td>
</tr>
<tr>
<td>New Zealand</td>
<td>According to Interpol, Wellington, no statistics on this phenomenon are kept.</td>
</tr>
</tbody>
</table>
Macao | No cases regarding hijackings of trucks with freight had been recorded.
---|---
Chisinau | According to Interpol in Chisinau, they cannot supply any records regarding this phenomenon as classification of the Police record system does not contain the code Hijacking of Trucks with Freight
Swaziland | According to Interpol, Mbabane, no hijacking of trucks occurred
Chile | No cases recorded.
Guyana | In 1996, 1 case was reported, compared to nil in 1997.

When comparing crime statistics with other countries the following should, however, be taken into consideration, according to De Kock (2001:9):

1. Counting rules pertaining to crime (with regard to the registration of cases, the evaluation of incidents, the influence of the number of people involved etc.) may differ.

2. Definitions differ from country to country. In the USA, for example, culpable homicide is included in the murder statistics, while in other countries it is excluded.

3. The crime registration systems employed by different countries and the level of sophistication may differ dramatically.

4. The level of under-reporting of crime to police services may vary to a great extent across the world and also over time.

5. The validity and reliability of census population figures on which crime ratio calculations are based may vary from country to country.
The nature and extent of this type of crime is also understood better in a criminological perspective when the impact of this phenomenon is analysed.

### 2.9 The impact of hijacking of trucks with freight

Violent crime, which includes robberies, is according to Van der Westhuizen (1982:7) a tendency which negatively impacts directly and indirectly on the community and the state and costs the taxpayer millions of rand each year.

In this regard the impact that truck hijacking has on different stakeholders, namely the victim, the perpetrator and the criminal justice system will be discussed.

#### 2.9.1. The victim

In this regard a distinction should be made between the direct victim (the driver) and the indirect victims, namely the owner of the truck, the owner of the freight and the State. As with all other crimes, truck hijackings definitely have a negative impact on both the direct and indirect victims.

**The direct victim**

The driver, passenger or assistant of the truck could be considered as the first line of defense (and victimization) when a truck and its freight is hijacked. The driver is subjected to violence or threatened with violence by the perpetrator, to seize control of the truck and to remove the freight. Drivers are threatened with firearms and subjected to verbal abuse and physical violence - they are pushed around, shaken, pulled from the truck, thrown on the ground, tied up and kept for hours in the resting section of the truck or another vehicle, or out in the open. It was also established that in some cases the drivers' belongings such as a cell phone, money and clothes were stolen.
According to Rossouw (2002) victims of hijackings are emotionally affected in the sense that they are confronted with strong feelings of shock, disbelief, confusion, helplessness as well as of powerlessness and loss of control during the hijacking. Post-hijacking emotions centred on fear, anxiety, anger and bitterness, and a heightened fright response and depression also manifested - as is the case with other of victims who experience trauma.

The victims experience with the criminal justice system, South African Police Service and the courts, can also have a negative impact on the already traumatised victim if he or she is not treated with compassion and care. According to Camerer (1996:36) the police's current focus on community policing may bring some relief for victims, with police being urged during training to be a compassionate, caring and wise official. On the other hand, the well-documented under staffing of the SAPS may make it impossible to adhere to this policing focus on the victims of crime.

Secondary victimisation can also occur if victims that go to court are not provided with the necessary information and are not sufficiently aware of the court procedures (Camerer 1996:39).

From the above it is clear that truck hijackings have a very negative impact on the direct victim and that it is important for these victims to receive therapeutic treatment. A huge responsibility is also placed on the different companies in the transport industry to provide drivers with the necessary trauma counseling when they are involved in a truck hijacking.

**The indirect victim**

Regarding the indirect victims associated with truck hijackings a distinction can be made between the owner of the truck and the owner of the freight (companies).
Although the direct effect of a truck hijacking can be the loss of a drivers life, the effect on the indirect victim is nearly as devastating. What must be considered, are aspects such as the financial impact on the owner of the truck/freight, the transport industry and the economy of the country.

2.9.2 Financial impact

The hijacking of trucks with freight is according to Eloff (1998) a violent economic crime bearing negative implications not only for the transport industry, but also for the South African economy as a whole. In this regard it could be mentioned that according to O Leary (1996:20-22), the cost of hijackings of trucks with freight for the South African economy reached the R1 billion mark as far back as 1995. According to the same article, if the losses recorded by the trucking industry in 1995 had been spent on MacDonals hamburgers, every single person in South Africa would be able to enjoy a Big Mac, with 747 964 people going for a second burger. More relevant to the industry, the article mentioned that if the losses in 1995 had been spent on purchasing new trucks (at an average price of R550 000 per truck), 564 new heavy vehicles could have been bought in 1995. It is thus very clear that the hijacking of trucks with freight has without any doubt a negative influence on domestic and foreign investor confidence, as well as on the development process in general and on job creation in particular.

2.9.3 The impact on the perpetrator

According to Minnaar (1995:96-105) the perpetrators could be classified into the so-called runners (hijackers), the receivers and the criminal bosses. The impact that truck hijacking with freight has on these different perpetrators could be either positive or negative. With the huge unemployment rate in South Africa the criminal bosses experience no difficulty in recruiting the runners to do the
physical hijacking and the delivery of the freight to the receivers, for a certain amount of money. Unfortunately these nominals are mostly in the firing line and the risk of being injured by the driver when he resists the hijacking or when arrested by the police, could negatively impact on the perpetrator. The research however indicates that in most instances the drivers did not resist the hijackings and were not arrested by the police after the incident. The impact on this perpetrator is thus not negative and can be perceived by him as financially rewarding.

The receivers of the freight and the syndicate bosses are usually the perpetrators that derive huge financial benefit from this crime and are seldom brought to book. When these perpetrators are arrested, their assets could be seized by the Assets Forfeiture Unit and they may be sentenced to a lengthy prison term.

2.9.4 The impact on the criminal justice system

The hijacking of trucks with freight has an overall negative impact on all the aspects of the criminal justice system. The South African Police Service for example is having difficulty in addressing the crime successfully. This is evident in the great number of cases that are closed as undetected. In order to lighten the case docket load of the investigators, cases are closed as undetected. This has a negative impact on the victims as they lose trust in the SAPS. This could lead to people starting to take the law into their own hands, namely vigilante groups. According to Rossouw (2002) a great number of companies are already employing their own investigators to investigate these crimes and to try and retrieve the truck and freight. Although the companies are not stating it clearly that they have lost trust in the SAPS ability to address the hijackings, their employing of these investigators shows that they have indeed lost trust in the SAPS ability to investigate truck hijackings.
The impact that truck hijacking has on the courts is basically that the courts are overloaded even more with cases. This has a negative affect on the speedy settlement of all criminal cases.

Due to the already overcrowded Correctional Services any additional prisoners negatively affect the systems ability to rehabilitate prisoners. Instead of prisoners being rehabilitated in prison, they learn the finer tricks of the trade en therefore continue their criminal behaviour after their release from prison.

2.10 Conclusion

Truck hijacking first came to the attention during 1989 and continued to increase from 500 cases in 1991 to 5773 cases reported in 1998. Since 1999 the incidence decreased sharply to 4276 cases at the end of 2001.

Gauteng is regarded as the province where more than 50 percent of all truck hijackings occurred followed by KwaZulu-Natal and Mpumalanga.

Truck with freight hijackings usually occur while carrying a variety of goods such as iron/steel, groceries, clothing, meat, vegetables, tyres. Most of these trucks are recovered but not the freight.

Although under-reporting of crime does occur, it seems not to be the case with truck with freight hijackings.

Lastly it was determined that truck hijacking has a negative impact on both the
direct and indirect victims of this crime. Not only does the transport industry lose huge amounts of money but the direct victims are also emotionally severely affected by this crime. The perpetrator on the other hand could be incarcerated if apprehended but due to the poor solving rate, the criminals (hijackers, receivers and the bosses) all are reaping the fruits of their criminal activities. The criminal justice system (police, courts and correctional services) is also negatively affected by the large number of cases registered.

In order to gain a better understanding of truck hijacking it is important to understand and know the perpetrator that is involved in the crime. The perpetrator will therefore be discussed in the next chapter.

CHAPTER 3

THE PERPETRATOR

3.1 Introduction

The criminologist also studies the perpetrator. According to Cloete and Stevens (1990: 30) it is important that more should be known about the perpetrator as person and how his/her criminal behaviour could be explained. According to De Kock (1998:2), international experience has also shown that four types of information namely ‘Who?’, ‘Where?’, ‘When?’ and ‘Why?’ can be used to fight crime. The ‘Who?’ information, for example, will not only help the criminologist understand the perpetrator but will also help the police official to identify the criminal that is involved in crime; therefore, the ‘Who?’ is the focus of this chapter.

This chapter discusses the perpetrator involved in the hijacking of trucks with
freight, namely his/her biographical particulars and the reasons (explanation) why he/she commits the crime. Furthermore the attention will also be focused on the modus operandi of the perpetrators as well as a typology of these criminals.

3.2 Biographical particulars of the perpetrator

Biographical data was obtained from the case dockets and are depicted in the following tables.

3.2.1 Number of offenders involved

Table 3.1. The number of offenders involved in truck hijackings with freight.

<table>
<thead>
<tr>
<th>Number of offenders</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>One</td>
<td>2</td>
<td>0.6%</td>
</tr>
<tr>
<td>Two</td>
<td>23</td>
<td>6.8%</td>
</tr>
<tr>
<td>Three</td>
<td>35</td>
<td>10.3%</td>
</tr>
<tr>
<td>Four</td>
<td>30</td>
<td>8.8%</td>
</tr>
<tr>
<td>Five</td>
<td>14</td>
<td>4.1%</td>
</tr>
<tr>
<td>Six or more</td>
<td>15</td>
<td>4.4%</td>
</tr>
<tr>
<td>Unknown</td>
<td>1</td>
<td>0.3%</td>
</tr>
<tr>
<td>Not recorded in dockets</td>
<td>219</td>
<td>64.6%</td>
</tr>
<tr>
<td>Total</td>
<td>339</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

Regarding the number of individuals involved in truck hijackings it is clear that the hijackers do not operate individually, but in groups of two to four members and in
some instances, groups of five and even six or more members. When the Not Recorded 219 cases are taken out of the calculation, there are only three (one where there was only one and one where the number of perpetrators was not known) - the rest - that is 117 of the 120 (97.5%) were organised in groups. When one compares this result with the criteria of the SAPS pertaining to organised crime namely that the group should consist of two or more persons, it looks as if the hijacking of trucks with freight in South Africa is organised.

Regarding the number of offenders this research recorded two instances of statistically high significance. It pertains to the number of offenders and the number of victims in the truck, as well as the number of offenders and the status of the truck.

Next, the race of the perpetrators will be analysed, as it was find in the dockets.

### 3.2.2 Race of the perpetrator

Table 3.2. The race of the perpetrator of truck hijackings with freight

<table>
<thead>
<tr>
<th>Race</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>2</td>
<td>0.6%</td>
</tr>
<tr>
<td>Black</td>
<td>114</td>
<td>33.6%</td>
</tr>
<tr>
<td>Coloured</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Asian</td>
<td>3</td>
<td>0.8%</td>
</tr>
<tr>
<td>Unknown</td>
<td>1</td>
<td>0.3%</td>
</tr>
<tr>
<td>Not recorded in dockets</td>
<td>219</td>
<td>64.6%</td>
</tr>
<tr>
<td>Total</td>
<td>339</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

According to the table the majority of the hijackers involved in truck hijackings are
black. Of course one should remember that the majority of the population of South Africa is black. This - truck driving - has also been traditionally a vocation for blacks in South Africa.

3.2.3 Gender of the perpetrator

Table 3.3 The gender of the perpetrator of truck hijackings

<table>
<thead>
<tr>
<th>Gender</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>117</td>
<td>34.5%</td>
</tr>
<tr>
<td>Female</td>
<td>1</td>
<td>0.3%</td>
</tr>
<tr>
<td>Unknown</td>
<td>2</td>
<td>0.6%</td>
</tr>
<tr>
<td>Not respondent</td>
<td>219</td>
<td>64.6%</td>
</tr>
<tr>
<td>Total</td>
<td>339</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

It is clear from table that the predominant gender of perpetrators committing the crime, are male.

The *modus operandi* is also of importance to the criminologist, because it opens the opportunity for prevention. This will be discussed next, as it was found from information registered in the dockets.
3.3 *Modus operandi* used to hijack the truck

3.3.1 The *modus operandi*

Data was collected (from case dockets) pertaining to the day, time, time that elapsed before the case was reported, the place where these hijackings took place, and the type of freight that was taken. The results were as follows:

3.3.2 Day of the hijacking

Research pertaining to the day of the week on which most hijackings of trucks with freight occurred, indicates that most hijackings occurred on Tuesdays (24), Fridays (21), Thursdays (20), Mondays and Wednesdays (19), which could be considered as the high impact/risk days, while Saturdays (13) are medium impact/risk days and Sundays (4) as the low risk days of the week. Note should also be taken of the large number of case dockets, namely 64,6 percent, that were incorrectly registered. This issue will be discussed in more detail in chapter 7.

Table 3.4 illustrates the research pertaining to the day of the week.

Table 3.4 Day of the hijacking

<table>
<thead>
<tr>
<th>Day</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday</td>
<td>19</td>
<td>5,6%</td>
</tr>
<tr>
<td>Tuesday</td>
<td>24</td>
<td>7,1%</td>
</tr>
<tr>
<td>Wednesday</td>
<td>19</td>
<td>5,6%</td>
</tr>
<tr>
<td>Thursday</td>
<td>20</td>
<td>5,9%</td>
</tr>
<tr>
<td>Day</td>
<td>Count</td>
<td>Percentage</td>
</tr>
<tr>
<td>-------------------</td>
<td>-------</td>
<td>------------</td>
</tr>
<tr>
<td>Friday</td>
<td>21</td>
<td>6.2%</td>
</tr>
<tr>
<td>Saturday</td>
<td>13</td>
<td>3.8%</td>
</tr>
<tr>
<td>Sunday</td>
<td>4</td>
<td>1.2%</td>
</tr>
<tr>
<td>Incorrectly registered</td>
<td>219</td>
<td>64.6%</td>
</tr>
<tr>
<td>Total</td>
<td>339</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

The following explanations could clarify the findings regarding the day of the hijackings:

S One can assume that on Saturday and Sundays most of the drivers have already reached the depots and delivered the freight. They then use the depots as stay-overs until the trucks have been loaded with a new freight. That may explain the lower figures for these two days.

S On Mondays the hijackings start to increase because most of the trucks have been loaded during the mornings and started their journey in the afternoon.

S Tuesdays could be considered the peak day of the week because the long distance trucks were loaded on Mondays and are on route to their destination.

S Wednesdays show a slight decrease. It seems as if it indicates that it stabilizes towards the middle of the week.

S Thursdays and Fridays show an increase because the long distance truck drivers are near the main distributing outlets.
Next the time of the recorded incidents will be analysed.

### 3.3.3 Time of the hijacking

According to the research done pertaining to the time of day when most hijackings occurred, the data indicated that most hijackings occurred between 18:00 and 22:00 at night, which could therefore be considered a high risk time period. It further indicated that the time period 12:01 to 14:00 and 24:01 to 02:00 is a medium risk period, while the other time periods are low risk time periods.

Table 3.5 illustrates the findings.

Table 3.5 Time of the hijacking

<table>
<thead>
<tr>
<th>Time</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>06:01 - 08:00</td>
<td>7</td>
<td>2.1%</td>
</tr>
<tr>
<td>08:01 - 10:00</td>
<td>4</td>
<td>1.2%</td>
</tr>
<tr>
<td>10:01 - 12:00</td>
<td>5</td>
<td>1.5%</td>
</tr>
<tr>
<td>12:01 - 14:00</td>
<td>10</td>
<td>2.9%</td>
</tr>
<tr>
<td>14:01 - 16:00</td>
<td>7</td>
<td>2.1%</td>
</tr>
<tr>
<td>16:01 - 18:00</td>
<td>9</td>
<td>2.7%</td>
</tr>
<tr>
<td>18:01 - 20:00</td>
<td>20</td>
<td>5.9%</td>
</tr>
<tr>
<td>20:01 - 22:00</td>
<td>26</td>
<td>7.7%</td>
</tr>
<tr>
<td>22:01 - 24:00</td>
<td>7</td>
<td>2.1%</td>
</tr>
<tr>
<td>00: 01 - 02:00</td>
<td>12</td>
<td>3.5%</td>
</tr>
<tr>
<td>02:01 - 04:00</td>
<td>8</td>
<td>2.4%</td>
</tr>
<tr>
<td>04:01 - 06:00</td>
<td>5</td>
<td>1.5%</td>
</tr>
<tr>
<td>Incorrectly registered</td>
<td>219</td>
<td>64.6%</td>
</tr>
</tbody>
</table>

Incorrectly registered
The explanation for the time of the day analysis as illustrated in Table 3.5, could be as follows:

S The time period 18:01 to 22:00 is the period when the trucking industry is the most vulnerable. During this period the truck industries guarding eye is, according to Rossouw (2002: 9), literally switched off. The supervision and control that the industries directors, supervisors and depot staff have over the drivers and freight is suspended when they set off for a nights rest. Another reason could be that the perpetrators feel much safer due to less natural surveillance (less people on the roads) during this period and a perception that fewer police officials are working. The darkness during this period also helps the criminal to be less visible while committing the hijacking.

