

**THE POLICING OF TAXI VIOLENCE IN STANGER  
AREA**

By

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**POLICING**

At the

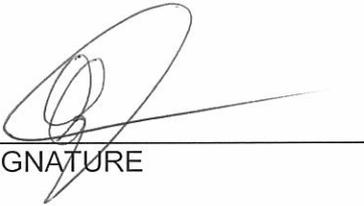
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I declare that “**THE POLICING OF TAXI VIOLENCE IN STANGER AREA**” is my own work and that all the sources that I have used or quoted have been indicated and acknowledged by means of a complete list of references.

A handwritten signature in black ink, consisting of a large, stylized initial 'M' followed by a long horizontal stroke extending to the right.

SIGNATURE

(MS I N MOLEFE)

DATE: 25/10/2016

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## **ABBREVIATIONS**

ANC	African National Congress
BRT	Bus Rapid Transport
CATA	Cape Amalgamated Taxi Association
COSATU	Congress of South African Trade Unions
CTLSA	Congress of Traditional Leaders of South Africa
EMS	Electronic Management System
GDP	Gross Domestic product
ICD	Independent Complaints Directorate
JTIN	Johannesburg Taxi Industry Negotiating Team
KZN	KwaZulu-Natal
LRTB	Local Road Transport Boards
LTO	Lethlabile Taxi Association
MSA	Moving South Africa
NAAMSA	National Association of Automobile Manufacturers
NAFTO	National African Federated Transport Organization
NATDO	National Taxi Drivers Organization
NDoT	National Department of Transport
NLT	National Land Transport
NPI	National Productivity Institute
NTA	National Taxi Alliance

NTC	National Transport Commission
NTPF	National Transport Policy Forum
NTPS	National Transport Policy Study
NTTT	National Taxi Task Team
PAC	Pan-Africanist Congress
PSIRA	Private Security Industry Regulatory Authority
RPQS	Road Passenger Quality System
RTPS	Road Transport Permit System
SABTA	South African Black Taxi Association
SADATA	South African Long Distance Taxi Association
SANTACO	South African National Taxi Council
SAPS	South African Police Service
SARPF	South African Railways Police Force
SATAC	South African Taxi Council
SATACO	South African Taxi Council
SATAS	South African Transport Services
SATAWU	South African Transport Allied Workers Union
UMAC	Urban Monitoring and Action Committee

## **ABSTRACT**

This research was aimed at exploring how taxi violence could be policed effectively within Stanger area. To achieve the objectives of this study the researcher interrogated the strategies that the police use in dealing with taxi violence as well as the impact and the challenges that are faced by police officials regarding this phenomenon. The researcher adopted a qualitative research approach in order to increase her understanding of the knowledge, attitudes, perceptions and beliefs related to taxi violence within Stanger area. The non-probability purposive sample method was used to select the research participants and the focus was on the research participants' experience and knowledge of the subject matter. The researcher also used semi-structured interviews in order to resolve specific questions. The findings were that most of the taxi violence remained unresolved within Stanger area because witnesses were afraid to come forward with information regardless of the anonymous hotline that was created to encourage the reporting of this violence. Consequently, because of a shortage of manpower, resources, uncooperative witnesses and knowledge of matters concerning taxi permits the police and other law enforcement agencies in the area are mainly reactive in attending to taxi violence crimes. The lack of proactivity hampers the success of the initiatives that they (police) put in place to address taxi violence in Stanger.

## CHAPTER 1: GENERAL ORIENTATION

### 1.1. INTRODUCTION

According to Sekhonyane & Dugard (2004:15), “*the taxi industry is a primary medium of transport among Africans and the so called coloured people in South Africa*”. This industry was previously regulated; however, after 1987 it was deregulated leading to an influx of new minibus taxi operators who were keen to render their services for profit at any and all costs. Today, this industry is a multibillion rand industry that ferries over 60% of South Africa’s commuters. The industry is highly competitive and has lucrative routes. In an effort to manage the industry, taxi owners formed associations that were based primarily on regions and to a lesser extent routes. Over time, these associations grew very strong and strongly defended their routes.

Taxi violence is a difficult concept to explain, simply because there are no specific elements that one can use to classify or separate it from any other violence, except the fact that taxi owners are involved. Since the dissolution of specialized units in the South African Police Service (SAPS), which included Taxi Violence Units, the policing of taxi violence is done by conventional policing and investigative methods (Booyesen, 2009:2). Therefore, there is no division within the police service that is focused specifically on profiling taxi violence offenders or victims. Taxi violence is unique in nature as it occurs in different forms. As a result there are multiple types of crime that can be committed in relation to taxi violence such as common assault or assault with the intent to cause grievous bodily harm, arson, use of illegal firearms and robbery (Sekhonyane & Dugard, 2004:15 and Barret, 2003:9).

Section 205 of the South African Constitutional Act (108 of 1996) provides for the establishment of a law enforcement agency in the country. *The law enforcement function of the country is primarily the responsibility of the South African Police Service.* The key functions of the police service are outlined in Section 205 (3) of the Constitutional Act 108 of 1996 as follows:

- to prevent criminal activities within the society;
- to ensure that every person and his or her property is protected;

- to make sure criminal activities are effectively investigated; and also
- to ensure that every person is treated fairly.

The police service achieves its objectives primarily through the delegation of these responsibilities to police stations (South African Police Act, No. 68 of 1995 section 11-15). The Stanger police station is one of the 1116 police stations managed by the South African Police service (SAPS) and has a responsibility to monitor any type of crime and violence that erupts (South African Police Act, No. 68 of 1995 section 13), including taxi violence.

## **1.2. PROBLEM STATEMENT**

A taxi refers to a licensed minibus vehicle that is commonly used to transport multiple passengers along fixed routes in return for payment or a fare (Oxford South African Concise Dictionary, 2006:1216 and Oxford Dictionary of English, 2005:1808). Violence is then defined as *“a behavior involving physical force intended to hurt, damage or kill”* (Oxford South African Concise Dictionary, 2006:1330 and Oxford Dictionary of English, 2005:1968). *In other countries such as the United States of America a taxi is called a taxicab or a cab which is the type of vehicle for hire with a driver used by single passenger or more for a non-shared ride* (Taxicab, 2008). Mostly in European countries the common transport that is used is a cab, as compared to South Africa, which has about three kinds of taxi with 16 to 22 seaters and metered cabs

Taxi violence is the violence that occurs within the taxi industry. It is rooted in the competition and the usage of routes. The perpetrators of the violence are different associations operating on specific routes in a defined geographic location, locally, provincially and nationally. Taxi violence is a sporadic phenomenon that could happen at any place where there are taxis. Violence can erupt at any point on the route where taxis might be passing or taxi operators might be. Therefore, it is important to investigate how this revolving and boundless crime could be policed. The effectiveness of conventional policing in dealing with taxi violence deserves attention, with the intention of improving taxi violence policing. It is important to state that reactive policing to taxi violence appears not to be the best form of policing because it comes to effect after the violence has occurred and people have been injured or lost their lives.

### **1.3 . THE AIM OF THE RESEARCH**

De Vos, Strydom, Fouche and Delpont (2005:104) compare a research aim with a dream and view the objectives as steps that one has to take in order to attain the dream. In this regard the research aim of this study is to explore how taxi violence can be policed effectively within Stanger area.

The objectives of this study are:

- To explore the strategies that the police use in policing taxi violence in Stanger;
- To investigate the root causes of taxi violence in Stanger;
- To describe the nature of taxi violence in Stanger;
- To investigate the impacts of taxi violence in Stanger;
- To investigate the challenges facing the police when they are dealing with taxi violence in Stanger; and
- To understand the nature of the relationship between the police (saps), traffic police and municipal police involved in dealing with taxi violence in Stanger.
- To propose a strategy that can be used to address the problem of taxi violence in Stanger.

### **1.4. THE RESEARCH QUESTIONS**

A research question is a formal question that a study is designed to answer. It states clearly what the study will investigate or attempt to prove (Marion, 2004). According to Punch (2006:15), research questions are the questions the researcher is trying to answer. Pitts and Smith (2007:18) state that there are two factors that should be taken into account when talking of research questions. These factors are specificity and feasibility of the research question. The nature of specificity is such that the question is rather narrowly defined in such a way as to make clear the boundaries of the enquiry. Feasibility of a research question can be thought of as ‘do-ability’ – just how practical is the attempt to answer the research question given the resources that are available, the chosen mode of data collection, the sample size required and the characteristics of the community of interest?

The main research question of this study is: how do the police deal with taxi violence within Stanger area?

To answer the main question the following sub-questions will be asked in order to support the main question:

- What strategies do the police use in policing taxi violence in Stanger?
- What are the root causes of taxi violence in Stanger?
- What is the nature of taxi violence in Stanger?
- What are the impacts of taxi violence on Stanger?
- What are the challenges facing the police when they are dealing with taxi violence in Stanger?
- What is the nature of the relationship between police (saps), traffic police and municipal police involved in dealing with taxi violence in Stanger?

## **1.5 RATIONALE OF THE STUDY**

The study will contribute to the whole body of knowledge of understanding taxi violence, in order for the general public to benefit from this study and academics interested in the field. The researcher will ensure that the copies of this work are given to academic libraries and community libraries. The researcher will ensure that a copy of this work is broadly circulated in the entire body of the national security cluster. Most importantly, this study will assist the policy makers within law enforcement such as the SAPS to come up with new ways of policing taxi violence in Stanger and in the country as a whole. The study might be used as a benchmark to those engulfed by taxi violence.

## **1.6 DEFINITION OF KEY CONCEPTS**

**1.6.1 Policing:** Policing is the controlling and maintenance of law and order in an area by police officers (Oxford South African Concise Dictionary, 2006:911). In this case study policing is the method that is used to prevent crime from taking place.

**1.6.2 Proactive policing:** Acting in advance to deal with an expected difficulty or tending to initiate change rather than reacting to events (Oxford Advance Learners Dictionary, 2006:1156; and Oxford South African Concise Dictionary, 2006:938). Putting control

measures in place to the situation which might be caused by something to happen, rather than waiting to respond to it after it happens or by preparing for possible future events. Proactive policing: Is a plan to prevent crime before it takes place by showing police presence, engage on community issues and addresses the concerns of the people in a setting every day to become aware of smaller incidents that could lead to criminal activity (Operational definition).

**1.6.3 Reactive policing:** React to situations that have already happened rather than making things happen, showing a reaction or response (Macmillan English Dictionary for Advance Learners, 2002:173 and Oxford Advance Learners Dictionary, 2005:1207). **Reactive policing:** Is the reaction by the police after an act had occurred or crime has been committed, a way of responding to community needs for law enforcement rather than anticipating. The community contacts the police with a request and police respond to such request (Operational definition).

**1.6.4 Taxi:** A taxi is a car with a driver that you pay to take you somewhere (Oxford Advance Learners Dictionary, 2006:1516 & 1642; and Oxford South African Concise Dictionary, 2006:1216 & 1330). **Taxi:** is a vehicle that is licensed to transport passengers operating on pre-set routes typified multiple stops and multiple independent passengers; and the passengers pay in return of such services (Operational definition).

**1.6.5 Violence:** Violence is behaviour, action or words that are intended to hurt or kill (Oxford Advance Learners Dictionary, 2006:1516 & 1642; and Oxford South African Concise Dictionary, 2006:1216 & 1330). **Violence:** Is a physical force usually affecting or intended to effect injury, it can be against an individual, group of people or destruction (Operational definition).

**1.6.6 Taxi violence:** it can be deduced from the above definitions that taxi violence is a form of violence that involves a set of sporadic acts of violence that emanate from the dynamics of industry-specific competition arising from the tension, on the one hand, between taxi owners over lucrative routes and, on the other, arising from the volatile space defined by policy over- regulation and deregulation (Operational definition).

## **1.7. RESEARCH METHODOLOGY AND DESIGN**

Research methodology is a process of “answering unanswered questions” (Goddard and Melville, 2001: 1). For this study this process would involve following the selected research methods to collect data that will assist the researcher in answering the specified research questions under the study.