S Hijackings between 12:01 and 14:00 and 24:01 and 02:00 can be attributed to lunch or resting by drivers stopping on the road side and at resting areas. During this period the drivers are relaxing or asleep and more vulnerable to hijackings.

3.3.4 Time lapsed before the case was reported

Table 3.6 illustrates the findings regarding the time that expired before the case was reported to the South African Police Service.

<table>
<thead>
<tr>
<th>Time lapse</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>339</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------</td>
<td>-------</td>
<td>--------</td>
</tr>
<tr>
<td>Immediately</td>
<td>46</td>
<td>13.6%</td>
</tr>
<tr>
<td>0 to 1 day</td>
<td>73</td>
<td>21.5%</td>
</tr>
<tr>
<td>2 to 3 days</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>4 to 5 days</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>6 and more</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>unknown</td>
<td>1</td>
<td>0.3%</td>
</tr>
<tr>
<td>Incorrectly registered</td>
<td>219</td>
<td>64.6%</td>
</tr>
<tr>
<td>Total</td>
<td>339</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

According to the table, in most cases the drivers were not able to report the incident immediately to the South African Police Service. This was because the drivers and their passengers were taken hostage during the hijacking. According to the dockets, they are either kept in the truck with their hands tied, forced to lie in the resting area of the truck, transferred to another vehicle where they are guarded by hijackers and driven around for a long period of time, or they are left in the open, guarded by one or two hijackers. After some time - possibly lasting several hours - the victims are released. The only explanation for the victim being taken hostage and kept under surveillance is to minimise the risk of activating the tracking devises and informing the police or company of the hijacking. This enables the hijackers to transport the freight to the receivers (a warehouse) where the freight is off-loaded.
### 3.3.5 Location where hijacking occurred

Table 3.7 illustrates the findings regarding where the hijacking occurred.

#### Table 3.7 Location of hijacking

<table>
<thead>
<tr>
<th>Location</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Traffic light, intersection, stop/yield sign</td>
<td>15</td>
<td>4.4%</td>
</tr>
<tr>
<td>During loading or unloading of the freight</td>
<td>7</td>
<td>2.1%</td>
</tr>
<tr>
<td>Security gate of business</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Parking area of business, shop, Post Office</td>
<td>5</td>
<td>1.5%</td>
</tr>
<tr>
<td>At overnight rest stop</td>
<td>4</td>
<td>1.2%</td>
</tr>
<tr>
<td>While traveling on the highway or road</td>
<td>64</td>
<td>18.9%</td>
</tr>
<tr>
<td>Toll plaza</td>
<td>2</td>
<td>0.6%</td>
</tr>
<tr>
<td>At Motel, Hotel, Guesthouse, Holiday resort</td>
<td>2</td>
<td>0.6%</td>
</tr>
<tr>
<td>At fuel station</td>
<td>8</td>
<td>2.4%</td>
</tr>
<tr>
<td>While stopping at the roadside to relieve himself</td>
<td>2</td>
<td>0.6%</td>
</tr>
<tr>
<td>Other</td>
<td>11</td>
<td>3.2%</td>
</tr>
<tr>
<td>Data not available from the dockets</td>
<td>219</td>
<td>64.6%</td>
</tr>
<tr>
<td>Total</td>
<td>339</td>
<td>100.0%</td>
</tr>
</tbody>
</table>
It is clear from the research pertaining to the location where the hijacking of trucks took place, that the majority of trucks with freight are hijacked while traveling on the main highway or roads and to a lesser extent at traffic lights and stop/yield signs.

Next the way the offenders used to take over the truck will be highlighted.

Table 3.8 The *modus operandi* used to commit truck hijackings

<table>
<thead>
<tr>
<th>Modus operandi</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Threatened with firearm</td>
<td>60</td>
<td>17.7%</td>
</tr>
<tr>
<td>Used firearm, vehicle to force truck from road</td>
<td>24</td>
<td>7.1%</td>
</tr>
<tr>
<td>Pretend to be traffic or police official</td>
<td>33</td>
<td>9.7%</td>
</tr>
<tr>
<td>Pretend to be hitchhiker</td>
<td>1</td>
<td>0.3%</td>
</tr>
<tr>
<td>Other</td>
<td>2</td>
<td>0.6%</td>
</tr>
<tr>
<td>Not respondent</td>
<td>219</td>
<td>64.6%</td>
</tr>
<tr>
<td>Total</td>
<td>339</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

It is evident that the hijackers of trucks used the following methods to hijack the trucks:

- Threaten the driver with a firearm
- The hijackers will stop the truck with freight pretending to be traffic or police officials, threaten the driver with firearms and thereafter hijack the truck with freight
Thirdly, the hijackers will use firearms and vehicles to force the truck with freight to stop.

From the above it is clear that perpetrators of hijacking of trucks with freight will either threaten the driver with a gun during the hijackings or pretend to be traffic or police officials during the hijacking. According to Rossouw (2002:15) the majority of perpetrators use handguns to hijack trucks with freight. The reason for their using handguns is, according to Rossouw, that the weapons can easily be hidden on the body without being detected. The circulation of illegal firearms in South Africa has, according to Rossouw (2002:15), a direct influence on this trend.

Due to the seriousness the police regard the allegation that police were involved in truck hijackings, Rossouw had a meeting with Mr Momberg of the Road Core Transporting Company on the 13 January 2003. Investigation by Mr Momberg pertaining to seven incidence of truck hijackings which were apparently committed by police officials, however indicated that only two of these incidence were indeed committed by persons pretending to be law enforcement officials. The drivers in these cases would stop on the freeway/roads to relieve themselves or to pick-up a prostitute and are then overpowered by hijackers. Because the policy of this company and most other companies is that drivers are not allowed to stop and pick-up women or to relieve themselves other than at designated truck stop points, they use the excuse that they were hijacked by police officials. This is done because they are afraid they would lose their work because they had not adhered to the rules of the company.

Next, a typology of robbers will be analysed as they refer to hijacking of trucks with freight.

3.4 Types of robbers
According to Click (1995:218) the perpetrator that robs can be classified as either a professional (organised) robber, an opportunistic robber, the addict or the alcohol addicted robber.

### 3.4.1 The professional robber

This type of robber, according to Click (1995:215), has a long-term commitment to robbery as a source of livelihood. The robberies are planned and organised carefully, often in conjunction with other professionals. The analysis pertaining to the truck hijackings indicates that the majority of truck hijackings are indeed committed by organised robbers.

### 3.4.2 The opportunistic robber

This type of robber is, according to Click (1995:218), the most common type of robber. He does little planning and has no long term commitment to robbery. Perpetrators are usually young and steal to obtain small amounts of cash. The robber targets vulnerable, accessible people such as the elderly. It is clear from the analysis pertaining to truck hijackings that the opportunistic robber does not play a mayor role.

### 3.4.3 The addict robber

This perpetrator is dependent on drugs and commits robberies to support his or her addiction (Click 1995:28). Although this research did not indicate that this type of perpetrator is involved in truck hijacking, it could well be the case, but no such deductions could be made based on the findings of this research. However, according to Rossouw (2002), hijackers could well get involved in the actual hijackings
in order to sustain their drug addiction.

3.5 Explaining the behavior of the Perpetrator

3.5.1 Foundation

Explanations of criminal behavior are, according to Glance (1996:2), presented by criminologists and sociologists in the form of theories of crime. Historically, the formulation of criminological theories have taken three basic paths: the view that criminality is an inherent trait (the so-called biological theories of crime); secondly, the viewpoint that criminality is an acquired, individual predisposition (the psychological explanation of crime) and thirdly, the view that the causes of crime can be found in the structure and functioning of society (the sociological explanation).

Although it may be possible to explain the behaviour of the perpetrator of truck hijackings through biological and psychological theories, it is argued here that it could be best described by theories where the causes of crime can be found in the structure and functioning of society, for example in the anomie theory of Merton, the differential association theory of Sutherland and the subculture theory. These theories are considered to be particularly relevant in the explanation of the perpetrators involvement in the hijacking of trucks with freight. It is believed by the researcher that the anomie theory, namely the strain that is caused by restricted access to socially approved goals and means, could help to explain the perpetrators reason for committing truck hijackings. The differential association and subculture theory are also of particular relevance because it has been shown that the majority of truck hijackings are
committed by organised groups and that the motives and incentives are learned because the legal order is perceived to be negative.

3.5.2. The anomie theory

According to Merton (Conradie 1986:86) crime can be explained due to a disequilibrium that is present in the community structures between the societal goals and the acceptable means to achieve these goals. When these goals are too strongly stressed, the stage is set for anomie. Not everyone, according to Williams and Mc Shane (1994:91), has equal access to the achievement of success and as a result, these people may search for other - which may include illegitimate - ways of succeeding.

According to Stevens (1991:122) Robert Merton emphasized two core elements, namely:

S  Firstly, culturally prescribed goals. These culturally formulated goals are presented to all communities as praiseworthy goals. They determine what people want to achieve.

S  Secondly, accepted modes or means for the achievement of these goals. In each community certain prescribed norms exist that determine how people should behave in order to accomplish the goals prescribed by their culture.

Anomie

Shoemaker (1984:87) identified anomie and opportunity structures as the main concepts of the theory of anomie. Anomie refers to a conflict that exists between the
community’s norms and the individuals opportunities for growth, fulfillment and productivity within a community. The term ‘anomie’ refers to those persons that experience frustration and alienation because of this discrepancy in the community. It also refers to opportunity structures. This concept refers to the availability of legal (job) opportunities and other activities to achieve the goals that are part of the community.

**Discussion**

The theory is of the view that there exists an ambivalence in the community because the cultural goals and the social means to achieve them, are in conflict. The theory further includes that this ambivalence is multidimensional, which amounts to a lack of reconciliation between the cultural ideals and social norms that are present at various levels of every community.

Merton (Williams & Mc Shane 1994:92) present five ways of adapting to strain caused by restricted access to the socially approved goals and means, namely conformity, innovation, ritualism, retreatism and rebellion.

The five ways of adaption can be illustrated as follows:

<table>
<thead>
<tr>
<th>Ways of adaption</th>
<th>Cultural goals</th>
<th>Social norms</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Conformity</td>
<td>Acceptance</td>
<td>Acceptance</td>
</tr>
<tr>
<td>2. Innovation</td>
<td>Acceptance</td>
<td>Rejection</td>
</tr>
<tr>
<td>3. Ritualism</td>
<td>Rejection</td>
<td>Acceptance</td>
</tr>
<tr>
<td>4. Retrualism</td>
<td>Rejection</td>
<td>Rejection</td>
</tr>
<tr>
<td>5. Rebellion</td>
<td>Rejection and replacement</td>
<td>Rejection and replacement</td>
</tr>
</tbody>
</table>

The five ways of adaption and their possible explanation of the behavior of the perpetrators will be discussed next.
Conformity

According to Williams and Mc Shane (1994:92) conformity takes place when goals and means are maintained even in the face of realizing that the means are restricted. This is the behavioral pattern of the law-abiding persons. It is evident that this type of adaptation does not offer a relevant explanation of the perpetrators’ reasons for committing truck hijackings.

Innovation

Innovation can be described as existing when the individual accepts the culturally prescribed goals but is unwilling to pursue it via the prescribed social norms or legal paths (Stevens 1991:124). The legal and socially acceptable means utilised by the community to gain financial success is, for example, hard work, saving, and competition with others. It is the researcher’s opinion that innovation is best suited for the explanation of why the perpetrators - on all levels - of truck with freight hijackings, get involved in the crime. Stevens (1991:126) is also of the opinion that innovation is the best adaptation mode to explain crime. Because some individuals do not want to or cannot work hard or save, or do not want to compete with others, they use illegal means such as the hijacking of trucks with freight to achieve their goal of financial means or financial freedom.

The lowest level of the truck hijacking syndicates explains the involvement of SAPS and Custom and Excise Duties members in corruption because they are not satisfied with their salaries and are therefore easily lured into assisting the syndicates.

The drivers and hijackers, also part of the lowest level within the syndicates, are usually persons that are not highly qualified and are unemployed. They are easily
lured into this type of crime because of the huge amounts of money paid by the syndicates for their services. Therefore participation by the drivers and the hijackers can be explained by means of anomic innovation.

The receivers of the freight or hijacked truck usually buy the freight or truck at a fraction of its value. By selling the goods/trucks at normal or below normal prices they are able to make bigger profits. The bosses of these syndicates also do not want to work hard to become rich and use these criminal activities as a method to achieve wealth. Therefore even their criminal activities can be explained by means of anomic innovation.

It is clear from what is mentioned above that innovation is an acceptable way to explain these perpetrators' behavior.

Although the remaining three ways of adaptation, namely ritualism, retreatism and rebellion do not present a satisfactory explanation for the perpetrator's involvement in the hijacking of trucks with freight, they will be discussed.

**Retreatism**

This mode of adaptation rejects both the goals and the means. The retreatists' solution is to quit trying to get ahead. This pattern is best seen as dropping out of society and is exemplified by vagrants, alcoholics and drug addicts. This mode, as stated previously, is not particularly suitable to explain the perpetrator's reason for getting involved in this crime. Although one could argue that such persons could well be easy targets to be approached as possible drivers after the hijackings have occurred, no such examples could be traced.

**Rebellion**
The final mode of adaptation to society is that of rebellion. While the previous modes of adaptation emphasized rejection of means or goals or both, rebellion focuses on the substitution of new goals and means for the original ones. Once again it is quite clear that this mode of adaptation is not relevant in explaining the perpetrator’s reasons for committing the crime of truck hijacking.

3.5.3. Differential association theory

According to Williams and McShane (1994:75) differential association is the learning process through which differential social behavior is learnt as a factor contributing to criminal behaviour.

Concerning the theory of differential association, Shoemaker (1984:135) referred to two concepts, namely differential association and differential social organisation as underlying to the theory. With regard to the concept of differential association, a person commits a crime in reaction to an access attitude which is positively seen as a violation of laws and norms. In his association with other people the individual concerned is exposed (Shoemaker, 1984:135). Differential social organisation furthermore presents an alternative to social organisation. Concerning the individual, crimes are committed in accordance with other criminal associations. The norms, values and behavior patterns are so differently organised in the community that a criminal getting in touch with these, can be influenced by the criminal’s values (Shoemaker, 1984:135).

Criminal behavior, namely the hijacking of trucks with freight, can be viewed as the product of differential social organisation. It has been shown that the majority of persons involved with it are organized in groups. Criminal behavior, such as the hijacking of trucks with freight, could also be seen as acquired behavior. This behaviour is learned in group context.
According to Swart (1991:166-167), Sutherland’s differential association theory comprises nine positions, whereby the learning of criminal behavior could be explained as follows:

S Criminal behavior is learnt. With regard to the hijacking of trucks with freight, the criminal act cannot be executed without the perpetrator having learned about the way the trucks operate, what type of freight they are transporting, and about their transport habits.

S Criminal behavior is learnt in interaction with other persons during the normal communication process. Due to the fact that the majority of crimes are usually committed in an organised way, it is also clear that good communication should exist between the hijacker, the group leader and the recipient of the hijacked freight.

S The most important part of the process whereby criminal behaviour is learnt, occurs in the intimate personal group. Strangers are therefore not easily accepted in the inner circles of the hijacking criminal group.

S In the learning of criminal behavior, the following is learnt: Criminal techniques utilised in the committing of the crime, for example the way in which the trucks and freight are handled and on which market the freight and truck would be sold or bartered.

S The specific motives and incentives are learnt. This is also true regarding the hijackings. They learn from one another to rationalize and accept the motives for hijackings vehicles transporting freight.

S They resort to hijackings due to the fact that they associate themselves
with those that are advocating the committing of these types of crime. The money that they could make from hijackings is so attractive that the hijackers have a careless attitude towards abiding by the law.

Differential association could verify in terms of frequency, of long duration, priorities as well as intensity. Of importance is that these perpetrators are also frequently in one another’s company. These visits are and have to be intensively focused on the planning and execution of the hijacking.

The process by which criminals’ behavior is learnt through association with criminals and anti-criminal patterns, includes all the mechanisms that are prevalent in other forms of learning. Learning to hijack requires the same cognitive functions as any normal form of learning of behavior.

Although criminal behavior is an expression of general needs and values, it cannot be explained by these general needs and values.

The above-mentioned views could be described in one sentence: The perpetrator’s involvement in the hijacking of trucks with freight is learnt through interaction, communication and association with other hijackers during intimate social contact.

3.5.4. The subculture theory

According to Williams and McShane (1994:118) the subculture theory provides an explanation of how groups of individuals develop similar values and rationales for behavior. The authors use the existence of subcultures to explain different forms of delinquency or crime.
Cohen (Williams and McShane, 1994: 107) was the first to attempt solving the problem of how delinquent subcultures begin and how they could be used to explain delinquency and crime.

According to Williams and McShane (1994: 110) the major points of the theory are the following:

1. Members of society share a common value system that emphasizes certain values above others. In western countries including South Africa these values are closely associated with the middle class.

2. Most of these common values stress goals that result in the gaining of status, therefore, status becomes a generally-approved goal in itself.

3. Opportunities to reach these goals are often available to the middle class and not to the lower class.

4. Social institutions, especially the schools, reflect goals based on middle class values and use them to evaluate those who come in contact with these institutions.

5. Because of their limited opportunities, lower class youths are often evaluated unfavorably by school systems, leading to frustration in their pursuit of status.