### **1.7.1 RESEARCH APPROACH**

In this study the researcher will follow qualitative research approach because it will allow her to conduct in-depth interviews with the research participants and also give her an opportunity to gather information from the horse’ mouth- meaning from the police that have worked with cases of taxi violence and the taxi association members who directly experience these issues on regular basis. Unlike quantitative studies which aim to generalise the research results, in this study the research will not be able to generalise the findings of this study but rather give detailed information of the phenomenon at hand. The researcher have also noted the limitations of using qualitative approach as follows: it is costly as it requires the researcher to visit the research participants and create a rapport with the participants (Walker, 2001).

### **1.7.2 RESEARCH POPULATION**

Bless and Higson-Smith (1995:87) state that: “*A population is a set of elements that the research focuses upon and to which the results obtained by testing the sample should be generalized*”. The target population in this study will selected by identifying the individuals from the different stakeholder groups on the basis of the knowledge and experience of the subject matter in the population of Stanger where the study will be conducted. These stakeholders are: the police, the traffic department and the taxi association. The target population in this study includes the following people: the commander of crime prevention, crime intelligence (from Stanger police station and provincial office); the chairperson of ILembe region of the South African National Taxi Association Corporation (SANTACO), members of the Public Enforcement Unit (PTEU). The sample group was then chosen from the identified targeted population.

### 1.7.3 SAMPLING

Sampling refers to *“the process of selecting the sample from a population in order to obtain information regarding a phenomenon in a way that represents the population of interest and to allow for an accurate generalization of results”* (Bless and Higson-Smith, 2000:83). The study used non-probability, purposive sampling to select a sample of participants. According to Burns and Grove (2001:804), non-probability sampling means that: *“not every element of the population has an opportunity of being selected in the sample. Purposive sampling is sometimes also called judgmental or theoretical sampling”* (Brink & Wood, 1998:221; Bless & Higson-Smith, 1995:95; and Bless & Higson-Smith, 2000:92). Leedy and Ormrod (2010:212) indicate that: *“people or units are chosen as the name implies for a particular purpose or reason”*. The study used purposive sampling to allow the researcher to select the sample based on knowledge of the phenomenon being studied. The researcher purposively chose participants who are knowledgeable of and experienced in taxi violence. In this study each member of the population did not have an equal chance of being selected because a purposive sample is a non-probability sample and therefore no generalisations were made.

Based on the judgment of the phenomenon of taxi violence in Stanger the researcher selected and interviewed a total number of 14 research participants:

- **Detective service:** The unit commander and three investigators from Stanger police station who had been investigating taxi-violence-related crimes and had relevant knowledge of how the police deal with taxi violence in Stanger area.
- **South African National Taxi Council (SANTACO):** The chairperson of ILembe regional office who had been operating in the taxi industry for a period of more than 20 years. Much taxi violence occurred in the industry prior to and during the time of his leadership. He understood the dynamics of taxi violence and assisted in ways of policing taxi violence.
- **Crime prevention:** Crime-prevention commander and with two members from Stanger police station. The commanders police the area in an attempt to reduce and deter crime and criminals.

- **Cluster crime prevention:** The senior member and two members from cluster office (support) were interviewed. Cluster office gathers the information and gives support to stations which falls under their jurisdiction. The members that were interviewed have an experience in taxi violence.
- **Authority board:** The senior manager of the authority board, who adjudicated the operating licenses and gave the permits to the operators of the authorised association to use the routes they use.
- **Public transport enforcement services:** Three members who enforce laws in public transport. This unit was specifically established to combat taxi violence and has the responsibility for checking if taxis are using the authorised routes and if the vehicles used are roadworthy.

#### 1.7.4 DATA COLLECTION

There are two forms of data in research; these are primary and secondary data. Primary data refers to raw data that the researcher obtains directly from the research participants while secondary data is obtained from already available sources such as documents (Bless & Higson-Smith, 1995:99). In this study the researcher used both primary and secondary data. Burns and Grove (1997:393), define data collection as: *“the process of selecting subjects and gathering data from subjects”*. In this study the researcher used interviews to collect primary data and the findings from the literature review as secondary data. One on one interviews were conducted with participants.

##### 1.7.4.1 Interviews

Gray (2004:214) mentions that, *“the reasons for conducting an interview when there is a need to obtain highly personalized data; or opportunity to probe participant’ responses in order to gain a clear understanding of their thoughts, experience and attitudes”*. Interviews always provide a good return of useful information. According to Leedy and Ormrod (2010:148), *“interviews can yield a great deal of useful information”*. There are three types of interviews – structured, unstructured and semi-structured interviews. *“Structured interview are interviews in which all participants are asked the same questions with the same wording in same way”* (Corbetta, 2003:269). Bryman 2001:107 explains: *“A structured interview is an administration of questionnaires by an interviewer. The aim is*

*for all interviewees to be given exactly the same content of questioning and the goal of this style of interview is to ensure that interviewees' replies can be aggregated. Semi-structured interviews are non-standardized and are frequently used in qualitative research methods".* However, *"the researcher has a list of key themes, issues and questions to be covered but the order of questions can be changed depending on the direction of the interview"* (David & Stanton, 2004:87). An interview guide/schedule is also used and additional questions asked. An unstructured interview is non-directed and follows a flexible method; it is more casual and there is no need to follow a detailed interview guide. Interviewees are encouraged to speak openly, frankly and give as much detail as possible.

The researcher used semi-structured interviews because the researcher wanted to answer specific questions. *"There are specific questions asked and the researcher wanted participants' views to solve the problem"* (Leedy & Ormrod, 2010:188). , *"Semi-structured interviews will assist the interviewer to understand their feelings and attitudes more clearly, and seek additional information wherever necessary and make information meaningful to the researcher"* (Bless & Higson-Smith, 1995:10). The researcher conducted individual interviews and interviewed one participant at a time.

The advantage of semi-structured interviews is that they allow more detailed questions to be asked and the participant's own words to be recorded. *"The ambiguities are clarified and follow up questions are asked for incomplete answers and they allow for the establishment of a list of possible answers or solutions"* (Bless, Higson-Smith & Kagee, 2006:119; Curtis & Curtis 2011:33). Precise wording is tailored to the participant and the precise meaning of questions is clarified. In addition, *"volumes of data obtained through interviewing and a better response rate can be achieved"* (Marshall & Rossman, 1999:109).