6. Unable to gain status through the use of conventional school opportunities (grades, social standing), lower class youths rebel against middle class values while still keeping status as a goal.

7. Over a period of time lower class youths collectively create a new value
system in opposition to middle class values. The standards of this new value system are mostly anti-conventional, affording youths opportunities for gaining status.

The delinquent solution is promoted by the transmission of values from youth to youth and generations to generations, and fosters an ongoing delinquent subculture that provides status for behavior that is negative, malicious and non-utilitarian.

This theoretical explanation could also be made applicable to the hijacking of trucks with freight and can be explained in the following way:

S The South African society, especially the white community of the past, have set western success-oriented goals for its members, while opportunities for the realisation of these goals were not equally available to all (non white) citizens of South Africa in the past. This was primarily due to the inadequate job opportunities and subsequent poverty. As a result of the apartheid-system that was in place in South Africa for four decades, the majority of the population have been in a disadvantaged position in the broad social structure of society. Social mobility between population groups was not possible and upward mobility within those groups defined as non-white has been extremely difficult. Because of their limited opportunities the lower class were often evaluated unfavorably by schools and other institutions, leading to frustrations in their pursuit of status. Unable to gain this status through the use of conventional school opportunities such as grades and social standing, the lower class person rebelled against middle class values while still keeping status as a goal. These persons collectively create new value systems in opposition to the middle-class values. These value systems are anti-conventional efforts such as getting involved in crime, for example the hijacking of trucks with freight. In this endeavour a criminal subculture
and criminal gangs developed and a higher status for behavior, including the hijacking of trucks with freight, is at the order of the day.

### 3.6 Conclusion

The perpetrators involvement in the hijacking of trucks with freight was discussed in this chapter and attention was given to his biographical particulars, types of robbers, *modus operandi* and a theoretical explanation why the perpetrator commits the crime. Theories such as anomie, differential association and the subculture theory were discussed. In the said discussion the focus was primary on how the three theories could explain why the perpetrator gets involved in the hijacking of freight. It was the aspect of elements of learning, present in all three of these theories, that can be used to explain the perpetrators involvement in this crime. It was shown that the three theories will backup and support each other concerning this crime.

As already mentioned in this chapter it seems that this phenomenon is committed largely by organised groups and therefore it is important to discuss organised crime in the next chapter with special reference to its involvement in this phenomenon.
CHAPTER 4

ORGANISED CRIME:
HIJACKING OF TRUCKS CARRYING FREIGHT

4.1 Introduction

According to Fouche (1999), an expert police official that was involved in undercover operations which included truck hijacking, the hijacking of trucks carrying freight is by its nature a crime that is committed by organised criminal
groups/syndicates.

In this chapter the researcher will discuss organised crime as an important contributing factor in the phenomenon of hijacking of trucks carrying freight.

4.2 Historical background

Although Federmann (Jones, 1997:1) described organised crime as some new phenomenon, studies indicate that organised crime has been part of mankind since the previous century. Organised crime originated initially in Sicily when the Mafia was formed in 1880.

Organised crime in America can be traced back to the turn of the century when more than two million Italian immigrants settled in America. Among these immigrants were members of the Sicilian Mafia, the Black Hand and the Comoira secret organisations whose aim was initially political but eventually changed to criminal acts. Various groups and gangs with traditions and customs were formed and eventually came together to form an organisation that is today called the American Mafia (Jones:1997:2).

The forming years of the American Mafia where characterised by violent power struggles. Mafia leaders such as Charles Lucky Luciano and Alphonso Al Capone come to mind when speaking of those days. The smuggling of alcohol, prostitution, gambling and extortion were crimes that the American Mafia were involved in. After 1930 the Mafia became more business-oriented and crimes were run like business operations. It was also during these years that the Mafia combined their legal business with their illegal business, known today as money laundering (Jones 1997:2).
Although the Mafia is seen as synonymous with the Italian and American Mafia, various other groups such as the Japanese Yakuza and the Chinese Triads also had a major influence on organised crime worldwide (Jones 1997:3).

At present, modern organisations and groupings such as the Mexicans, the Colombian Cartels, the Russian Mafia and the Nigerian Mafia have a major impact on international organised crime (Jones 1997:3).

With regard to South Africa organised crime only became identifiable in 1990, according to Hills (1997:24), when South Africa returned from international isolation and the democratic process started. With the opening of the borders, international groups regarded South Africa as a new market which could be utilised. Various international groups such as the Russians, the Chinese Triads and the Nigerians have been arrested in South Africa with regard to organised crime such as drugs, prostitution, theft of motor vehicles, corruption and commercial types of crimes. According to Fouche (1999), apart from South Africans, some Portugese and Greek nationals have also been identified as groups involved in the hijacking of trucks carrying freight.

4.3 The basis of organised crime

To try to determine the extent of organised crime in South Africa, an organised crime threat analysis was compiled in 1994 for the period 1993 by the Centre for the Analysis and Interpretation of Crime Information (CIAC) (currently known as the Crime Information and Analysis Centre) of the South African Police Service (Vermeulen 1994:1-4).

This threat analysis indicated that, at the time, 278 organised crime syndicates with a combined figure of 1296 primary suspects were operating in South Africa. An analysis of these 278 syndicates by the researcher indicated that only four of
these syndicates were involved in the hijacking of trucks carrying freight. According to the threat analysis, all these syndicates operated in the Gauteng Province. The other syndicates were all involved in vehicle-related crimes (thefts and fraud) and drugs.

The second threat analysis for the period 1995, which was also compiled by the CIAC (Hills 1995:14), indicated that 481 organised crime syndicates with a combined figure of 2178 suspects were involved in organised crime in South Africa. According to this threat analysis, most of these syndicates were, as with the previous threat analysis, involved in vehicle-related crimes and drugs. According to van Wyk (1999), the original document regarding this analysis is not available and thus no further information, such as how many of these syndicates were involved in the hijacking of trucks carrying freight, could be obtained.

The third national organised crime threat analysis, which was compiled in 1997 for the period 1996, indicated that 192 organised crime syndicates with a combined figure of 1896 primary suspects were involved in organised crime. According to this threat analysis (Hills, 1997:17) six of these syndicates (one in Gauteng, two in KwaZulu-Natal, one in the Northern Cape and two in the Western Cape) were involved in the hijacking of trucks carrying freight.

According to van Wyk (1999) cognisance should be taken of the fact that although information in the said threat analysis indicated that only a small number of organised syndicates are involved in these crimes, it should not be seen as the true extent of organised crime involved in the hijacking of trucks carrying freight. This is due to the fact that only threats that could not be investigated through the normal police investigation methods were registered on the Organised Crime Threat analysis. According to Fouche (1999), investigation indeed indicates that the majority of these crimes are committed by organised groups.
4.3.1 Organised crime structures

As pointed out from a variety of definitions regarding organised crime, it is also true that different structures could exist in which this crime is committed. For the purpose of this research, two examples of organised truck hijacking syndicates will be analysed. The first one will be labelled a shopkeeper syndicate. The rationale will become clear during the analysis which is to follow.

Shopkeeper Syndicate
Figure 4.1 Shopkeeper Syndicates

The operation of this type of syndicate can be explained as follows:

According to Minnaar (1995:97-98), the hijacking of trucks carrying freight has basically two main role players or organisers. One can be described as the shopkeeper or bank manager and the other as the field officer. The shopkeeper would normally be a well-established businessman, maybe with a criminal record for receiving stolen property, but very seldom would he have served a jail sentence. In contrast, the field officer would be a person having a criminal record or one who has close contact with former inmates.

The relationship between the field officer and the shopkeeper will normally be built on a high level of trust, in that the most secretive planning would take place amongst them. A special code of conduct would also exist between them: should the one get arrested, he would not mention the identity of the other (Minnaar 1995:98).

The field officer would have his own group of criminals working for him, and on the receiver’s instructions, he would instruct his workers to obtain what is needed by the shopkeeper. For example, the shopkeeper would place an order for motor
vehicle tyres or consumer goods such as groceries or washing powders (Minnaar 1995:99).

The field officer would also very seldom expose his group of criminals to the shopkeeper or receiver, mainly because of fear that should these criminals be arrested, they might point out the receiver. Secondly the criminals might deal directly with the receiver and jeopardise the field officer’s profit that he is supposed to get from the receiver. Normally, the field officer’s ability to enforce obedience is based on his reputation, as well as severe manipulation. It also happens that the criminals or soldiers, as they are also called, are blackmailed by the field officer, who knows about their criminal activities or in cases of foreigners, their status as illegal immigrants (Minnaar 1995:99).

According to Minnaar (1995:99) a strong recommendation for acceptance into a syndicate of hijackers of trucks carrying freight, is if the person is wanted by the police either as a suspect in cases under investigation, or as a person who has absconded bail. This policy is also strongly supported by bank robbers, cash-in-transit robbers and hardened criminals, as they know that the chances are very slim that there would be any leaks from their circle. The shopkeeper would also operate in a very secretive manner and would very seldom declare his safe house or warehouse to the field officer. Once a hijacked consignment reaches the field officer, he immediately contacts the shopkeeper to receive instructions on where to deliver the loot. If possible, the robbers do not accompany the field officer to the prearranged spot, and if they do, this is only a temporary arrangement, for instance, a temporary warehouse where the hijacked goods are kept in transit to later be moved to another place of safekeeping. It can also happen that the receiver simply transfers the stolen goods from the hijacked truck into his own vehicle at a certain rendezvous and from there, drives directly to his concealed warehouse. The shopkeeper is normally very careful as to how he
operates the concealed warehouse. Only people whom he has known and trusted for a long period of time, will be allowed to assist him to unload the freight. Normally the shopkeeper only makes use of scab labour and does not hesitate to either blindfold them or put them in the back of a truck so that they cannot see outside, which makes the identification of these concealed warehouses almost impossible. According to Minnaar (1995:99) a case was investigated where the receiver and four scab labourers working for him were arrested in his warehouse. It was also discovered that the four scab labourers were from Mozambique.

It is also difficult, according to Minnaar (1995:99), to establish in whose name such warehouses are rented as the shopkeeper seldom uses his own name, and very seldom uses a written contract.

It was also discovered that the shopkeepers deposit large sums of money with their legal advisors in advance to ensure that, should they be arrested, an application for bail could be made immediately (Minnaar 1995:99).

It is quite clear from the above that hijacking of trucks carrying freight is not the result of decisions made on the spur of the moment, but is well-planned and organised in advance, to satisfy the need of third parties.

**Leader syndicates**

According to Rossouw (2002), a typical organised crime truck hijacking syndicate that also has a cross border dimension, could be described as follows. Figure 2 provides a graphical exposition of the elements of a typical organised truck hijacking syndicate. For the purpose of distinction from the shopkeeper syndicate, these are named the leader syndicate.  

Figure 4.2 A leader syndicate
This type of syndicate can be explained as follows:

According to Rossouw (2002) the syndicate consists of two levels, namely the management or top structure - the syndicate leader and his three lieutenants - as well as the coordinators and runners, who are the actual people involved in the execution of the crimes.
Leader

The leader of the syndicate would normally be a businessman who does not get physically involved in the truck hijackings. The leader would also normally only organise the hijackings in cooperation with the three lieutenants. He would also receive the money generated from the selling of goods/freight and in some instances, the truck, and would launder the money received from the hijackings through his legal business.

Lieutenants

The three lieutenants are responsible for ensuring the distribution of the freight/truck across borders and internally in the RSA, for gathering intelligence on freight and routes, and for ensuring that hijackers and drivers are available to secure the truck and freight. These three lieutenants are the only persons who have knowledge of the identity of the leader. This will ensure that when a driver or hijacker or any other member in the lower level is arrested, the leader cannot be implicated.

Distribution

The distribution section is divided into two groups, namely a coordinator responsible for the smuggling of the truck and freight across borders, and a coordinator responsible for distribution of the freight and/or trucks within the RSA. The cross-border coordinator is responsible for securing a market for the goods/freight and trucks across the border in neighbouring states. In order to successfully smuggle the hijacked goods/freight and trucks to clients in neighbouring states, he will also have to recruit members of the SAPS at the clearance offices and border post, as well as members of the Department of
Customs and Excise, to ensure a “safe passage” for the truck and freight through the border post.

The internal coordinator is responsible for obtaining local markets for the different types of hijacked freight.

**Intelligence**

The section responsible for intelligence consists of the lieutenant, a coordinator and intelligence officers. The coordinator for intelligence is responsible for recruiting members to gather information on goods, as well as on routes that these goods will be transported. If, for example, a request is received for certain goods, the intelligence section will be tasked to determine the transport company that is involved in transporting the specific goods needed as well as where, when, and so on, the goods will be transported.

In some instances the intelligence members will try to bribe drivers involved in transporting the specific freight to cooperate in the so-called hijacking. This is usually referred to as hand-overs.

The lieutenant responsible for the hijackers and drivers will then be furnished with the detail in order to obtain the freight and truck.

The coordinator and intelligence members do not have knowledge of the other members of the syndicate.
Driver-hijackers

This section is responsible for the actual hijacking of the trucks with freight and the transporting of the freight/truck to a specific warehouse where the goods are kept before being delivered to the client. In some instances the goods are even transported directly to the client.

For example, when certain goods are in demand and intelligence have determined the route, as well as when and where the goods will be transported, the hijackers will be informed in this regard. After the hijacking, the truck with freight will be transported and handed over to the coordinator at a specific area. The coordinator will then employ a driver to drive the freight to a certain destination. In some instances the driver will not even bear knowledge that the goods were hijacked.

As with the other sections, this section will also not expose their group (hijackers, drivers) to the other sections or to the lieutenants or leader.

4.3.2 Cross-border dimension

Although the research done did not indicate that a large number of trucks with freight are smuggled across borders, it is evident when studying figure 2 that a market for the hijacked goods and, in some instances, for the trucks, not only exists inside but also outside of South Africa. According to Jones (1999), cases have been identified where syndicates have taken hijacked trucks carrying freight across borders to be sold or bartered for either drugs or other commodities in Africa.

According to Heslinga (1996:3) trucks are usually smuggled from South Africa to Beira in Mocambique. Corrupt officials at the different border posts usually
assist in smuggling the truck through the post. He is also of the opinion that various trucks were discovered in Maputo, Mozambique during an investigation into the smuggling from South Africa across borders of vehicles that were claimed to be either stolen or hijacked. It was also established that Chimoio in Mozambique is used as an entry point into Zimbabwe. In Zimbabwe the town Tete is again used as a passing through route for stolen or hijacked vehicles, which included trucks carrying freight for countries such as Zambia, Tanzania, Malawi, Zimbabwe and Dar-Es-Salaam. In Tete, according to Heslinga (1996:3), negotiations regarding the price of stolen or hijacked property takes place. These commodities are either paid for in money or bartered for drugs. The reason why property is bartered for drugs according to Heslinga (1996:3), is that drugs do not have any monetary value in other African countries, as is the case with South Africa. According to Heslinga (1996:3), there is great interest in mostly the freight due to the fact that good markets exist in the under-developed countries. Although some good markets exist for the freight in these countries, the trucks and trailers of such hijackings are also utilised by shipping them from Dar-Es-Salaam to countries like Turkey, India and other Arabian countries.

Based on the above, one can mention with certainly that corruption is an important aspect in especially the smuggling of hijacked trucks and freight across borders. Corruption is seen as an important aspect in the understanding of the phenomenon and will therefore also be discussed.

4.4 Corruption

According to Jones (1997:6), corruption is a prerequisite and a by-product of organised crime and organised crime cannot take place without corruption. Hills (1997:24) is also of the opinion that the extent of organised crime can largely be attributed to assistance rendered by corrupt officials to organised criminal groups.
throughout the syndicate network.

Hijacked trucks carrying freight are smuggled from South Africa to neighbouring states where the freight is either sold or bartered for drugs or other commodities, and the truck with its trailer are in some instances shipped to other countries. The question as to how these hijacked trucks cross the border, now arises. The answer, according to Heslinga (1996: 4), is in the bribing of government officials by syndicates at the different border posts. According to Heslinga (1996:3), a smuggler of goods by truck from South Africa to Mocambique mentioned to him during an investigation that the biggest problem he encountered during his criminal act was to bribe officials (R2000,00) on both sides of the border post.

According to Rossouw (2002) members of the SAPS are involved by receiving bribes for ignoring complaints and altering criminal records, are willing to destroy or steal dockets, take poor statements from complainants or witnesses and accept bribes to ensure that no chargers are laid against suspects. Although this type of corruption could not be established through the research, it is suspected that this types of corruption as mentioned also applies to the hijacking of trucks with freight.

As already mentioned in this section, corruption is not confined to officials of the State but also includes the private sector. With regard to the hijacking of trucks with freight (Buys 1995:22), an analysis of this tendency indicated that one factor largely contributing to the committing and escalation of this crime, is that the robbers have the cooperation of the drivers in many instances and that robbers also obtain inside-information with regard to the contents of the freight,

the route taken by the truck and even the time-schedule.
4.5 Conclusion

Organised crime as a contributing factor to the hijacking of trucks with freight in South Africa, was discussed in this chapter. Although the term “organised crime” posed a problem, a definition on this phenomenon was formulated which is relevant to the South African situation, the historical background, the extent, the structures involved, the cross-border dimension as well as corruption with regard to organised crime.

To get a holistic view of this phenomenon, it is also of great importance to discuss the victim involved in the hijacking of trucks with freight. This will be done in the following chapter.
THE VICTIM

5.1 Introduction

The preoccupation of the criminology in the past has been crime and the criminal while the victim received much less attention. In recent years however the study of the victim came to the fore as a very important aspect in addressing crime.

Therefore this chapter will discuss the victim of the hijacking of trucks with freight, namely a profile including biographical particulars, the different types of victims and a theoretical explanation of the victim’s vulnerability and possible contribution in the hijacking of trucks with freight. Firstly, attention will be focused on the types of victims.

5.2 Typology of victims

In an effort to select a typology which could be relevant in the discussion of the victim’s responsibility in the freight-carrying trucks, Schafer’s typology was selected because it is comprehensive and inclusive and would therefore be discussed. Schafer (1977:45-46) provided for the following types:

S The unrelated victims

This victim has no relationship with the criminal, except that the criminal has committed a crime against him/her. All members of society, including the driver, owner’s of the trucks and freight, are potential victims of crime (hijacking of freight carrying trucks) and they have no responsibility in the
commitment of the crime. The driver or the owner of the truck or freight cannot, for example, be held responsible for the fact that they have been hijacked.

S Provocative victim

In this case the victim is the first doer, i.e., has done something to the offender who, consequently, has become roused or incited to victimise the doer-victim. In such instances, the responsibility for the crime is heavily shared by both the offender and the victim. Although it is presumed that this type of victim is not prevalent with reference to hijacking of trucks with freight, one could argue that drivers that link up with criminals whereby they sell the freight to syndicates and report the incident as a hijacking, falls within this classification. These doer-victims usually get involved in this type of crime because they are being badly treated by their employers, for example truck drivers being paid low salaries.

S Precipitative victim

These victims have done nothing specifically against the criminal, but their thoughtless behaviour instigates, tempts, or allures the offender to commit a crime against the enticing victim. In these cases the victim, since he or she ponder’s the risk, cannot be seen as entirely blameless and some responsibility should be carried by the victimized person. In the study of this tendency it seems that the direct victim, namely the driver of the truck with freight could, due to their behaviour for example stopping at dark deserted areas to rest, stopping to pick up prostitutes and diverting from their designated route for one or other reason, ‘tempt’ the criminal to hijack the truck. The indirect victim could also, due to thoughtless
behaviour, instigate the offender to commit the crime. For example, the owner of the freight can, because of a lack of the identification of the freight, ‘tempt’ the criminal to hijack the truck with the sole purpose to get hold of the freight. Because the freight is not marked with some or other identification mark, the freight will not be identifiable after it was hijacked and distributed. The owner of the trucks can also not be seen as totally blameless. It is known in the industry that drivers are appointed without any security check, very little training regarding hijacking and are paid very low salaries. These types of drivers are then trusted with freight worth millions of rand.

Biologically weak victims

Schafer includes children, the aged, the female, the disabled, the mentally sick or deranged, and others, though unrelated to the criminal, as biologically weak victims, representing easy prey for the offender. One could also include the drivers of trucks with freight within this section because they are relatively defenseless (weak) when in transit. Although the driver (direct victim) actually precipitates the crime, the driver could not and cannot do otherwise and thus should not carry any responsibility. If any part of the criminal’s (hijacker’s) responsibility is to be shared, it should be shared by the owner of the trucks and the freight, the industry as a whole and the SA Police Service who do not provide the necessary protection for these partially or totally defenseless victims.

Socially weak victims

These victims, according to Schafer (1977:47), are usually not regarded by the larger society as full-fledged members of the community. Immigrants,
those associated with certain religions, ethnic minorities, and others who are in a socially weak position are often exploited by the criminal element. In the South African situation the black communities are, due to the past apartheid policy, in a socially weak position and are thus easy exploited by the criminal element. According to Schafer (1977:47) socially weak victims are almost always blameless, and the responsibility ought to be heavily shared by both the criminal and the society that is responsible for the prejudice against them. The majority of trucks with freight drivers are black

**Self-victimizing victims**

Self-victimizing victims are described by Schafer (1977:47) as persons that victimize themselves and are in reality their own criminals. Drug addiction, to mention only one, is an example of those criminal offences where the victim victimizes him/herself or the interest of society. With regard to the hijacking of trucks with freight this type of victimisation does not occur.

**Political victim**

Political personalities are in many instances the victim of their opponents. Politicians in their quest for higher position may in some instances precipitate crime by making criminals of their opponents. Schafer (1977:47) described this victim as having no sociological responsibility. With regard to the hijacking of trucks with freight this type of victimisation does not occur.

### 5.3 Biographical particulars of the victim

The biographical data that could be extracted from the case dockets regarding the
victim and will be discussed next.

5.3.1 Number of victims

Table 5.1  Number of Victims present during the truck hijacking

<table>
<thead>
<tr>
<th>Number of victims</th>
<th>Frequency</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>One</td>
<td>67</td>
<td>19.8%</td>
</tr>
<tr>
<td>Two</td>
<td>47</td>
<td>13.8%</td>
</tr>
<tr>
<td>Three</td>
<td>4</td>
<td>1.2%</td>
</tr>
<tr>
<td>Four</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Five</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Six</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Unknown</td>
<td>1</td>
<td>.3%</td>
</tr>
<tr>
<td>Data not available from dockets</td>
<td>220</td>
<td>64.9%</td>
</tr>
<tr>
<td>Total</td>
<td>339</td>
<td>100%</td>
</tr>
</tbody>
</table>

The research in table 5.1 indicates that in the majority of cases only the drivers were in the truck when the truck hijacking was committed. Only in 13.8 percent of the incidences the drivers were accompanied by an assistant. It can be argued that by adding an assistant to each truck it could possibly assist in deterring possible hijackers.

5.3.2 Gender of victims

Table 5.2  Gender of the driver or assistant

<table>
<thead>
<tr>
<th>Gender</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>117</td>
<td>34.5%</td>
</tr>
<tr>
<td>Female</td>
<td>1</td>
<td>.3%</td>
</tr>
<tr>
<td>Unknown</td>
<td>2</td>
<td>.6%</td>
</tr>
</tbody>
</table>
In the majority of the cases as indicated in table 5.2 the gender of the victims were indicated as male. This result has no significants as the majority of truck drivers in South Africa are usually done by male persons.

### 5.3.3 Race of victims

Table 5.3  Race of the driver or assistant

<table>
<thead>
<tr>
<th>Race</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>3</td>
<td>.9%</td>
</tr>
<tr>
<td>Black</td>
<td>111</td>
<td>32.7%</td>
</tr>
<tr>
<td>Coloured</td>
<td>4</td>
<td>1.2%</td>
</tr>
<tr>
<td>Asian</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Unknown</td>
<td>1</td>
<td>.3%</td>
</tr>
<tr>
<td>Not recorded on dockets</td>
<td>220</td>
<td>64.9%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>339</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

Table 5.3 indicates that the majority of the drivers or assistance involved in the hijacking were black.

### 5.3.4 Age of Victim

Table 5.4  Age of driver or assistant

<table>
<thead>
<tr>
<th>Age</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>22 - 25</td>
<td>1</td>
<td>.3%</td>
</tr>
<tr>
<td>26 - 30</td>
<td>8</td>
<td>2.4%</td>
</tr>
<tr>
<td>31 - 35</td>
<td>24</td>
<td>7.1%</td>
</tr>
<tr>
<td>36 - 40</td>
<td>14</td>
<td>4.1%</td>
</tr>
</tbody>
</table>
According to table 5.4 the analyses regarding the age of the direct victims (drivers and assistant) indicates the following:

The majority of the victims were between 41 and 50
Second were those victims in the age group between 31 and 35
Thirdly were the victims between 36 and 40 years of age.

From the above it is clear that the transport industry is trying to employ the older drivers more. This could be because they are perceived as more experienced and trustworthy drivers.

### 5.3.5 Condition of the victims

Table 5.5  Condition of the victim after the hijacking

<table>
<thead>
<tr>
<th>Condition</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not injured</td>
<td>105</td>
<td>31.0%</td>
</tr>
<tr>
<td>Injured</td>
<td>12</td>
<td>3.5%</td>
</tr>
<tr>
<td>Unknown</td>
<td>3</td>
<td>.9%</td>
</tr>
<tr>
<td>Not recorded in dockets</td>
<td>219</td>
<td>64.6%</td>
</tr>
<tr>
<td>Total</td>
<td>339</td>
<td>100.0%</td>
</tr>
</tbody>
</table>
The above-mentioned table 5.5 indicates that the hijackers limited themselves to minimum force during the hijacking. In the majority of cases no one was injured. Not one of the 339 hijacking incidents resulted in the death of a driver or assistant. This result is in sharp contrast with the hijacking of passenger vehicles where it seems that more victims are killed or seriously injured during the hijacking. The only explanation for this result could be one of the following reasons:

The perpetrators know that the victims are in most instances not the owners of the trucks with freight and will therefore not resist the hijacking. The mere threatening of the driver/assistant with physical harm or that he might be shot is sufficient to get control of the truck with freight. In the case of passenger vehicle hijacking, the perpetrators are aware of the fact the property (vehicle) usually is owned by the victim and will probably resist the hijacking. In order to prevent the victim to resist physically, harm is directed against the victim.

Another reason could be that the drivers are involved with the hijackers, the so-called handovers. In such cases the drivers or assistants will sell the freight to a syndicate and will actually became part of the syndicate. Drivers, as mentioned in the script, are paid low salaries and can easily be recruited by syndicates to collaborate in the crime.

5.3.6 Injuries of victims

Table 5.6   Seriousness of injury

<table>
<thead>
<tr>
<th>Seriousness of injury</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Slightly</td>
<td>11</td>
<td>3.2%</td>
</tr>
<tr>
<td>Unknown</td>
<td>4</td>
<td>1.2%</td>
</tr>
<tr>
<td>Not applicable</td>
<td>105</td>
<td>31.0%</td>
</tr>
</tbody>
</table>
Table 5.6 indicates that the victims that were indeed injured, the injuries were not serious and can be described as slightly injured. Not one received serious injuries.

### 5.3.7 Part of body injured

Table 5.7 Body part injured

<table>
<thead>
<tr>
<th>Part of the body injured</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Head</td>
<td>7</td>
<td>2.1%</td>
</tr>
<tr>
<td>Abdomen</td>
<td>2</td>
<td>.6%</td>
</tr>
<tr>
<td>Arms</td>
<td>1</td>
<td>.3%</td>
</tr>
<tr>
<td>Unknown</td>
<td>4</td>
<td>1.2%</td>
</tr>
<tr>
<td>Not applicable</td>
<td>106</td>
<td>31.3%</td>
</tr>
<tr>
<td>Not recorded in dockets</td>
<td>219</td>
<td>64.6%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>339</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>

Table 5.7 indicates that slight injuries were sustained by some victims during the hijackings. The injuries were directed to (1) the head (2) the abdomen and (3) the arms. The injuries were mostly the result of assault during the hijacking.

### 5.3.8 Left behind

Table 5.8 Left behind after the hijacking

<table>
<thead>
<tr>
<th>Left behind</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>14</td>
<td>4.1%</td>
</tr>
<tr>
<td>No</td>
<td>103</td>
<td>30.4%</td>
</tr>
<tr>
<td>Unknown</td>
<td>2</td>
<td>.6%</td>
</tr>
<tr>
<td>Not recorded in dockets</td>
<td>220</td>
<td>64.9%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>339</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>
The above table indicates that in the majority of cases the victims were taken hostage and not left behind immediately after the hijacking. The reasons could be the following:

S To prevent the victims to activate the anti-hijacking system

S To prevent the victim to inform the owners and South African Police Service of the hijacking and therefore risk being apprehended

S To have sufficient time to transport the freight to the warehouses/receivers and to unload the freight.

5.3.9 Was the victim armed?

Table 5.9 Was the driver or assistant armed

<table>
<thead>
<tr>
<th>Armed</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>3</td>
<td>.9%</td>
</tr>
<tr>
<td>No</td>
<td>15</td>
<td>4.4%</td>
</tr>
<tr>
<td>Unknown</td>
<td>101</td>
<td>29.8%</td>
</tr>
<tr>
<td>Not recorded in dockets</td>
<td>220</td>
<td>64.9%</td>
</tr>
<tr>
<td>Total</td>
<td>339</td>
<td>100%</td>
</tr>
</tbody>
</table>

According to the table it could not be established if the drivers/assistant were armed at the time of the hijacking. This is because no mention is made in the case docket
pertaining to if the victim is armed.

5.3.10 Type of truck hijacked

Table 5.10 Type of truck

<table>
<thead>
<tr>
<th>Type of truck</th>
<th>FREQUENCY</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mercedes Benz</td>
<td>32</td>
<td>9.4</td>
</tr>
<tr>
<td>International</td>
<td>16</td>
<td>4.7</td>
</tr>
<tr>
<td>M. A. N</td>
<td>14</td>
<td>4.1</td>
</tr>
<tr>
<td>Hyno</td>
<td>7</td>
<td>2</td>
</tr>
<tr>
<td>Dyno</td>
<td>2</td>
<td>0.5</td>
</tr>
<tr>
<td>DAF</td>
<td>1</td>
<td>0.2</td>
</tr>
<tr>
<td>AMC</td>
<td>1</td>
<td>0.2</td>
</tr>
<tr>
<td>Canter</td>
<td>2</td>
<td>0.5</td>
</tr>
<tr>
<td>Freightliner</td>
<td>1</td>
<td>0.2</td>
</tr>
<tr>
<td>Isuzu</td>
<td>7</td>
<td>2</td>
</tr>
<tr>
<td>Ivelo</td>
<td>1</td>
<td>0.2</td>
</tr>
<tr>
<td>Mitsubishi</td>
<td>3</td>
<td>0.8</td>
</tr>
<tr>
<td>NISSAN</td>
<td>4</td>
<td>1.1</td>
</tr>
<tr>
<td>Volvo</td>
<td>6</td>
<td>1.7</td>
</tr>
<tr>
<td>Unknown</td>
<td>23</td>
<td>6.7</td>
</tr>
<tr>
<td>Not recorded in dockets</td>
<td>219</td>
<td>64.6%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>339</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>

Although it is believed that truck with freight hijackings are more focused on the freight than obtaining the truck, indications are also that in some cases trucks are also hijacked for the sole purpose of reselling them.

From the above tables the hijackers prefer to target (1) Mercedes Benz (2) International and (3) M.A.N. trucks. No specific reason could be found for this tendency but could be according to Rossouw (2002) linked to the market share of these trucks.

5.3.11 Anti theft/hijacking device installed

Table 5.11 Anti hijacking devices installed
Once again the results pertaining to the installation of anti-hijacking devices in trucks could not be determined because of the large unknown factor. This is because the information was not provided in the dockets.

5.3.12 Status of the truck

Table 5.12 Status of the truck

<table>
<thead>
<tr>
<th>Status of the truck</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recovered</td>
<td>82</td>
<td>24.2%</td>
</tr>
<tr>
<td>Sought</td>
<td>28</td>
<td>8.3%</td>
</tr>
<tr>
<td>Unknown</td>
<td>4</td>
<td>1.2%</td>
</tr>
<tr>
<td>Not recorded in dockets</td>
<td>225</td>
<td>66.4%</td>
</tr>
<tr>
<td>Total</td>
<td>339</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

In the majority of cases the trucks were recovered. Only a small number were still sought at the time of the research. From this finding one can deduct that the perpetrators are not interested in the truck but the freight. The trucks are usually recovered next to the road where it was abandoned. The other trucks that were not recovered could be resold in the local market or smuggled to neighbouring countries where a need exists for trucks.

5.3.13 Were the truck and freight insured?

Table 5.13 Insurance
From the research it is clear that very limited information was available pertaining to the status of the truck being insured. This is as a result of the information not been captured in the case dockets.

### 5.3.14 Value of the truck

**Table 5.14 Monetary value of the trucks**

<table>
<thead>
<tr>
<th>Value of the truck</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 50 000</td>
<td>5</td>
<td>1.5%</td>
</tr>
<tr>
<td>50 000 - 100 000</td>
<td>27</td>
<td>8.0%</td>
</tr>
<tr>
<td>101 000 - 200 000</td>
<td>26</td>
<td>7.7%</td>
</tr>
<tr>
<td>201 000 - 300 000</td>
<td>20</td>
<td>5.9%</td>
</tr>
<tr>
<td>301 000 - 400 00</td>
<td>3</td>
<td>.9%</td>
</tr>
<tr>
<td>401 000 - 500 000</td>
<td>7</td>
<td>2.1%</td>
</tr>
<tr>
<td>501 000 and more</td>
<td>25</td>
<td>7.4%</td>
</tr>
<tr>
<td>Registered wrong</td>
<td>226</td>
<td>66.7%</td>
</tr>
<tr>
<td>Total</td>
<td>339</td>
<td>100.0%</td>
</tr>
</tbody>
</table>
According to table 5.14 the following information was obtained regarding the value of the truck that was hijacked;

S The majority of trucks were valued between R50 000 - R100 000

S Secondly the trucks were valued between R101 000 - R200 000

S Thirdly the trucks were valued R500 000 and more

S In the fourthly place were the trucks valued between R200 000 and R300 000.

Next the focus will turn to explaining some victimogenic aspects pertaining to hijacking trucks with freight by means of a selection of some aspects of some theories.

5.4 Theoretical explanations

There are various opinions and theories in criminology which explains why certain persons or classes of persons become victims of crime. With regard to the hijacking of trucks with freight it’s also no exception.