There could, however, be a recall bias particularly as a result of the passage of time or when the matter under investigation was a sensitive one. *"Participants might not necessarily volunteer critical information. Interviews can sometimes be very time consuming and costly"* (Bless, Higson-Smith & Kagee, 2006:137). *"The interviewees may also be unwilling or may be uncomfortable sharing certain information which the interviewer hopes to explore"* (Marshall & Rossman, 1999:109). According to Curtis and Curtis

(2011:33), “sometimes it can be challenging to keep the interview on track as the participant may want to tell you things that are not really relevant”.

The questions were asked in order to obtain answers to the research questions. Only one interview schedule was used for all research participants. All questions were pre-tested before the final sets of questions were determined and the interviews took place. A standardised schedule of questions customised in line with the core functions of the stakeholder group, however, was developed with the central theme of exploring the causes of and solutions to violence in Stanger. The researcher piloted the interview schedule for the pre-testing of the research instrument. In so doing, she was helped to identify the quality of the set questions and to see if the participants would be able to understand them or not (Turner, 2010:757).

The researcher recorded the interviews by writing short-hand notes, and using a tape recorder from which the information was later transcribed into written text. According to Leedy & Ormrod (2010:21) that makes: “*the analysis of the interviews easier and more effective*”.

#### **1.7.4.2 Review of related literature**

Circulars held by the South African Police Service and relating to taxi violence were used by the researcher. According to Marshall and Rossman (1999:116), “*the review documents are an unobtrusive method, rich in portraying the values and beliefs of participants in the setting*”. The researcher gathered and analysed documents and records that, on the strength of relevance, were directly linked to the researcher’s questions in the conceptual framework of the study. A review of documents relevant to this study was carried out in order that gaps could be identified in knowledge and weaknesses of previous studies identified. Documents were drawn from the existing grey literature – “*various types of documents produced by government, academic institutions, business and industries that is available on the public domain*” (Kiteley & Stogdon 2014:7). For this study the researcher focused on library books and academic journal articles with a view to marking out specific trends and patterns of taxi violence and their triggers.

### **1.7.5 DATA ANALYSIS METHODS**

The researcher adopted a qualitative data analysis since it would help to identify repeat patterns or themes in the data (Bless & Higson-Smith, 1995:105). Marshall and Rossman (1995:111) state that: *“qualitative data analysis is a search for general statements about relationships among categories of data that build grounded theory”*. It usually involves, *“reducing accumulated data into a manageable size, developing summaries, looking for patterns and giving meaning to the emerging themes”* (Cooper & Shrinkler, 2003:87).

The researcher followed a spiral method of qualitative data analysis. In achieving this, the researcher analysed the data several times, taking the following steps into account:

- The researcher started by organising the large data from transcripts;
- The researcher read through the transcripts several times to understand them and to identify possible themes and meanings and;
- The researcher classified the similar themes under the same categories; and
- Finally the researcher interpreted and discussed the data for readers to make sense of it. (Creswell, 1998 in Leedy & Ormrod, 2005:150).

### **1.7.6 RELIABILITY**

Reliability relates to the methods of data collection and the concern that they should be consistent and not distort the findings. Generally, reliability entails an evaluation of the methods and techniques used to collect the data. *“It refers to the ability of the research process to provide results that do not vary from occasion to occasion and that do not vary according to the particular persons undertaking the research”* (Denscombe, 2002:100). Joppe, in Golafshani, (2003:598) defines reliability as, *“the extent to which results are consistent over time”*. To ensure that the findings of this study are reliable the researcher obtained the detailed information of the research participants and their level of experience as well as the limitations encountered in this study. This was done in order to ensure that if anyone would like to repeat this study should be aware of the profile of the participants and the limitations that formed part of the final product of this research study.

### 1.7.7 VALIDITY

Validity of “*measuring instrument as the property of a measure that allows the researcher to say that the instrument measures what he says it measures*” (Joppe, in Golafshani, 2003:598). In order to ensure the validity of the findings of this study the researcher used the following tools:

- **Tape recordings**  
Keep tape recordings of the interview sessions with the research participants for future references on the accuracy of the data.
- **Peer debriefing**  
Peer debriefing requires the researcher to work together with one or several colleagues who hold impartial views on the study. The impartial peers examined the researcher’s transcripts, final report and general methodology. Afterwards, “*feedback is provided to enhance credibility and ensure validity*” (Guba & Lincoln, 1985:308). “*The researcher located a person who reviewed and asked questions about the qualitative study so that the account will resonate with people other than the researcher*” (Creswell, 2014:202). This strategy involved an interpretation beyond the researcher and invested in another person, which adds validity to an account.
- **Member checking**  
According to Guba & Lincoln (1985:103), member checking “*is when data, analytic categories, interpretations and conclusions are tested with members of those groups from whom the data were originally obtained*”. In determining the accuracy of the qualitative findings the researcher took the final report back to participants in order to determine the accuracy of the qualitative findings (Creswell, 2014:201) and provided the participants with an opportunity to comment on the study. The researcher also verified the correctness of the data with the research participants before ending the interview sessions.
- **Clarify bias**  
The researcher remained neutral whilst working on the research and the self-reflection

created an open and honest narrative that resonated well with readers. According to Creswell (2014:202), clarifying bias indicates that, *“a good qualitative researcher contains comments by the researchers about how their interpretation of the findings is shaped by their background such as gender, culture, history, work experience and socioeconomic origin”*. The researcher used a co-coder to give a second opinion on the data and therefore the commonalities found confirmed that the data was well interpreted.”

## **1.8 ETHICAL CONSIDERATIONS**

In conducting research ethical issues are the main concern, *“the rights of the participants must be respected”* (Bless & Higson-Smith, 1995:102). The researcher ensured that the participants were observed, protected and respected (Polit & Hungler, 1999:134). Ethical principles must apply to the research process, which ensures that the humanistic and moral reasons are upheld. *“Ethics in research also enhances the credibility and trustworthiness of data”* (Burns & Grove, 2001:196). The ethical considerations for this study are outlined below:

### **1.8.1 Informed consent**

*“The person must voluntarily agree to participate in the study and can refuse to divulge certain information”* (Bless & Higson-Smith, 2000:100). The participants must be fully informed and understand the research project in which they are being asked to participate in. The researcher explains the purpose of the study before getting consent from the participants. Written/verbal consent was therefore obtained from participants. This was done to *“ensure that there is no relationship of mistrust between the researcher and the research participants”* (Burns & Grove, 2001:196).