In the study of hijacking of trucks with freight two theories, namely the functional responsibility theory of Schafer and the lifestyle theory of Hindelang, Gottfredson and Garofalo will be used to explain the contribution of the victims of the hijacking of trucks with freight.
5.4.1 The functional responsibility theory

When the responsibility for the crime is discussed attention should be given to the criminal-victim relationship (Schafer :1977149-161). Schafer is of the opinion that responsibility is and always will be a decisive factor in the crime situation because it forms the foundation of crime.

Schafer is of the opinion that responsibility is not an isolated factor in a specific point in time, but is used by the community to maintain social control. In this regard responsibility explains crime and shows the affinity between criminals as conforming to a specific system which is in conflict with the spatial, cultural and time dimensions of the dominant community. According to Schafer functional responsibility is so wide that it touches the functional forces of crime of which the criminal-victim relationship is but one facet. The most important factor that influences functional responsibility, according to Schafer, is originality and culture which also include the administration of justice.

The restrictions that the free will of a person has on his responsibility, are brought about within the cultural context and within the socialising process. Cultural values are part of a person’s personality and his/her choices are restricted by values. The criminal’s functional responsibility within this context is to make sure that he or she does not neglect the restrictions of his culture, while the victim should see to it that he or she must prevent his/her own victimisation.

According to Schafer, culture also directs the administration of law and its responsibility is vested therein that persons that do not conform to the present culture will be forced to do so, while the potential victim will be protected by the law.
According to Cilliers (1986:5) culture also determines the functional responsibility imposed on the victim. The functional part of the human in the community is determined by its choices and restrictions which gives cause for the causality factors which determine the person’s responsibility.

Because crime is seen as a social phenomenon, the criminal and the victim involved in the different functional roles, which they must fulfill (Schafer & Cilliers).

The criminal-victim relationship is found in the fact that the victim is not in the position due to crime to fulfill his/her functional role. The criminal’s functional responsibility is found in the fact that he or she has to answer to the community because he or she did not fulfill his/her responsibility towards the community. The victim’s functional responsibility, on the other hand, is that he or she should see to it that their behaviour is not the cause for their victimization. It is expected from the victim to actively attempt not to create the risk to be victimized and actively put measures in place to prevent crime. (Schafer 1977:149-151).

According to Cilliers (1986:6) this theory emphasises the fact that the victim, though indirect, may also have a share in his/her own victimization and that this “share” could be indicated by a continuum of responsibility. Functional responsibility serves as the measuring-rod with no share in the crime on the one end, and total responsibility for the crime on the other end. In between these two points there is a difference in degrees of functional responsibility.

This explanation is depicted by Cilliers (1986:6) as follows:

The functional responsibility of the victim and the criminal in a crime
Evaluation of the theory

Although this theory, according to Cilliers (1986:6), does not explain why a victim contributes to his/her own victimization, it does help to understand (crime explanation) that the victim can, because he or she does not take up his/her functional responsibilities, contribute to his/her own victimization. With regard to the phenomena of hijacking of trucks with freight, it is perceived that this theory will definitely help to explain it.

According to Eloff (1998) various hijackings of trucks with freight occurred because the victims were negligent for example, the driver of the truck deviated from his prescribed route, stopped at isolated spots to rest and picked up prostitutes. Apart from the driver of the truck, the owners of the truck and the owner of the freight are according to Rossouw (2002) also indirect victims being
negligent. For example, recruiting drivers from the street without scrutinising the person’s background properly and not paying the drivers enough. This driver is then entrusted with millions of rand worth of freight. This person may even be part of a criminal syndicate who is involved in hijacking. According to the theory it is also expected from the victim that he or she should actively try and prevent any victimization or, as in this case, the hijacking of trucks with its freight. Eloff (1998) is also of the opinion that the victims, driver and the owner (truck and freight) can definitely go a long way to help prevent hijacking, for example, by fitting a tracking device to their trucks. It has been found, according to Eloff, that trucks that are fitted with these devices are not so easily hijacked and when hijacked, they are easily recovered. Another aspect that needs attention according to Eloff (1998) is the owners marking the goods that are transported. When trucks with freight (goods) are hijacked and recovered by the SA Police Service, it is very difficult to identify the goods because in most cases it is not marked with an identification mark. It is then very difficult for the police to link the goods to the hijacking.

5.4.2 The Lifestyle/exposure theory

According to Grobbelaar (1986:07), the lifestyle theory is based on a theoretical model directed against victims of crimes such as robberies, murder, rape and assault and is, according to Von Hentig (Moolman 1984:129), suitable to explain the victim’s contribution in the perpetration of the crime.

The concept

According to Hindeling, Gottfredson and Garofalo (1978:241), lifestyle refers to routine daily activities, both vocational activities namely work, school, keeping
houses, etc. and leisure activities which expose a person to possible victimization.

Hindeling *et al.* (1978:242-245) based this theory on an approach that all individual members of the community should adhere or adapt to the role expectations and social structures which the community and individuals impose on them to be able to function smoothly in society. The role expectations and structural obligations of any individual are greatly dependent on his/her demographic characteristics.

According to Hindeling *et al.* (1978:242) the following demographic characteristics will have an influence on a person’s lifestyle, namely:

### S Role Expectations

This refers to cultural norms that are firstly associated with the already deep-rooted and allocated status of the individuals, and secondly, their behaviour and attitude with regard to their preference and the expectations made to them. The role expectations of concern are those pertaining to the individuals central status. The statuses have particular influence on different persons because their role expectations vary from person to person. Aspects that influence the role expectations of a person are age, sex, marital status, level of education, occupation and income (Cilliers 1986:9).

### S Social Structure.

This can be defined as the limitations on behavioural options resulting from
the particular arrangements existing within various institutional orders, such as the economic, familial, educational and legal orders.

According to Cilliers (1986:09), individuals and groups should adapt to the role expectations and social structures the community imposes on them. Among these are the skills and attitudes a person acquires that allows him or her to operate with some individuality within the constraints imposed by role expectations and the social structure. Certain skills and attitudes that are acquired can also influence a persons particular view and attitude with regard to crime. For example, a driver or owner involved in transporting of freight by trucks can develop such a fear of crime (hijacking) that he will do anything in his power to put measures in place to curb and prevent hijacking. One will also find owners and/or drivers of trucks with freight who will do nothing to prevent or curb hijacking because they are insured.

Role expectations and structural constraints have, according to Hindelang et al. (1978:244), similar effects on people with the same demographic characteristics. Grobbelaar, (1986:09) call these factors shared adaptations found among subgroups of society and which are incorporated as a norm, for example, a criminal subculture. It also happens in the transporting industry, especially the transporting of freight by trucks, that certain routine activities are adopted that is unique to the concerned subculture, namely the transporting of freight by trucks. For example, the use of leisure activities, i.e. picking up prostitutes which result in the subculture being exposed to some elements which can be exploited by the criminal elements, namely the hijackers.

According to Grobbelaar (1986:10) the lifestyle/adaptation theory is applicable to all persons and is heavily dependent on the routine-activity approach. Due to the variety of lifestyles, the lifestyle/adaptation theory is related to the fact that a person who is in a specific time and place will be in contact with other persons with
different characteristics, for example, when drivers of trucks transporting freight expose themselves (truck and freight) to places, times and persons were the levels of victimization is high.

Personal victimization, which follows exposure to high victimization risk situations, is according to Hindelang et al (1978:245) the last factor in this theoretical explanation. An example is when a potential criminal observes a truck transporting freight over a long period of time to establish the driver’s routine and daily activities with the purpose of hijacking.

According to Hindelang et al (1978:247), demographic variables such as age, sex, marital status, family income and race have an influence on lifestyle. Race, for example, is closely linked especially in the South African situation with regard to the past with life experience and chances. Black people, because of the apartheid policy, did not have the same opportunities such as education as was the case with white people. This resulted in the situation where black people only qualified for low paid-jobs such as drivers of trucks with freight.

**Contributing to victimization.**

For victimization to occur, the following conditions must be met according to Hindelang et al. (1978:250), namely:

- There must be occasions for the offender and the victim to interact in time and space
- A dispute or claim must arise between the actors in which the victim is
perceived by the offender as the appropriate object of the victimization

S The offender must be willing and able to threaten or use force in order to achieve the desired end

S The circumstances must be so that the offender regards it as advantageous to use or threaten force to achieve the desired end

S Lastly, it should be mentioned that the probability of these conditions being met is related to the circumstances of the society.

Assumptions with regard to victimization and lifestyle

As a result of empirical research, Hindelang et al. (1978: 251-266) has made eight assumptions that indicate how certain lifestyles have certain implications for exposure to victimization, namely:

The probability of suffering personal victimization is directly related to the amount of time that a person spends in public places, for example, on street, in parks and particular in public places at night. Because drivers of trucks with freight have to travel extensively to transport goods, they tend to spend quite a lot of time in public places where the opportunity arises to be victimized.

The probability of being in public places, particularly at night, varies as a function of a lifestyle, especially those who work, such as drivers who transport goods and
whereby some large portions of this activity are structured in and around the workplace, namely the transporting of goods in a truck. Due to the long distances that these trucks usually have to travel, they also spend some time resting alongside the road during the night. This makes them vulnerable.

Social contacts and interactions occur disproportionately among individuals who share similar lifestyles. Persons with the same demographic characteristics such as income, race, education, work and interests shall be more-inclined to seek each other's company as is the case with those who have different characteristics. As already mentioned, the driver transporting goods in a truck is, due to the long distances travelled for quite some time on the road. This necessitates the drivers having to take a rest especially during the night. During these resting periods the drivers tend to mix their social life with the resting periods. Cases have been reported, according to Rossouw (2002), where drivers interact with prostitutes who are used by syndicates to hijack the truck with freight.

An individual's chances of personal victimization is dependent on the extent to which the individual shares demographic characteristics with the offender.

The proportion of time that an individual spends among non-family members varies as a function of lifestyle. Certain lifestyles insulate the individual from contact with non-family members.

The probability of personal victimization, particularly personal theft, increases as a function of the proportion of time that an individual spends among non-family members. For example, in the transporting industry drivers involved in transporting freight tend to spend less time with their family members and more time with non-
family members due to the long distances travelled. Because these drivers are more in contact with non-family members their chances of being victimized are also greater. According to Hindelang et al (1978:260), studies have repeatedly found that more than four out of five robberies and/or victimizations involved strangers.

Variations in lifestyle are associated with variations in the ability of individuals to isolate themselves from persons with offender characteristics. Family income, as it reflects economic structural constraints facing an individual, is an important determinant of a lifestyle. Among the important consequences of family income are where one lives, how one lives, and with whom one comes into contact. Poor people are forced to stay in bad residential areas, use public transport and visit public recreation facilities such as shebeens. Unfortunately, people with criminal characteristics tend to stay in predominantly bad residential areas, use public transport and usually visit public recreation facilities. One big problem identified in the transporting industry is exactly that of low salaries the drivers are paid. These drivers are then entrusted with freight worth millions of rand. Because of their low salaries these drivers are easy targets for organised syndicates to supply inside information in exchange for financial gain regarding the type of cargo and the route that will be followed, or the drivers are convinced to collaborate with the criminals in the hijacking of the truck with freight.

Variations in lifestyles are associated with variations in the convenience, the desirability, and vincibility of the person as a target for personal victimizations.

The easy availability of the victim is a very important consideration for the criminal. From the offender’s perspective, it is convenient to wait for a potential victim to be at a certain place and time that is suitable to the offender. Regarding the hijacking of trucks with freight, these hijackings usually occur on public streets, and at times that there is virtually no effective defensible space.
Another aspect of the assumptions that needs to be addressed is the desirability of the target. Not all individuals are equally desirable from a potential offender’s point of view, for example, the wealth of the potential victim may play an important part in deciding if the victim should be victimized. One of the main reasons why trucks transporting freight are being hijacked is precisely the issue of the value and usability of the freight that are transported.

A person or potential victim’s vincibility to personal victimization is also an aspect that has an impact on the possibility of being victimized. In this regard a person’s chance to be victimized is increased to the extent that the potential victim is seen by the offender as less able to resist the offender successfully. Regarding the hijacking of trucks with freight, a driver transporting freight is seen by criminals as a relatively easy target because he usually travels alone or is accompanied by one passenger. Studies (Hindeling et al. 1978:266) have also indicated that lone victims are unwilling to resist and the fewer the victims, the less likely it is that the offender will be identified.

5.5 Conclusion

The victim as a very important aspect of this phenomenon was discussed in this chapter. Special attention was given to the typology and biographical particulars of the victim and a theoretical explanation was offered for why victims of this tendency are more prone to victimization (hijackings).

From the research, the following profile of the victim can be compiled:

The victim is a black male driver between the ages of 41 and 50, traveling alone in either a Mercedes, International or M.A.N. truck with freight valued between R50
000 or R300 000, was not injured or killed during the hijacking, was kept hostage for some period of time after the hijackings and the truck is recovered.

In the next chapter the focus is on the prevention of hijacking of trucks with freight.
CHAPTER 6

PREVENTING THE HIJACKING OF TRUCKS WITH FREIGHT

6.1 Introduction

The increased failure of the criminal justice agencies to respond appropriately to crime worldwide, especially in South Africa, has brought the issue of crime prevention, i.e. preventing crime from occurring, as a method to combat crime, to the forefront.

This chapter will briefly discuss the preventing of crime with relation to the hijacking of trucks with freight.

6.2 Background

Although the prevention of crime was for many years regarded as largely the domain of the South African Police Service and the other components of the criminal justice system, it needs to be pointed out that crime prevention cannot possible be the task of the police or the other components of the Criminal Justice System only.

According to Burger (1999:2) the perception that crime prevention is largely the function of the South African Police Service could be ascribed to the previous police act and the new constitutions whereby crime preventions were seen as one main functions of the police. Previously the police did not understand crime prevention and how to do prevention. The South African Police Service according
to Burger (1999:2) have all these years given a very basic interpretation to the term crime prevention and have usually addressed crime through policing methods such as visible policing and the apprehension of criminals. Other role players outside the SA Police Service were never utilised in an effort to prevent crime.

The white paper on Intelligence and Security (Burger 1999:3) which was adopted in 1998, admits that police actions by itself will not prevent crime but that all activities which reduces, deters or prevent the occurrence of specific crimes should be utilised. This could be done by firstly altering the environment in which the crimes occur, secondly, by changing the conditions which are thought to cause the crimes and thirdly, by providing a strong deterrent in the form of an effective criminal justice system.

Wilson and McLaren (1977:319) are also of the opinion that crime is the result of the simultaneous existence of the result of two sets of factors namely predisposing and precipitating factors. Predisposing factors refer to social environmental conditions in the individuals past associated with poverty or economic inequalities or behaviour effects ascribed to school and workplace associations, friendships, networks and families, while precipitating factors refer to circumstances which create a believe in the mind of the individual that crime can, under these circumstances, be committed successfully.

According to Oosthuizen (1998:2) crime prevention should also be viewed from two broad categories namely from a social angle, focussing on the causes of crime and secondly with the emphasis on the elimination or extermination of the believe that crimes could successfully be committed.

Although crime prevention is seen by many as only pro-active of nature Oosthuizen
is of the opinion that pro-active and reactive approaches are of equally effective and both will lead to a state of no crime. In an effort to explain the two approaches, Reckless (1973:666) distinguished between primary, secondary and tertiary crime prevention.

6.2.1 Primary crime prevention

According to Oosthuizen (1998:6) primary crime prevention is usually a longer term pro-active strategy and it focuses mainly on:

- the motivation of the community to voluntarily uphold the law
- the reinforcement of social discipline
- the encouragement of interrelationships within the community
- the active involvement and participation of all role players in the long term, e.g. education, awareness program of the youth and the community in general.

Primary crime prevention can also be described in terms of minimizing the so-called “desire”, readiness or craving for committing crime, by addressing the root causes or social factors promoting crime such as unemployment, poverty, poor education/training, alcohol and drug abuse, urbanisation process, illegal immigration, declining moral values and greed, just to mention a few. In South Africa the many years of apartheid policy has led to huge discrepancies in such living conditions and lack of social development, making many South Africans more
vulnerable to motives for committing crime.

6.2.2 Secondary crime prevention

Secondary crime prevention according to Reckless (1973:667) covers both pro-active and reactive shorter term strategies such as street patrols, visible police presence and protection of life and property in general. In practice these strategies are implemented in response to crime tendencies in specific targeted areas to address specific crime-related problems. Regarding hijacking of trucks with freight, secondary prevention is the most common policing response.

6.2.3 Tertiary crime prevention

This type of prevention is according to Oosthuizen (1998:6) also reactive in nature, aimed at the deterrence of criminals by means of effective investigations, swift arrests, well-presented cases to court, factual, accurate and reliable evidence, regular convictions, sentences and lengthy imprisonment. Regarding hijacking of trucks with freight, tertiary prevention is jointly conducted by the police and the other components of the Criminal Justice System.

To illustrate the relevance of primary, secondary and tertiary crime prevention and bring them into perspective with regards to pro-active and reactive crime prevention figure 6.2 is presented.
\begin{tabular}{|l|l|l|}
\hline
\textbf{No crime} & \textbf{Time of crime} & \textbf{Reactive} \\
\hline
Before the crime & Time of the crime & After the crime \\
\hline
Primary crime prevention, eliminating of the desire, need, crave to commit crime. & Secondary crime prevention, elimination of the opportunities to commit crime. & Tertiary crime prevention \\
\hline
Long term strategy & Short term strategy & Deterence \\
\hline
\end{tabular}

When one analyses the above figure it is evident that the police alone are not responsible for crime prevention and that it is in fact a shared responsibility.

Clark (1995:33) is also of the opinion that the hijacking of trucks with freight can only be alleviated if there is a concentrated effort on the part of everyone concerned - the government, the police, the transport industry, the manufactures of the various security systems and all other affected parties - to work together to solve the problem of hijackings. One should also include the insurance companies.

### 6.3 The role of the police

As stated earlier, crime prevention is one of the main functions of the South African Police Service and it is the primary responsibility of the SAPS to reduce the crime levels to acceptable levels, which includes the hijacking of trucks with freight in SA.

When discussing prevention of hijacking of trucks with freight, it is also essential to point out that the phenomena must not be seen in isolation. Other crimes which should be considered in tandem with the hijacking include the theft/robbery of goods/products and the receiving of stolen goods. This is called the crime circle.

The crime circle can be illustrated as follows:
According to this illustration, the theft of goods, the hijacking of trucks with freight and the receiving of stolen goods are all linked together. The one cannot really operate without the other one.

When one analyses the police’s role in crime prevention against the primary, secondary and tertiary crime prevention distinction, it’s clear that the police are not empowered to address the root causes of crime, but will have a major impact on the secondary and tertiary crime prevention, thus on the pro-active and re-active elements.

### 6.3.1 Pro-active crime prevention

According to de Kock (1998 2-3) crime can successfully be combated by addressing four questions namely *where*, *when*, *why* and *who*. The *where* and *when*, which is also linked with secondary crime prevention, can be addressed
through crime pattern analysis. This is a spacial dimension. According to de Kock (1998: 2-3) crime pattern analysis would see to it that the scale of the problem namely the hijacking of trucks with freight, the locations where the hijacking has taken place, the time at which the hijacking occurred and the *modus operandi* that is used by the perpetrator is addressed. Without crime pattern analysis, crime prevention will remain an unsystematic, diffused and haphazard matter with little effect.

By employing crime pattern analyses, proper prevention planning becomes possible and human resources and logistics can be used to optimal advantage. Daily operations can now be planned on the crime patterns observed in an identified high incident geographical area during certain time frames. If certain groups or individuals have also been identified during such an analyses, the description/profiles of such persons can also be shared for possible apprehension.

At present the whole concept of crime pattern analysis has been included in the South African Police Services Crime Combating Strategy. According to this strategy, stations with crime combating zones have been identified as the stations were most of the crime in South African are being committed. At present the Crime Information Management Centre (CIMC) and the Crime Information Analysis Centres from Division Crime Intelligence is compiling geographical crime pattern analysis on a regular basis and disseminating this information to all role player’s concerned, for example Division Crime Prevention, Detective Service and other stakeholders at all levels of policing.

According to Harvey (Kruger 1995:4) many truck drivers are also not aware of the problem of hijacking and that they should be made more aware of the phenomenon. A national awareness campaign against the hijacking of motor vehicles should be launched to address it. Such a project has to be a combined effort between the
SAPS, other Government Departments such as Transport, the industry and the community. The aim of this program should be to make everyone, including the police, local authorities, manufactures of trucks and safety devices, insurance companies, Truck magazines, the transport industry etc. more aware of the dangers of hijackings and the possible ways to prevent this type of crime. This can be done through the media and by means of videos and audio cassettes, posters, promotions, competitions and even the Internet (De Kock 1997:25). By making people aware of truck hijackings persons witnessing this type of crime can increase the chances of apprehending suspects by noting the hijackers features, dress and a description of the other vehicles involved, before reporting the matter to the police as quickly as possible.

6.3.2 Reactive crime prevention

As previously mentioned reactive crime prevention is part of tertiary crime prevention which is aimed at deterrence of criminals with effective investigations, arrests, prosecutions and general law enforcement activities by the police and other law enforcement agencies (Oosthuizen 1998:7). Within South Africa the hijacking of trucks with freight is investigated by the South African Police Service and by investigators employed by various companies within the transport industry. The whole issue of the investigations and policing in general of this phenomena will be discussed in full in the next chapter regarding the criminal justice system.

The SA criminal justice system is according to Schonteich (1999:1) in a state of crisis. Awaiting trail populations are at a historic height. The prosecution services are taking in fewer cases to trail than any time since 1949 and serious violent crimes are solved so rarely that the perpetrators of these crimes have less than a one in fifty chance of being caught and punished.
As Oosthuizen (1998:7) mentioned it is important that the different role players involved in investigations, arrest, prosecutions and general law enforcement agencies should be effective before it could be described as a method of preventing criminals of getting involved in the hijacking of trucks with freight. When effective it also create the impression with the criminals that crime will not pay and that the risk associated with committing the crime is too high.

It is thus evident than reactive crime prevention in the SA content especially with regard to the hijacking of trucks with freight has limited impact and that this creates a believe in the mind of an individual that a crime, under these circumstances, can be committed successfully.

6.4 The role of the transport industry in the preventing of this phenomenon

As mentioned previously in this chapter, the prevention of crime is not only the responsibility of the South African Police Service but should be complimented by the community and industry.

With regard to the hijacking of trucks with freight it is important that the transport industry should also accept its responsibility to put primary, secondary and tertiary prevention measures in place to prevent this crime. According to Harvey (Kruger 1995:4) the transport industry is addressing symptoms and not the causes of hijacking. The following preventive measures as ways to prevent the tendency from an industry viewpoint can be recommended:

S The industry should pay drivers a premium for the heavy responsibility of the
job and for the value of the vehicles and the loads they manage on the roads. Harvey (Kruger 1995:4) reckons that ideally drivers should be given a vested interest through part or full ownership of the rigs by means of profit-sharing schemes. They need to become part of the solution instead of being part of the problem. This will definitely go a long way in discouraging drivers getting involved in syndicates.

Another aspect that needs to be addressed is that of preventative training for drivers. Training regarding anti-hijacking procedures, confidentiality of information (especially with regard to traveling routes) or police disclosure requirements, and drivers knowing what to do when confronted by people in police uniforms. Also included in the training should be the issue of stopping at deserted places and not at the resting spots build especially for this purpose.

According to Lubbe (1993:19) one of the biggest headaches is unmarked freight that should be addressed. In many instances the police manage to find goods that are suspected to be from a truck that was hijacked, but due to the fact that the property cannot be positively identified, the perpetrator cannot be charged. If goods are properly marked, there won’t be a market. It is thus of the utmost importance that the industry should put measures in place to mark the goods that is transported.

It is also according to Lubbe (1993:19) of the utmost importance that measures should be put in place not only to identify the freight but also to link the freight with a batch consignment which could be traced to the day they were manufactured and the truck they were transported on. This will enable the police to determine where the goods were hijacked.
Driver identification is according to Lubbe (1993:19) another aspect that could help in the prevention of this tendency. When police stop a truck, it is at the present moment very difficult to determine if the drive is the legal driver of that vehicle. It is therefore important that truck drivers be provided with ID cards with the driver’s photograph and details of the company he works for.

Poor screening of drivers is also a factor that contributes to the problem because companies are reluctant to screen their truck drivers properly. Drivers are employed and trusted with a vehicle and freight of enormous value without screening.

Security precautions applied by some of the companies are poor or nonexistent. Various tracking systems are available and it is strongly recommended that the industry and the insurance industry apply pressure on transporting companies to be fitted with these systems. According to Du Plessis (2001) it is evident that trucks fitted with tracking devises are less targeted by hijackers.

6.5 Conclusion.

If the above-mentioned discussion is analysed, it becomes clear that although the South African Police Services is primarily responsible for preventing and investigate crime which includes the hijacking of trucks with freight, the community which is representative by the transport industry has also a mayor part in especially implementation of certain measures that would help prevent this tendency.

In chapter 7 the role of the criminal justice system regarding the hijacking of trucks
CHAPTER 7

THE ROLE OF THE CRIMINAL JUSTICE SYSTEM

7.1 Introduction

Criminology as a science is not only limited to the study of the crime, the perpetrator, the victim, a theoretical perspective and prevention but also involves the Criminal Justice System (CJS). To establish a holistic view of the hijacking of trucks with freight it is important to also include the CJS (the investigation of crime, arrest, prosecution, trial, sentence, the detention at correctional facilities, the
rehabilitation and release of the prisoners).

In South Africa according to Schonteich (1999:1) the SA Police Service, the Prosecution (Courts) and Correctional Services (Prisons), although three distinct and separate institutions, comprise the Criminal Justice System.

In order to be successful in the combating of crime Schonteich (1999:1) is of the opinion that these three institutions must rely on each other to be successful. It only takes one weak link in the CJS process to be ineffective.

7.2 The different processes in the Criminal Justice Process

In order to understand the CJS it is important to look at the different stages the criminal case journey through the CJS. According to Schonteich (1999:1) the process starts from the time a crime is reported or uncovered by the police. The next stage is the investigation. This is followed by the court hearing. The final stage is the conviction or acquittal of the person accused of committing the crime, the detaining in a correctional facility and then release.

7.2.1 Police response to hijacking of trucks with freight

The combating and investigation of crime is essentially the duty of the South
African Police Service (SAPS), although a responsibility lies on members of the community (the transport industry) to assist in crime combating.

**Reporting of cases**

According to Schonteich (1999:6) the CJS process starts with the reporting of crime to the South African Police Service, usually at the Community Service Centre’s (Police stations). When a crime incident, for example the hijacking of a truck with freight, has been reported, a case docket will be opened according to Du Plessis (2001) and registered on the Crime Administration System (CAS/SAP6). The CAS system is according to Du Plessis (2001) the basic administrative operational crime system which is used to generate crime statistics. The case is thereafter allocated to the appropriate detective or specialised units for investigation purposes.

**Data integrity**

According to De Kock (1997:2-3) mistakes can occur as far as statistics are concerned. The following can be reported in this regard:

Table 7.1 Data integrity

<table>
<thead>
<tr>
<th>Correctly / incorrectly registered</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Correctly registered</td>
<td>120</td>
<td>35.6%</td>
</tr>
<tr>
<td>Incorrectly registered</td>
<td>217</td>
<td>64.0%</td>
</tr>
</tbody>
</table>
According to table 7.1 it is evident that the majority of cases (64%) that were captured on the CAS system by the South African Police Service as hijackings of truck with freight were registered wrong. The South African Police Service has also identified the problem of wrongly registering of cases on the CAS system and the then Minister of Safety and Security, Steve Tshwete announced a moratorium on the release of crime statistics during June 2000 in order to rectify the problem. It was determined that the biggest problem encountered by the members on station level with capturing of data on the CAS system was the lack of understanding of crime definitions. In order to address the problem de Kock and Geldenhuys compiled a document pertaining to all crime definitions. During a visit to the provinces the document was discussed and distributed to all stations. After the SAPS management was satisfied that the problem is rectified, the moratorium was lifted during May, 2001.

### Table 7.2 Correct Registrations

<table>
<thead>
<tr>
<th>What should the case be registered</th>
<th>Frequency</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hijacking of passenger vehicle</td>
<td>206</td>
<td>60.8%</td>
</tr>
<tr>
<td>Motor vehicle theft</td>
<td>3</td>
<td>.9%</td>
</tr>
<tr>
<td>Other</td>
<td>10</td>
<td>2.9%</td>
</tr>
<tr>
<td>Not applicable</td>
<td>120</td>
<td>35.4%</td>
</tr>
<tr>
<td>Total</td>
<td>339</td>
<td>100</td>
</tr>
</tbody>
</table>

Regarding those cases that were wrongly registered it is clear from the figure that the majority of cases (60%) should have been registered as hijacking of passenger vehicles. It is thus clear that the members do not understand the difference between truck hijacking and hijackings of passenger vehicles, thus a definition
problem. This finding correspond with the South African Police Service explanation (lack of knowledge of the different definitions) why cases are wrongly registered. Hopefully the situation has been rectified with the visit and distribution of the definition document to the provinces by De Kock and Geldenhuys.

Table 7.3 Type of vehicle hijacked

<table>
<thead>
<tr>
<th>Type of vehicle</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sedan</td>
<td>89</td>
<td>26.4%</td>
</tr>
<tr>
<td>LDV</td>
<td>24</td>
<td>7.1%</td>
</tr>
<tr>
<td>Minibus</td>
<td>24</td>
<td>7.1%</td>
</tr>
<tr>
<td>4x4</td>
<td>63</td>
<td>18.6%</td>
</tr>
<tr>
<td>Unknown</td>
<td>10</td>
<td>2.9%</td>
</tr>
<tr>
<td>Not applicable</td>
<td>127</td>
<td>37.5%</td>
</tr>
<tr>
<td>Not respondent</td>
<td>2</td>
<td>.6%</td>
</tr>
<tr>
<td>Total</td>
<td>339</td>
<td>100</td>
</tr>
</tbody>
</table>

The table indicates that the majority of the vehicles that were incorrectly registered were (1) Sedan vehicles (26.4%) (2) 4X4-vehicles (18.6%) (3) Minibuses and LDV with 7.1 percent respectively. This once again indicates that members do not know the different definitions between what should be registered as a hijacking of a motor vehicle and truck hijacking. Hopefully the SAPS effort in addressing this problem will in due course have the necessary results.

The investigation of crime

In order to address one of the core functions as set out in the constitution, namely to investigate crime in South Africa the Detective Service Division was established within the SA Police Service (Du Plessis 2001).
According to Lubbe (1998) case/docket regarding truck hijacking is allocated after it is registered on the CAS system to the appropriated detectives attached either to the general detective unit on station level or to the Organised Crime Unit if it has been established that the case is part of an organised crime investigation which is registered on the organised crime threat analysis. The Organised Crime Threat Analysis is according to Du Plessis (2001) utilised as an intelligence tool to identify organised crime and will ensure that even the smallest and most insignificant organised crime group or individual involved in organised crime on station level will be identified.

In certain provinces according to Botha (2001) hijackings of trucks with freight are either investigated by the general investigation units on station level (where the driver is only threatened with a weapon and not injured), Serious and Violent Crime Units (where a driver was for example shot) and by the Organised Crime Units where syndicates have been identified.

A factor that one should take notice of when discussing the investigation of truck hijacking is the complexity that involves the investigations of this crime, for example Capt Douglas (1998) previously second in command of the truck hijacking unit in Kemptonpark, have pointed out that investigations pertaining to a hijacking of a truck with freight case is more complicated as one would think. For example a truck hijacking could lead to travelling a vast number of kilometres. A truck could be hijacked in area “A” the assistant could be released in area “B” the driver released in area “C”, the truck recovered without the freight in area “D”. When the investigator receives the docket he must visit all the mentioned areas (A-D) to ascertain if the facts were given are correct and to obtain statements from any witnesses at those scenes.

When analysing the way truck hijackings are being investigated within the South
African Police Service, it seems that the investigations are performed in a very fragmented way. Although this is true to some extent the coordination and linkage of hijacking cases are done through the Crime Threat Analysis proses and Crime Intelligence on all level of policing (Station, Area, Provincial and National level).

The role of intelligence

In order to assist the three Operational Divisions (Detective Service, Crime Prevention and Operational Response) in the combating and prevention of crime, which includes truck hijackings, the Crime Intelligence Division was established in the South African Police Service on the 11 March 1999. (Du Plessis 2001).

To explain the role of crime intelligence in the prevention and combating of crime and in particular truck hijacking, the different components and their contribution to combating the phenomenon will be discussed.

Crime Information Analysis Centre (CIAC)

According to Du Plessis (2001) the CIAC is represented on all levels of policing namely station, area, provincial and national level. On station level the CIAC office is responsible for the collation and coordination of crime information for example truck hijacking, to conduct geographical crime pattern and trend analysis as an aid to the patrol officers, the detectives, doing linkage analysis, to ensure data integrity on all systems, doing of elementary profiling of suspects, doing field research to try and explain specific crime phenomena and the continued briefing and debriefing of all personal at station level to create a positive information culture. The CIAC office is
also responsible for the compilation of the station crime threat analysis. If truck hijackings are for example prioritised as a threat in a particular station, the CIAC member will be responsible through operational analysis to determine where and when the hijackings occur, and who is possibly involved. This information will then be given to the different stakeholders such as crime prevention and the detective service.

On area level the CIAC of the SAPS is responsible for strategic crime pattern analysis of the area and to compare the stations in the area to one another in order to identify hot spots and shifts in the occurrence of crime. The CIAC at national and provincial level focus more on the aggregate level. On this level the CIAC is the sole custodian of crime statistics and explains the shifting area figures and rising and declining trends over time. The compilation of a provincial and national crime and organised crime threat analysis are also their responsibility.

It is clear that CIAC should contribute in a very large way in preventing and combating the hijacking of truck with freight.

**Crime Information Management Centre (CIMC)**

According to Du Plessis (2001) the CIMC does not exist on station and area level, but only on provincial and national level. The CIMC on provincial levels consists of a nodal point and crime desks as determined from time to time by the Provincial Crime Combating Forum. All information/intelligence which includes truck hijacking received at the nodal point is immediately sent to the relevant person/desk who is responsible for addressing it. The provincial nodal point will also ensure that all information received and products developed within the PCIMC is communicated to the national nodal point.
The National Crime Information Management Centre (NCIMC) consists according to Du Plessis (2001) of *inter alia* a nodal point and intelligence crime desk. The nodal point functions on a 24-hour basis and receive all information, which includes all information on hijacking of trucks with freight. The information will then be forwarded to the different intelligence desks. The intelligence desk will be responsible for collating, correlating, evaluating and analysing the information/intelligence related to a particular threat. Profiling of relevant individuals and syndicates involved is also compiled. On national level the Vehicle Intelligence Desk is involved with the receiving of all information/intelligence on truck hijacking and the subsequent analysis thereof.