### **1.8.2 Right of privacy**

*“Social research often invades a person’s privacy”* (Bless & Higson-Smith, 2000:100); the consent for right to privacy must be obtained. *“Privacy is a right an individual has to determine the time, extent and general circumstances under which personal information is shared or withheld from others”* (Burns & Grove, 2001:196). Privacy was maintained

throughout the study. The researcher ensured that participants were treated equally regardless of their socio-economic status, whether illiterate or learned.

### **1.8.3 Right to confidentiality**

*“Confidentiality is related to the researcher’s management of private information shared by the participants”* (Burns & Grove, 2001:196), *“the participants will be assured that the information given will be treated with confidentiality”* (Burns & Grove, 2001:196). The researcher assured that data would only be used for the stated purpose of the research and that no other person would have access to interview data. The researcher ensured that the interview schedule and data collected was kept in a safe place.

### **1.8.4 Anonymity**

Participants were willing to divulge private information on condition that their names were not mentioned (Bless & Higson-Smith, 2000:100). Brink (2003:42) indicates that, *“anonymity relates to keeping the participants nameless in relation to their participation in the study”*. The researcher respected the participants’ right to remain anonymous by concealing the identities of participants in all documents.

### **1.8.5 Permission to conduct the study**

The researcher obtained permission from the South African Police Service to ensure that the research did not infringe on the South African Police Service standards. The researcher also obtained approval from the University of South Africa to proceed with the research.

## **1.9 LIMITATIONS OF THE STUDY**

The National Office of SAPS gave authority to conduct interviews with SAPS members including crime intelligence but the provincial office of SAPS refused permission for them to be interviewed. Analysis of case dockets was refused by management of SAPS. Members of both Maphumulo and Stanger taxi associations agreed to be interviewed but on the day in question some of them refused the interview. Other members of the association

that were interviewed later called the researcher and requested that notes that were taken during the interview would be destroyed. Interviews with the people from the taxi industry were not recorded because they requested not to be recorded.

## **1.10 CHAPTERS LAYOUT**

Chapters of this dissertation are arranged as follows:

- Chapter 2: History of taxi violence in South Africa.  
This chapter discusses the origin of the taxi industry, the role played by the government in regulating and deregulating the functioning of the industry as well as the transformation of the taxi industry.
- Chapter 3: The nature of taxi violence in South Africa.  
This chapter then focuses on the type and magnitude of taxi violence and the major causes of this violence. The influence of police and politics in this industry is also discussed.
- Chapter 4: Presentation of research findings  
In this chapter the researcher presents the research findings and also discusses them.
- Chapter 5: Recommendations and conclusions.  
This chapter makes recommendations and conclusions about this study

## **CHAPTER 2: THE HISTORY OF TAXI VIOLENCE IN SOUTH AFRICA**

### **2.1. INTRODUCTION**

The origins of the taxi industry in South Africa can be traced back into the early 1930s and it has been a major break-through in public transportation especially among the blacks majority. The Nationalist government was uninterested in this mode of public transport as evidenced by the fact that there was no support in terms of employment or subsidies (Fourie 2003:32; Khosa, 1991:234).

The taxi industry in South Africa has shifted political and socio-economic conditions and has become the dominant mode of public transport in the country, which contributes positively in the economy and alleviates poverty by opening employment opportunities. Taxi violence is a problem that has not yet been completely eradicated as it happens in different forms. The deregulation and reregulation by the government of the taxi industry has created problems (Fourie, 2003:32). This confusion in government policies, government officials and police being owners of the taxis in the industry has a negative impact on decision making (Barret, 2003:8). In this chapter the background to taxi violence is given in the context of the origins of the taxi industry in South Africa as well as the subsequent uneven regulation of the industry. The regulation of the taxi industry has been presented in a chronological order that reflects the different periods of regulation and the challenges and successes during those periods.

### **2.2 THE ORIGIN OF THE TAXI INDUSTRY IN SOUTH AFRICA**

According to Khosa (1991:234), the “*origin of the taxi industry can be traced back to the horse-drawn vehicles that were used for hire (cabs), which emerged in the late 1800s*”. Although the government favoured trains as the means of transporting black workers in the 1920s, several independent bus operators and taxi services have emerged and flourished as a profitable alternative means. The history of the taxi industry is closely linked to the oppressive policies of the apartheid past. Urban African people were increasingly relocated forcefully to reside in areas far from the commercial and industrial centres of all South Africa’s cities in the early 1960s. The

policies of apartheid catered for relocations and they were designed to keep racially defined groups separate (Barret, 2003:6). The by-product of this was ever increasing transport costs for black Africans when they commuted to work and at times they happened to be relocated to places with poor public transport in the form of government buses and trains. The second factor was that public buses and trains operated at peak times only and routes became less and less flexible (Barret, 2003:6).

Another feature of apartheid and institutionalised racism that was introduced in the early 1960s was that blacks and particularly Africans had limited legal access to business opportunities. It was virtually impossible for Africans to acquire a permit to operate a taxi. According to Barret (2003:6), those who managed to operate in the taxi industry were allowed only to use sedan cars as the only vehicles recognised for taxi purposes. These taxis did not fulfil the required needs of the increasing African market as they catered for a very small segment of the population. By this time public transport was dominated by the state-owned rail sector and the subsidised bus industry (Barret, 2003:6).

Initially, the state protected the existing public transport systems and prevented entrepreneurs from operating taxis by refusing to issue road carrier permits to them. In terms of section 2(3) of the Road Transportation Act 74 of 1977 any vehicle carrying ten passengers or more for reward was defined as a bus and subjected to the conditions that were regulating buses such as leaving one seat of a ten-seater empty. Despite this, it was still impossible to acquire permits, as the National Transport Commission (NTC) and the ten Local Road Transport Boards (LRTB) that were responsible for issuing permits were hostile (Khosa, 1995:171). Emerging taxi entrepreneurs mainly created competition for them. The demand for minibus taxi transport was growing and drivers operated illegally without permits, were subsequently subjected to fines, and often to forfeiture of their vehicles, with enforcement coming largely from the then South African Railways Police Force (SARPF) (Barret, 2003:6).