The Crime Information Management Centre (CIMC) and in particular the Vehicle Intelligence Desk is a very important role player according to Du Plessis (2001) in coordination of information regarding truck hijacking and linking of truck hijacking cases that have been investigated by different investigation units. All information which includes incidences of crimes such as truck hijacking is reported to the different nodal points (CIMC) on provincial and national level. This information is then disseminated to the intelligence desk where the information is captured on a data base, profiling compiled on suspects mentioned and cases are linked to one another. These intelligence reports are then forwarded to the detectives to investigate.

**Crime Intelligence Gathering**

The component Crime Intelligence Gathering is according to Du Plessis (2001) responsible for gathering intelligence on certain threats that have been identified through the organised crime threat analysis. When a threat has been identified for
example a truck hijacking syndicate, a decision must be taken how the syndicate should be addressed. Usually the syndicate will be addressed through normal policing investigation methods. If this should fail or it was established from the outset that the syndicate is very professional and highly organised it can be decided to address the syndicate through undercover operations. The infiltration of informers and agents into the syndicate forms an essential part of this technique. It has also been proven that this technique is most effective in addressing highly organised crime syndicates such as truck hijackings.

**Counter Intelligence**

This component is involved in the investigation of members of the South African Police Service involved in corruption. When members are identified within a operation such as truck hijackings to be involved in some or other way, the component will be notified and they will investigate the member.

**Integrated Approach**

Although it seems according to Du Plessis (2001) that the different Crime Intelligence Components functions in a fragmented way, it is indeed not the case. If for example some threats on truck hijackings have been identified as organised crime and prioritised as top threat on provincial or national level a task team consisting of members of CIMC (analyst), CIG, TSU and an investigator will be appointed to address the syndicate through an open or undercover operation. All information received either from the different members from the task team or from the nodal point must be channeled to the analyst for analytical purposes. The
analyst will provide the different team members on a continues basis of the “big” picture, identify information gaps and tasks the members in this regard. It has been proven world wide that an intelligence driven approaches is the most effective way in addressing organised crime.

**Border policing**

According to Govender (1998:9) a Border Policing Unit has also been established within the South African Police Service for the policing of all ports of entry, harbours, airports and border posts. This unit will work in close co-operation with the South African Renevue Service, the intelligence community and the department of Foreign affairs.

**Efforts initiated together with other policing agencies**

**Southern African Regional Policing Chiefs Co-operation Organisation (SARPCCO)**

According to Govender (1998:11) the Southern African Regional Police Chiefs Co-Operation Organisation (SARPCCO) is the official body representing police agencies in the Sub-Saharan region to effectively police cross border crimes and organised crime which includes truck with freight hijackings.

**Interpol**

Interpol, as already mentioned, is also an important role player in combating of
transnational organised crime. They are responsible to liaise with all Interpol
countries regarding international criminal investigations.

Legislation

Over the last few years, a number of initiatives have strengthened the state’s ability
to combat organised crime. According to Schonteich (1999:3-7) the following
legislation that could be utilised in the combating truck with freight hijacking can be
mentioned;

S The Interception and Monitoring Prohibition Act 127 of 1992
The Act permits a judge to direct that postal articles, communication, and
conversations may be intercepted or monitored.

S National Strategic Intelligence Act 39 of 1994
The Act established the National Intelligence Coordination Committee
(NICOC). NICOC is responsible for the co-ordination of intelligence supplied
by the intelligence divisions of the South African Police Service (SAPS), the
South African Defence Force (SANDF), the National Defence Force
(SANDF), the National Intelligence Agency (NIA), and the South African
Secret Servive (SASS).

S International Cooperation in Criminal Matters Act 75 of 1996
In terms of the Act, a South African court may issue a letter of request to a
court or government body in another state, requesting assistance in obtaining
evidence or testimony of a person resident there. Evidence obtained in this
manner carries the same weight as if it were given under oath in a South
African court of law.

**Extradition Amendment Act 77 of 1966**

The Act provides for the designation of states to which extradition may be effected in the absence of formal extradition agreements. Any person accused or convicted of an extraditable offence committed within the jurisdiction of a foreign state, which is not a party to an extradition agreement, is liable to be surrendered to such a foreign state - provided the president consents.

**Criminal Procedure Second Amendment Act no 85 of 1996**

In terms of the amendment act, police officers and other authorised persons may use a trap, or engage in an undercover operation to detect, investigate or uncover the commission of an offence, or to prevent the commission of a offence.

Evidence obtained through an undercover operation or trap is admissible provided that such a trap or operation does not go beyond providing an opportunity to commit an offence. A police officer or other authorised person acting within the parameters of the act cannot be held criminally liable in respect of any action which constitute an offence.

**Witness Protection Act no 112 of 1998**

This act addresses the problem of witness protection. The national director
of the witness protection office has the discretion to grant protection to a witness in respect of any offence if warranted by threats to the witness’s safety.


The act, which became operational in early 1999, defines a number of offences related to racketeering activities. A pattern of racketeering activity is the “... planned, ongoing, continuous or repeated participation... “ in any one of 34 offences types listed in the act. These range from murder and kidnaping, to perjury, theft and malicious injury to property.

The act criminalises the action of persons who engage in money laundering, assist others to benefit from the proceeds of unlawful activities, and acquire, possess or use the proceeds of unlawful activities

Persons convicted of a pattern of racketeering activity face the toughest fines ever to be on South Africa’s statute books. The maximum penalty is a fine of one billion rand or life imprisonment.

Problems in the SA Police Service

Corruption
Police corruption is according to Sekhonyane (2000:21-26) a major issue in South Africa and has been identified as a major obstacle to public trust in the CJS. According to Rossouw (2002) issues such as theft of dockets and members at border post that assist truck hijackers to enter neighbouring countries with the hijacked vehicle and freight are examples that occur.
7.2.2 Courts response to hijacking of trucks with freight.

After a case is reported or uncovered by the SA Police Service, investigated by them, and a suspect apprehended, the case will according to Rossouw (2002) be referred to the prosecutorial services. Depending on the seriousness of the case, the case will be addressed either in the district, regional, or high court. According to Schonteich (2000:15) district courts deal mainly with relatively minor offences such as shoplifting and assault while regional courts deal with the more serious crimes such as murder, rape armed robbery which includes truck hijackings.

According to du Plessis (2001) the criminal convicted of hijacking of a truck with freight are normally sentenced to a minimum of between 10 and 12-years imprisonment.

Problems in the Prosecutional Services

According to Schonteich (2000:15-20) problems are being experience at the prosecutorial services with regard to outstanding and finalised cases. Between April 1999 and August 2000 regional courts finalised an average of 2980 cases per month, but had an average of 41500 cases per month outstanding. As the number of new cases entering the court system increased at a faster rate than the number of cases that are finalised, more and more cases will be outstanding. In October 2000 the National Director of Public Prosecutions, Bulelani Ngcuka, (Schonteich: 2000:18) lamented the fact that the courts were processing cases at an unacceptably low rate. He pointed out that even if any further intake of cases were frozen, it would probably take the courts up to two years to dispose of existing backlogs.
Another aspect according to Schonteich (2000:19) that undermines the effectiveness of the CJS is the prosecution service taking increasingly longer periods of time to finalise trials. The average lengths of time awaiting trail prisoners remain incarcerated until the finalisation of their trail’s rose considerably between 1996 and 2000. In 1996 the average awaiting trail prisoner spent 76 days in custody and by June 2000 this had increased to 138 custody days (Schonteich: 2000:19).

7.2.3 Correctional Services response to truck hijackings

When people are found guilty and sentenced to imprisonment, the criminals are handed over to the department of Correctional Services for the safe custody of the criminal until released (Du Plessis 2001).

As with the other sectors of the criminal justice system the department of Correctional Services also experience problems that have a negative influence on the CJS to operate efficiently.

Problems in Correctional Services

The main issues that need mentioning are overcrowding.

Overcrowding

According to the Correctional Services Annual Report, 1999, South Africa’s 236 prisons have been built to accommodate 99838 inmates but in December 1999 were housing 162638 and is thus overcrowded by 62,9 percent. According to Du Plessis
overcrowding could have a negative effect on the system regarding rehabilitation of prisoners. Due to a lack of rehabilitation persons in prisons regard prisons as crime schools were they learn the “finer tricks of the trade”. Overcrowding also enhance the chances of prisoners escaping from prison.

### 7.3 Measuring the performance of the Criminal Justice System

According to O’Leary (1993) many fleet operators in the transport industry claim that the SA Police Service are not doing enough to prevent and combat truck hijackings.

#### 7.3.1 The South African Police Service

Table 7.4 Arrested hijackers

<table>
<thead>
<tr>
<th>Arrested</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>12</td>
<td>3.5%</td>
</tr>
<tr>
<td>No</td>
<td>108</td>
<td>31.9%</td>
</tr>
<tr>
<td>Unknown</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Not available from dockets</td>
<td>219</td>
<td>64.6%</td>
</tr>
<tr>
<td>Total</td>
<td>339</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

According to table 7.4 it is evident that in the majority of cases no arrest was made. This could be due to the fact that the investigations were not intelligence driven and/or it has been investigated by the general detectives on station level which is not experienced in investigating highly organised crimes, and not by the spesialised units such as the organised crime units.
Disposal of case docket

In an effort to measure the performance of the SA Police Service and the Courts regarding truck hijacking, the following statistics were obtained from the SAPS. According to Watermeyer (1999:2) cases can be disposed of by the SA Police Service in four different ways namely Withdrawn, Undetected, To Court and Unfounded. Table 7.5 indicates the results obtained from the research whiles figure 7.6 indicates statistics obtained from the SAPS, CIAC national office, Pretoria.

Table 7.5 Disposal of dockets

<table>
<thead>
<tr>
<th>Disposal of dockets</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Investigation</td>
<td>16</td>
<td>4.7%</td>
</tr>
<tr>
<td>Withdrawn</td>
<td>4</td>
<td>1.2%</td>
</tr>
<tr>
<td>Undetected</td>
<td>94</td>
<td>27.7%</td>
</tr>
<tr>
<td>Unfounded</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>To court</td>
<td>6</td>
<td>1.8%</td>
</tr>
<tr>
<td>Not recorded in dockets</td>
<td>219</td>
<td>64.6%</td>
</tr>
<tr>
<td>Total</td>
<td>339</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

Table 7.6. Disposal of dockets 1996-2000

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Reported</td>
<td>3452</td>
<td>3907</td>
<td>5347</td>
<td>5079</td>
<td>4424</td>
</tr>
<tr>
<td>Withdrawn</td>
<td>131 (4%)</td>
<td>86 (2%)</td>
<td>87 (1%)</td>
<td>66 (1%)</td>
<td>59 (1%)</td>
</tr>
<tr>
<td>Undetected</td>
<td>2405 (82%)</td>
<td>2769 (86%)</td>
<td>4301 (88%)</td>
<td>4303 (88%)</td>
<td>4441 (89%)</td>
</tr>
<tr>
<td>To Court</td>
<td>290 (9%)</td>
<td>277 (8%)</td>
<td>389 (8%)</td>
<td>400 (8%)</td>
<td>396 (7%)</td>
</tr>
<tr>
<td>Unfounded</td>
<td>104 (3%)</td>
<td>81 (2%)</td>
<td>83 (1%)</td>
<td>84 (1%)</td>
<td>66 (1%)</td>
</tr>
</tbody>
</table>

From both tables it is clear that the majority of cases reported to the SAPS
regarding hijacking of truck with freight are disposed of as undetected. From 1996 to 2000 only eight percent on average of all reported cases of hijacking of trucks with cargo went to court.

**Reported Cases**

As mentioned previously the first stage in the CJS proses is the reporting of cases. Reported cases refer according to Schonteich (1999:6) to the number of complaints or crimes reported to the police and those uncovered by the police themselves. According to Watermeyer (1999:5) one should however take notice that the Crime Management Information System in use by the Police does not make provision for statistics pertaining to how many cases reported over a given period were either disposed of by the police or finalised in court during the same period as mentioned in tables 7.5 and 7.6. One should therefore not compare the figures disposed of by the police with the figures reported to the police over a given period.

**Withdrawn cases**

Where a suspect has not been charged, the reported case according to Schonteich 1999:7) against him may be closed or withdrawn by the police themselves or by a public prosecutor. From the statistics it is clear that only a small percentage, between 1-4 percent of cases regarding truck hijackings were withdrawn between 1996 and 2000. Schonteich (1999;1) is of the opinion that cases that are withdrawn before they go to trail could be attributed to the victims lack of understanding of and faith in the criminal justice process, and inordinate delays in the country’s criminal courts.

**Undetected cases**
There are two types of undetected cases according to Schonteich (1999:7) namely where the suspect is unknown, and where there is insufficient evidence to enable the police to identify a suspect and secondly where the suspect is known and a warrant for his arrest has been issued, but his whereabouts are unknown, and he has not been charged. Cognisance should according to Du Plessis (2001) be taken that undetected cases are usually perused by the police on a yearly basis, especially in serious cases to ascertain whether new evidence has come to light in the interim which would warrant the reopening of the case. From table 7.6 it is evident that the majority (80 percent) of truck hijacking cases between 1996 and 2000 were disposed of as undetected and is of serious concern. According to Schonteich (1999:1) too many cases go undetected because of the public’s general unwillingness to assist the police with investigations, and to testify for the prosecution in criminal trials. Moreover, many cases go undetected because of the police’s weak criminal investigation capabilities. Table 7.7 depicts the results obtained during the research as why are the cases disposed as undetected.

Table 7.7 Undetected cases

<table>
<thead>
<tr>
<th>Why undetected</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suspect unknown, insufficient evidents</td>
<td>92</td>
<td>27.1%</td>
</tr>
<tr>
<td>Suspect known to police but his whereabouts is unknown, warrant issued for his arrest</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Unknown</td>
<td>4</td>
<td>1.1%</td>
</tr>
<tr>
<td>Not applicable</td>
<td>24</td>
<td>7.1%</td>
</tr>
<tr>
<td>Not available from the dockets</td>
<td>219</td>
<td>64.6%</td>
</tr>
<tr>
<td>Total</td>
<td>339</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

From the above table it is clear that in the majority of hijackings cases are disposed as undetected. The reason could be because the suspect is unknown or insufficient evidence is available. This is an indication that the investigation are not
To Court

Cases are marked To Court according to Schonteich (1999:7) only after a suspect has been formally charged (and arrested in serious offence cases) by the police. In essence, cases are sent to court only if there are fairly substantial evidence against a suspect to warrant him being charged with an offence. The picture emerging from table 7.5 and 7.6 regarding the number of truck hijacking cases referred to court is of great concern due to the small percentage, namely between 7-9 percent, of these cases are only annually referred to court. According to Schonteich (1999:1) too few cases are being taken on by the prosecution services because of a lack of experience and adequately trained prosecutors.

Unfounded

According to Schonteich (1999:7) cases are registered as unfounded where no evidence exists that a crime has actually been committed or it is established that the reported crime never occurred. Although the percentage of cases disposed of as unfounded are insignificant, these cases do place an extra burden on the police’s already limited resources.

7.3 Prosecutions performance

As the criminal justice process does not stop after a case has been referred to court, it is according to Watermeyer (1999:3) also necessary to look at the results obtained as far as cases are finalised in court are concerned. In table 7.8 the number of cases disposed of by court as Withdrawn, Guilty, Not Guilty and settled
Otherwise is expressed as a percentage of the total number of cases finalised in court during 1996-2000.

Table 7.8 Cases disposed of by court 1996-2000

<table>
<thead>
<tr>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>To court</td>
<td>290</td>
<td>277</td>
<td>389</td>
<td>400</td>
<td>396</td>
</tr>
<tr>
<td>Withdrawn</td>
<td>89 (42%)</td>
<td>81 (41%)</td>
<td>128 (51%)</td>
<td>179 (57%)</td>
<td>194 (51%)</td>
</tr>
<tr>
<td>Guilty</td>
<td>75 (35%)</td>
<td>63 (31%)</td>
<td>75 (30%)</td>
<td>84 (26%)</td>
<td>80 (21%)</td>
</tr>
<tr>
<td>Not Guilty</td>
<td>35 (16%)</td>
<td>36 (18%)</td>
<td>37 (14%)</td>
<td>35 (11%)</td>
<td>38 (10%)</td>
</tr>
<tr>
<td>Settle</td>
<td>11 (5%)</td>
<td>16 (8%)</td>
<td>9 (3%)</td>
<td>15 (4%)</td>
<td>64 (17%)</td>
</tr>
<tr>
<td>Otherwise</td>
<td>11 (5%)</td>
<td>16 (8%)</td>
<td>9 (3%)</td>
<td>15 (4%)</td>
<td>64 (17%)</td>
</tr>
</tbody>
</table>

The content of this table can be analysed as follows:

**Cases withdrawn in court**

Cases may only be withdrawn in court by the prosecution. This happens after the accused has been charged, but before he pleads to the charge. There can be a variety of reasons why the prosecution might withdraw the charges against an accused. A common reason for the withdrawal of charges against an accused is where the court refuses the prosecution any further postponement of a case. Courts will grant postponements to the prosecution only for a reasonable time to allow the police to finalise their investigations. Other reasons that also should be mentioned is when the accused dies prior to the case being finalised. The number of truck hijacks withdrawn in court as indicated in table 7.8 are in the majority and since 1998 and accounts for more than fifty percent of all cases finalised in court. The research could not determine any clear reasons for this.
Guilty

This category represents cases where the court convicts the accused of the offences, namely truck hijacking, for which they are prosecuted and does not represent the number of accused who have been convicted (Schonteich 1999:10). The picture concerning the number of guilty verdicts handed down as depicted in table 7.8 by the courts regarding truck hijacking indicates a steady decrease from 35 percent in 1996 to 21 percent in 2000 and does not give reason for optimism. In fact the emerging picture is very gloomy. According to Schonteich (1999:1) some serious violent crime is so rarely solved that the perpetrators of these crimes have less than a one in fifty chances of being caught and punished.