The other challenge was that the local authorities that were exercising control over the growth of the industry by granting them permission to use the taxi ranks was stifling the growth of this industry. This was because the authority to grant kombi taxis permission to park in designated areas for loading and off-loading purposes in the cities was to be permitted by the traffic department of the various local authorities. Refusal to grant such permission hamstrung the growth of this industry by making the operation of most taxis illegal and subjecting its operators to prosecutions and the confiscation of their vehicles. In addition, Barret (2003:6) states that “*the*

*government was becoming increasingly ambivalent on how to react to the growing kombi taxi industry".* Despite all these challenges the kombi taxis defied all the odds and became the commonly used form of public transport in black communities. Prior to the deregulation of the taxi industry the black taxi drivers had to defy apartheid laws and strict regulations that were prejudicial and imposed on them. The taxi industry increased quickly in the wake of the apartheid government's policy of economic deregulation initiated in 1987 (Sekhonyane & Dugard (2004:14).

According to Khosa (1991:232), the taxi industry was one of the most extraordinary socio-economic phenomena in South Africa. It advocated for free market enterprise and its growth was a silent revolution transforming South Africa into one of the most integrated economies and as the fruit for popular non-racial capitalism, albeit that its patrons were predominantly black workers at this stage. The taxi industry has been hailed by some analysts as one of the success stories of black entrepreneurship (Khosa, 1991:232).

## **2.3 THE REGULATION OF THE TAXI INDUSTRY IN SOUTH AFRICA**

The regulation of the taxi industry has been dealt with in six distinct categories that symbolise the evolution of the taxi industry reflecting how the competition and the fight over the use of routes resulted in the injury and death of both the taxi operators and commuters. Various attempts have been made to restructure and formalise this industry for the benefit of the commuters, as well as the profitability and sustainability of the taxi industry in South Africa. What is very clear from the evolution of the taxi industry is that taxi operation moves in tandem with settlement of the communities in different areas, most of which happen to be undeveloped areas that do not have formal public transport such as buses and trains.

### **2.3.1 The period between 1920 to 1977**

The Le Roux Commission of 1929 dealt with the state of public transport in South Africa at a time when the transportation system was in disarray because of the competition that was unrestricted and uncontrolled before 1930 (Khosa, 1991:234). The Le Roux Commission indicated that even though the independent bus operators and taxi services emerged and flourished the government was strongly in favour of the trains as the means of transportation for

black workers (Khosa, 1995:171). In addressing some of the shortfalls that were identified by the Le Roux Commission, the government passed the Motor Carrier Transport Act No 39 of 1930 that introduced enormous transport regulations that stifled competition and created transport monopolies (Khosa, 1991:234).

The Motor Carrier Transport Act protected the railways from the competition from other road carriers; empowered the Local Road Transportation Boards to have quotas in issuing the certificates in those areas where there were no rails. The independent operators were hard-hit by this legislation because it forbade the transportation of goods or passengers without a certificate to do so; as indicated previously the acquiring of such permit was nearly impossible (Sekhonyane & Dugard, 2004:14). According to Khosa (1991:234), the restriction was not only that black taxis were authorised to carry four passengers only, but they were also constantly harassed by traffic officials who used to confiscate their vehicles for petty offences.

Khosa (1991:235) states that it was difficult for black people to obtain a taxi permit, because they were subjected to a complex network of legal restriction and this resulted in most taxis operating illegally without the required permit. Some of the requirements were that the applicants had to have a formal employment record, had lived in the area for a number of years and were in possession of a Daily Labourers' Permit (Khosa, 1991:235). If it was found that the applicants were in urban areas illegally their applications for permits were rejected. When one considers the limited number of black people who qualified to be in the urban areas legally during the Bantustan period, it is understandable why the number of black people who qualified to run the taxi business was so low.

### **2.3.2 The period between 1977 to 1987**

The Breda Commission of Enquiry was established to look into transport deregulation in 1977 by the government. The fear remained that continued intervention in the transport sector would result in deep politicization and sustained boycotts.

The Commission indicated that the country has reached the stage where a freer competition in transportation was impossible. It further revealed that a shift in the economic policy was leading to generalized deregulation, commercialization and privatization of the economic system. The

black taxi industry witnessed a significant growth in late 1970s and by 1982 more than 90% of black taxis were minibuses.

Table 1 below indicates the number of permits that were applied for and granted in Johannesburg from 1984 to 1990.

Table 1: Permits applied for between 1984 and 1990

<i>Year</i>	<i>Application</i>	<i>Sedan licences</i>	<i>Kombi licences</i>	<i>Total licences</i>
<i>1984/85</i>	<i>29,788</i>	<i>389</i>	<i>12</i>	<i>401</i>
<i>1985/86</i>	<i>33,733</i>	<i>379</i>	<i>307</i>	<i>689</i>
<i>1986/87</i>	<i>45,630</i>	<i>3,600</i>	<i>750</i>	<i>4,350</i>
<i>1987/88</i>	<i>57,552</i>	<i>89</i>	<i>6,898</i>	<i>6,987</i>
<i>1988/89</i>	<i>48,521</i>	<i>291</i>	<i>4,602</i>	<i>4,893</i>
<i>1989/90</i>	<i>56,248</i>	<i>2,070</i>	<i>13,090</i>	<i>15,160</i>

*(Source: Khosa, 1991:236)*

Taxi drivers began using larger minibuses that could carry up to 15 passengers from the early 1980s. These taxis were illegal until formal deregulation in 1987; taxis were the most popular transport for black commuters for the following advantages as compared to other public transport (Sekhonyane & Dugard, 2004:14):

- They working until late at night;
- They serviced all the areas including the routes where public transport was inaccessible;
- They were convenient to users because it picked up and dropped them off at any place;
- Their rates were reasonable; and
- They could ferry more people on a single trip than a private vehicle which carry the capacity of on more than five people.

The bus boycotts that took place in 1980 suggested that there was a need for the alternative transport and this worked in favour of deregulation of the transportation system. Buses and trains were frequently attacked by youth for political reasons that forced the commuters to prefer to use

taxis (Sekhonyane & Dugard, 2004:14). Such a chain of events led to the disinvestment from foreign investors and the end result was retrenchment in the public transport industry. The taxi industry benefited from bus boycotts by becoming one of few enterprises that accommodated retrenched workers as well as aspiring businessmen.

The Welgemoed Commission recommended that minibus taxis be made illegal. This move resulted in draft legislation that, according to McCaul (1990:45), proposed the following:

- Taxis are defined as vehicle carrying no more than 4 passengers;
- Mini-buses should carry 5 to 25 passengers and should operate on fixed routes, fixed timetables, using approved tariffs; and
- All taxis are fitted with a meter.

The draft bill was opposed by the South African Black Taxi Association (SABTA), the private sector and even the National Association of Automobile Manufacturers (NAAMSA) (McCaul, 1990:45).

In 1985 Mr. Chris Heunis the then Minister of Constitutional Development initiated another transport enquiry. Sixteen-seater minibus taxis were recommended by the National Transport Policy Study should be allowed to operate and the local authorities should set quotas and restrict new permits. According to Barret (2003:7), the Competition Board opposed the quota system in favour of the total deregulation of the taxi industry. Barret (2003:7) states that finally the National Transport Policy Study recommended that:

- Sixteen-seater minibus taxis be allowed to operate as taxis;
- The number of taxis to be allowed in each regional service council should be stipulated by central government;
- The regional council to control the maximum number of taxis in the regional service council using a quota basis;
- The formula used in the quota should also consider rank space; and
- Applicants should no longer be required to prove the need for a service.

The National Transport Policy Study had its own findings in which highlighted that the then existing regulatory framework was contrary to the principles of national economic policy and counterproductive to competition. This statement resulted in the Competition Board, recommending the immediate and blanket deregulation of the taxi industry. In January 1987 the White Paper on National Transport Policy agreed to the Competition Board's recommendation, that entry to the taxi industry should be controlled only by consideration of whether the operator had met certain technical requirements. All other recommendations made by the National Transport Policy Study were accepted by the White Paper on National Transport Policy except the recommendation for the government to set minima on the number of taxis in each regional council. It was recommended that the regional councils could set maxima using a formula based on considerations such as rank space (McCaul, 1990:51 & Fourie, 2003:35).

The South African Black Taxi Association (SABTA) was of the view that the abolition of all entry restrictions of an economic nature would create chaos and fragmentation of the industry, with too many taxi operators entering the market too rapidly without looking at the viability of routes. As per the anticipation of the South African Black Taxi Association (SABTA), soon after the permits ceased to be a priority, the taxi industry was soon (Fourie, 2003:35) flooded with aspirant drivers and this led to the heightened competition for passengers and routes. Corrupt officials took advantage of the free for all market and turned a blind eye to traffic enforcement and vehicle, roadworthiness, meaning that from the outset issues of safety and security were compromised (Sekhonyane & Dugard, 2004:13).

### **2.3.3 The period from 1987 to 1994**

The White Paper of 1987 on Transport Policy, along with Transportation Deregulation Act No 80 of 1988 effectively legalised the 16-seater minibus taxis. The private sector warmly accepted the government's policy had taken a positive step towards the creation of a market-driven transport system. In contrast, the organised taxi industry saw the White Paper as a threat to its interest because it was introducing deregulation that was going to flood routes with taxis, thus making most routes unprofitable. According Khosa (1995:175), the South African Black Taxi Association (SABTA) rejected the White Paper entirely because they perceived it as an attempt by the government to hijack the black transport sector and resuscitate the power of the white bus industry by making it possible for taxis to flood the routes and make them unprofitable. The

South African Black Taxi Association (SABTA) wanted a controlled phased-in deregulation over a period of ten years because they were also skeptical that whites could build their financial empires and use that financial power to invade the black taxi industry (Khosa, 1995:175). The other thing was that SABTA perceived deregulation as something that could be used by whites who had the capital to enter this business because deregulation meant that anybody – including Whites – could operate a taxi industry (Khosa, 1995:175).

The evidence suggests that South African Black Taxi Association (SABTA) wanted to have a virtual monopoly in the taxi industry. In the same way as the railways appealed for protection in 1930, and the bus industry pleaded for protection in 1983, the legal taxi industry implored the Government to protect established taxi operators in 1987 (Khosa, 1995:175). In the words of the then president of the South African Black Taxi Association (SABTA) - James Ngcoya - the White Paper was betraying the taxi industry and he called on taxi operators to no longer trust the Government, thus formally cutting the links between the taxi association and the Government (Khosa, 1995:175). Finally, South African Black Taxi Association (SABTA) was recognized by Government as the representatives of the taxi industry and several meetings were held between them that resolved this impasse (Khosa, 1995:176).

The largest share of the commuter market in 1989 was held by around 50 000 minibus taxis operating nationally. The policy confusion assisted taxi owners to manage to enter into the industry. Entry into the minibus market was allowed to be determined by market forces during the deregulation process, which encouraged almost any applicant to be granted a permit to operate a minibus taxi (Barret, 2003:7). Between 1987 and 1994 (Fourie, 2003:35) the minibus taxi industry grew at a phenomenal rate in South Africa.

The taxi violence that has engulfed the taxi industry since 1987 led to the rise of taxi associations as the taxi industry was deregulated. The taxi industry quickly became a contested economic terrain flooded with aspirant operators hoping to become rich, as it was one of the first avenues for black capital accumulation. Some other taxi owners were able to make it in the tax industry and it was soon characterized by exploitation and aggressive competition between operators attempting to poach passengers and ply the same routes (Sekhonyane & Duguard, 2004:15).

The competition between taxi operators resulted in them also starting to operate in high-demand corridors serviced by bus and rail. Taxi operators took this step to boost their income as the

original taxi routes had become highly contested. This service replication reduced the level of service and potential cost recovery of a route or mode, which is clearly a case of destructive competition as defined by Shaw (1998:18). Buses and rail had to compete with taxis and buses and rail operators responded to the lower demand by reducing service frequency. Formal modes were now requiring subsidies due to lower-cost recovery as the taxis were dominating the transport industry. Shaw (1998:18) states that competition between operators reduced the potential for sustained cost recovery by individual operators, reduced the economic viability of the routes and led to the provision of poor and inconsistent service levels to commuters.