Not guilty

This category refers to cases where courts acquit the accused of the offences for which they were prosecuted (Schonteich 1999:4). From the cases referred to court the Not Guilty handed down by court for truck hijacking is not of real concern and average between 10 and 16 percent.

Cases Settled Otherwise

Cases Settled Otherwise are primarily those that have been sent to court but where the accused has failed to attend court on the date he has been officially instructed to do so either by the police or court and as a result, a warrant for arrest is issued by the court (Schonteich 1999:9). It also includes cases in which the accused had been declared a State Presidents patient. In figure 7.8 these cases are in the minority and not of great concern.
7.4 Conclusion

As mentioned in the introduction the police, prosecution and correctional service, which forms the criminal justice system, are three distinct and separated institutions in South Africa yet they must rely on each other if they are to succeed in their fight against crime and in particular truck hijackings.

The tables arrived at as indicated in the figures can only be described as shocking. One of the mayor problems emerging from figure 7.5 is the huge number of cases that has been disposed of as undetected and the small number of cases referred to court. This only indicates that the police’s performance with regard to the solving of truck hijacking is failing dismally and needs urgent attention. It could be due to lack of capacity and resources. Another shocking finding indicated in table 7.8 is that only a small percentage of cases referred to court resulted in a found guilty verdict. The majority of these cases are either withdrawn, found not guilty or settled otherwise. Once again it is clear that the courts are also failing in their effort to combat truck hijacking. Factors that could have an effect in this regard are the huge backlogs of cases that the courts are struggling to address and inexperienced prosecutors.

The prisons, the last link in the Criminal Justice System, should not only reduce the likelihood of inmates returning, but should also punish offenders for the crimes they have committed. Overpopulation (62 percent) and escapes from prisons will definitely have a negative impact on rehabilitation and thus enhancing the possibility of persons continuing their criminal activities.

From what has been said it’s clear that the CJS response to truck hijackings is lacking in various areas and that old adage “crime doesn’t pay” is not relevant to truck hijackings. The contrary is more likely to be true namely that crime “does
pay” regarding hijacking of trucks with freight.

The legislation necessary to fight organised crime which includes truck with freight hijackings, is largely in place. What is needed is an concentrated effort of all the main components in the criminal justice system to address truck with freight hijackings.

In chapter 8 the summary, findings and recommendations relevant to this research will be highlighted.

CHAPTER 8

SUMMARY, FINDINGS, RECOMMENDATIONS
AND CONCLUSION
8.1 Summary

The preceding chapters comprised of an introduction and methodological foundation for the research in which attention was given to the rationale, the actuating questions, the aims, hypotheses, and the research process and delimitation of the scope. In the first chapter of this research report the reader was orientated regarding the particular direction the research will follow. The purpose of the research, the rationale for the investigation, the actuating questions, hypothesis, the nature of the research, the demarcation of the research field and data gathering techniques were discussed.

The second chapter of the research was devoted to discussing the historical background of truck hijackings with freight, the extend of the crime, the modus operandi, the possible under-reporting of the crime, international comparisons and the impact the crime has on the victim, perpetrator and the Criminal Justice System.

Next, in the third chapter the perpetrator namely his biographical particulars, modus operandi, types of robbers and the different theories that could explain the behaviour of the perpetrator, were analysed. Linked to these, and because truck hijackings is by nature a crime that is committed by organised criminal groupings/syndicates, the fourth chapter was devoted to organised crime namely its background and structures as it manifests in South African truck hijacking syndicates.

The fifth chapter concentrated on the victim of truck hijackings namely the typology of a victim, biographical particulars of the victim, and the theories explaining how a
victim can contribute to his/her own victimization.

The preventing of truck hijackings namely background, different types of prevention such as primary, secondary and tertiary and the role of the police and transport industry in preventing the crime was discussed in chapter six.

Chapter seven explained the role of the Criminal Justice System namely the South African Police Service, the Courts and the Correctional Services in addressing truck hijackings.

This eight and last chapter is devoted to summarise, to provide the findings and to make recommendations on truck hijackings and freight.

8.2 Findings

8.2.1 The crimes

Truck hijacking first came to the attention during 1989 and continued to increase from 500 cases in 1991 to 5773 cases reported in 1998. Since 1999 the incidences decreased sharply to 3792 cases at the end of 2001.

The Gauteng province is regarded as the provinces were more than 50 percent of all truck hijacking occurred followed by KwaZulu-Natal and Mpumalanga.

Truck with freight hijackings usually occur while travelling on the main highways or roads carrying a variety of goods such as iron/steel, groceries, clothing, meat, vegetable, tires and fuel on Mondays to Fridays between 18:00 to 22:00. Most of these truck are recovered but not the freight.
Limited information was obtained regarding truck hijacking in other countries. Of those received Italy was the only country that also recorded significant numbers of truck with freight hijackings.

Although under-reporting of crime does occur with certain crimes it was determined that it is most unlikely to happen with the hijacking of trucks with freight.

Lastly it was determined that truck hijacking has a negative impact on both the direct and indirect victim of this crime. Not only does the transport industry lose huge amounts of money but the direct victim are also severely emotionally effected due to this crime. The perpetrator on the other hand could be incarcerated if apprehended but due to the poor solving rate the criminals (hijackers, receivers and the bosses) all are reaping the fruits from there criminal activities. The Criminal Justice System (police, courts and correctional services) is also negatively effected by the large number of cases that are registered.

### 8.2.2 The criminals

The perpetrators involved in truck hijackings are usually black men operating in groups of two to four members. These groups will either threaten the driver with a firearm or pretend to be a traffic or police official and threaten the driver with a firearm or will use firearms and vehicles to force the truck with freight to stop.

It was also determined that handguns are usually utilized during the hijackings because these type of guns can easy be hidden on the body of the criminal without being detected.

In sharp contrast with the hijacking of passenger vehicles where it seems that more victims are killed or seriously injured, perpetrators involved in truck hijackings
usually uses the minimum violence. In was found that in the majority of cases of truck hijackings no one was injured or killed. The mere threatening of the driver/assistant with a firearm are sufficient to get control of the truck with freight. The reasons for the use of minimum force could be either that the victims are in most cases not the owners of the trucks and the perpetrators believes that the drivers will therefore not resist or it could be that the drivers are involved with the hijackers, the so-called handovers.

The results supported the alternative hypotheses (hypotheses 2, Ha) that the use of violence are not evident during truck hijackings.

The explanation why the criminal get involved in truck hijackings were found in the structure and functioning of society namely the anomie, the differential association and the subculture theories. These theories were found to be particular relevant in explaining the perpetrators reason for committing the crime.

Through the research it was also determined that the perpetrators operates in well organised structured syndicates (Hypotheses1, Ha). In this regard two examples namely the shopkeeper and leader syndicate of organised truck hijacking syndicates were discussed. It became quite clear that truck hijackings with freight is not the result of decisions made on the spur of the moment, but is well-planned and organised in advance and support the hypothesis that truck hijackings is committed by organised crime syndicates.

Although no evidence could be obtained regarding the drivers involvement in truck hijackings the possibility exist that there could be some sort of assistance or participation because of the minimum violence directed against the drivers during hijackings. Hypotheses 3a was supported by the research - that is, the majority of
the truck drivers who were involved as victims, were not participating in the crime.

Although the research done did not indicate that trucks with freight are smuggled across border to neighbouring countries (Hypotheses 5, Ha), information obtained from the South African Police Service indicated that trucks that were hijacked in South Africa were indeed identified in neighbouring countries. The extend thereof is however still to be determine. Not one of the hypotheses could therefor be supported. Further research in this regard should be done.

8.2.3 The victims

The victim related to truck with freight hijackings could be divided into direct (drivers and assistance) and indirect victims (owners of the truck and freight).

It was determined that the direct victim is a black male driver between the ages of 41-50 traveling alone with either a Mercedes, International or MAN truck transporting freight such as iron/steel, groceries, clothing, meat, vegetable, tires and fuel to the value of between R50 000-00 till R3000 000-00. It was further found that the driver was not injured or killed during the crime, was kept hostage for some period of time after the incident, and the truck was recovered some time after the incident but the freight was missing.

The hypotheses that trucks are mostly recovered after the incident is supported by above findings (Hypotheses 6, Ho).

The hypotheses that trucks that are hijacked are fitted with anti-hijacked devises or
the hypotheses that trucks that are hijacked are not fitted with anti-hijacked devises could also not be supported or dismissed because of a lack of information. Further research is needed in this regard.

It was also found that the victim can, because he or she did not take up their functional responsibility could contribute to their own victimization. For example drivers that do not follow rules such as deviating from prescribed routes, stopping at isolated spots and stopping to pick-up prostitutes and owners of trucks with freight that recruits drivers from the street without scrutinizing the persons background or not paying the driver enough or not marking their goods, could contribute to the crime.

Ones lifestyle have also certain implication for exposure to victimization. Drivers of trucks with freight have to travel extensively to transport goods whereby they spend many hours or even days on the roads which makes them vulnerable to victimization.

8.2.4 The adjudication

The role of the police

One of the major problems that was identified was the wrong registering of hijackings of passengers vehicles or LDV as truck with freight hijackings on the official system (CAS) of the South African Police Service. In this regard 64 percent of all cases that was research were registered as truck hijackings.

Measuring the performance of the SA Police Service regarding truck with freight hijackings it was found that the majority of cases reported to the police between 1996 and 2000 were disposed of as undetected. Since 1996 the cases closed as
undetected increased from 82 percent to 89 percent in 2000. The reason for closing the cases as undetected could be because the suspects could not be traced, or insufficient evidence were available.

It was also determined that only a small percentage of cases were referred to court by the police each year. However, since 1996 the cases referred to court showed a steady decrease from 9 percent in 1996 to 7 percent in 2000.

The contents of the dockets that were researched indicated that the performance levels of the investigating officers were not of a high standard. Aspects that could have a negative influence in the successfully investigation of these crimes are the quality of statement taking when the crime is reported to the nearest police station. During the research it was found that statements were poorly taken and that crucial information is not contained in the statement.

**The courts**

It was found that in only a small number of cases that were referred to court the suspects were found guilty. For example since 1996 a steady decrease from 35 percent 1996 to 21 percent of the suspects in 2000 were recorded to be found guilty. Most cases referred to court were withdrawn. In this regard a steady increase from 42 percent in 1996 to 51 percent in 2000 was registered.

As indicated only a small percentage of perpetrators were found guilty in the courts. Unfortunately the research could not be able to establish the type of sentence issued to the robbers. From all the researched incidents, 339 in total, there was not even one offender found guilty and/or sentenced. Further research in this regard is needed.
The Correctional Services.

Research have indicated that if a perpetrator of truck hijackings are found guilty in a court of law and sentence to imprisonment aspects such as overcrowding could inhibit rehabilitation of the criminal.

Based on the preceding findings, some recommendations are offered.

8.3 Recommendations

8.3.1 The correct registering of truck hijacking cases by the South African Police Service on the police data base

The lack of understanding of crime definitions seems to be the problem. Although the matter was addressed by distributing a document pertaining to the different crime definitions by the police, data integrity should be monitored continuously. Without the correct data, prevention will remain an unsystematic, diffused and hazardous matter. By employing the correct data, proper preventing planning becomes possible and human resources and logistics can be used to optimal advantage.

8.3.2 Police officials stationed at the high risk stations should be trained in
taking statements about truck hijacking correctly

Besides the wrong registering of hijackings another problem is that the statements in many of the case dockets were incomplete. If this is improved, it will definitely enhance the police ability to successfully address truck hijackings.

8.3.3 All truck hijackings should be investigated by the different Organised Crime Units and not the general detectives at station level

During the research it also became clear that truck hijackings are highly organised and, one can thus deduct, committed by professional criminals. The reason for the poor success rate could be that the majority of truck hijackings are investigated by ‘ordinary’ detectives that are not experienced and trained to investigate such organised crimes. The contents of the dockets that were researched indeed indicated that the experience levels of the investigation officers to investigate this type of crime is not of an acceptable standard at all.

8.3.4 In cases that could not be addressed through the normal policing investigation methods it is suggested that undercover operations be utilised

Usually syndicates will be addressed through normal policing investigation methods. If this should fail or it was established from the outset that a particular syndicate is very professional and highly organised it can be decided to address the syndicate through undercover operations. The infiltration of informers and agents into the syndicate forms an essential part of this technique.

8.3.5 The trucking industry should pay the drivers a premium for the heavy responsibility of the job and for the value of the vehicles and freight they
manage on the roads

Although the research did not directly indicate that drivers are implicated in the crime, the possibility do exist that the drivers are involved. In order to discourage the drivers to assist in the crime, drivers should become managers of mobile business units and be given a vested interest through part or full ownership of the rigs they drive or by means of profit-sharing schemes. They should become part of the solution instead of being part of the problem.

8.3.6 The drivers should be provided with the necessary preventative hijacking training

Realistically speaking the preventative training of drivers of trucks with freight is not up to standard. They are not trained about pseudo roadblocks, ant-hijacking procedures, confidentiality of information (especially with regard to travelling routs and the type of freight that is transported) or police disclosure requirements. Few drivers know what their rights are when confronted by people in police uniforms. Drivers must for example be informed that a person dressed in a uniform should not be trusted automatically, but should be asked to identify him or herself by means of an official document like an ID-document.

8.3.7 Freight that are transported by trucks should be marked

The lucrative market is an important factor that must be emphasized. Though the responsibility of this factor falls squarely in the ambit of the police function, there are short comings on the part of the transport industry which hampers the police in their endeavours to prove their cases in a court of law. In many instances the police manage to find suspected stolen/hijacked goods, but due to the fact that the
property cannot be positively identified, the perpetrators cannot be linked to the hijacking or be charged. Measures should be put in place by the industry not only to identify the goods but to link the goods with a back consignment which could be traced to the day they were manufactured and the truck they were transported on. This will assist the police tremendously in the combating of the crime.

8.3.8 Drivers of trucks must be issued with a drivers identification which

must include the drivers photograph and details of the company of employment

When police stop a suspicious truck, it is very difficult at present by the police to determine if the driver is the legal driver of the truck or a criminal. Such identification measures could assist them and protect the companies and the drivers.

8.3.9 All drivers that are employed by the industry be properly screened before being employed

This could include the polygraph testing of all driver applicants. This will ensure that only drivers with reputed character be appointed.

8.3.10 The transport industry should establish a data base were all drivers employed by the industry can be listed

It happens that drivers are fired at one company for dishonestly and thereafter seek employment at another company as driver. Because such a database does
not exist, such drivers do not have many problems to be appointed at another company.

8.3.11 Insurance companies make it compulsory for all trucks be fitted with tracking systems

Security precautions applied by some of the companies are poor or nonexistent. Various tracking systems are available and it is strongly recommended that the industry and the insurance industry apply pressure on transporting companies to acquire and employ these systems. According to Du Plessis (2001) it is evident that trucks fitted with tracking devises are less targeted by hijackers.

8.3.12 A national awareness program against hijackings of vehicles should be launched

Drivers and owners of trucks with freight must be constantly made aware that they are potential victims. They should be alerted to this fact, and to take steps to avoid becoming a victim. Such a project has to be a combined effort between the community (transport industry) and South African Police Service and the department of transport.

Based on the findings and recommendations, next will follow some suggestions for further research.

8.4 Further research
8.4.1 The international extent of truck hijackings

Only limited information was obtained in this regard. By obtaining this information it will enable all role players to determine best practices from different countries and continents to curb the phenomenon.

8.4.2 Drivers involvement in truck hijackings.

Due to the huge number of truck hijackings that are not solved it could not be established to what extend the drivers are involved. It would therefore be recommended that research be conducted to established their involvement.

8.4.3 Cross border dimension.

Although this research did not indicate that trucks with freight are smuggled across our border to neighbouring countries (probably due to bad investigations and lack of information registered on the dockets), information obtained from the South African Police Service however does indicate that this is happening.

8.4.4 Violence directed against drivers.

This research has indicated that more or less no violence are committed against the drivers during the hijackings. The reason for this should be researched.

8.5 Conclusion
Applying the concepts of crime, the criminal, the victim, adjudication (policing, courts and corrections) as well as prevention to the phenomenon of hijacking of trucks with freight, highlighted the criminological perspective on it. The findings of this research indicated that there is a major problem in South Africa regarding this type of crime - economically, socially, from the perspective of the police and the whole of the justice system. This calls for comprehensive research in each of the mentioned criminological areas, that is the crimes (causes, nature and extent, explanations, etc.), the criminals (causes and profiles, etc.), the victims (victimogenic factors and profiles, etc.), all the elements of the policing, court hearings and effective deterring punishments as well as the prevention.
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