The National Transport Policy Forum (NTPF) was established in September 1992 to bring together a range of interest groups that were excluded from contributing to the formulation of transport policy. Groups represented in the forum at its inception included the African National Congress (ANC), civil associations, the Congress of South African Trade Unions (COSATU), the Congress of Traditional Leaders of South Africa (CTLSA), the National African Federated Transport Organisation (NAFTO), the Pan-Africanist Congress (PAC), The South Africa Black Taxi Association (SABTA) and Transnet (Khosa, 1995:183).

The National Transport Policy Forum (NTPF), in conjunction with the Department of Transport and Transported, held a Taxi for Peace indaba in 1993 in Johannesburg, where resolutions that were taken were incorporated into the transport policy document. The Government accepted the National Transport Policy Study principles on the passengers' transport policy. A decision was made that the Road Passenger Quality System (RPQS) should replace the Road Transport Permit System (RTPS) to promote deregulation of the passenger transport industry. The Competition Board recommended to the cabinet that the minibus taxi industry should have minimal entry requirements, related only to the fitness of the vehicle, the possession of a valid licence by the driver, and proof of insurance cover. The Government accepted this advice, thereby rejecting the recommendation of the NTPS that gave protection to the taxi industry (Khosa, 1995:174).

The then Minister of Transport, Dr Piet Wegemoed accepted in principle that it was unfair to exclude taxis from wider public transport subsidies (Behrens & Wilkinson, 2001:5). The Department of Transport proposed a corridor principle as the basis for extending subsidies to taxi operators. In terms of the corridor basis, commuters were to buy one subsidised ticket that could be used on taxis, buses, and trains. The Development Bank of South Africa proposed that the government should spend the subsidy funds on the taxi industry through providing free business training and improving taxi operator's working conditions (Behrens & Wilkinson, 2001:5).

### **2.3.4 The period between 1994 to 1999**

According to Dugard (2001:3), in the post-apartheid period taxi violence became more widespread, decentralised and criminal in character as compared to the period prior to 1994 where taxi wars were relatively few in number. Taxi violence started escalating and resulted in the death of people. The number of people died on the road was less than those who died because of taxi violence (Fourie, 2003:37). *“Taxis constitute only 2% to 3% of vehicles on South African roads, but are involved in 17% of accidents. In 1998 taxis were involved in 70 000 accidents that killed 900 passengers and 1385 drivers”* (Fourie, 2003:37).

The government established the National Taxi Task Team (NTTT) in 1995 with an aim of attempting to address the issue of taxi violence in South Africa. The purpose of the National Taxi Task Team (NTTT) and among other duties was to eliminate taxi conflicts and enhance the performance of the taxi industry in coming up with other ways of improving road safety. On 20 April 1995 the National Taxi Task Team held its first meeting chaired by a member from the National Department of Transport (NDT) consisting of the nine government officials from provincial departments of transport, ten taxi industry representatives, and nine special advisors (Dugard, 2001:21).

According to Barret (2003:14), the National Taxi Task Team (NTTT) conducted 36 public hearings throughout the country between August 1995 and January 1996 and held two plenary meetings. The 300-page report, including recommendations, was compiled and submitted to the Transport Minister in August 1996. The findings included the following:

- Complaints about the subsidies that are allocated to public transport but not taxis;
- High financial costs when replacing vehicles, which are also coupled with the difficulties faced by commuters in meeting any increases in taxi fares;
- The on-going violent conflict;
- Safety in the taxi industry;
- The fragmentation of owners' associations;
- Poor conditions of employment; and
- Problems with transport infrastructure, such as roads and taxi ranks.

According to Barret (2003:14), the National Taxi Task Team (NTTT) concluded that the self-regulation in the taxi industry had failed and the following factors were indicative of such failures: surplus of taxi permits, many of which were falsified or duplicated documents; a highly fragmented industry structure with no single national association to represent its needs and an acute shortage of skills ranging from business and negotiation skills through to customer relations and even driving tactics; and vehicle maintenance procedure and safety practices.

Based on the above-mentioned findings, the National Taxi Task Team (NTTT) recommended that there should be immediate re-regulation and formalisation of the taxi industry. Fourie (2003:38) states that the main proposals for regulation involved the following three integrated processes:

- A moratorium should be placed on the issuing of the permits;
- The operating taxis should be registered and the areas in which such taxis were operating; and
- A special dispensation should be introduced to legalise the illegal operators that were operating without permits.

Subsequently, in 1996, the National Department of Transport (NDoT) drew up a White Paper on the future policy objectives. The objective of the White Paper was to provide leadership in the promotion of a reliable, safe, coordinated, efficient, integrated and environmentally friendly land passenger transport system. The White Paper was to be implemented in South Africa's urban and rural areas and the Southern African region in order to ensure a pleasant experience for commuters while improving the levels of mobility and accessibility (Fourie, 2003:38).

The Moving South Africa (MSA) project was launched in June 1997 to implement the vision set out in the White Paper in a way that would be compatible with an environment of limited resources, capacity and time. The MSA's strategy was based on a 20-year forecast, which was in line with global transport trends. The project identified the critical problems in transport and proposed a framework for the sector to deliver a world-class service. The gaps between customer needs and what the transport system was providing was identified as a developmental area (Fourie, 2003:38).

The MSA confirmed that there was a critical lack of affordable access to transport. The project further revealed that the public transport system was ineffective and inefficient, which resulted in an increased dependence on private cars. Urban development aggravated problems that were not taken into consideration or planned in tandem with the transportation system (Fourie, 2003:38). The MSA identified the creation of an enabling framework for the minibus taxi industry to recapitalise its assets and deepen its ability to compete fairly for market share as one of the government's key tasks (Fourie, 2003:39).

The combination of recommendations of the NTTT and MSA led to negotiations between the government and taxi organizations, which ultimately saw all taxi organizations agreeing to work together. As a result, the South African Taxi Council (SATACO) was formed in August 1998 (Fourie, 1998:39). The objective of SATACO was the promotion of peace and unity in the taxi industry as well as the development of economic benefits and empowerment of taxi operators (Fourie, 2003:39). The council has divisions in all nine provinces and it represents all minibus taxi operators.

SATACO together with the National Department of Transport (NDT) agreed to re-do the issuing of new permits to emerging taxi entrepreneurs (since most routes were already over-traded) in a bid to end conflicts. Both parties planned to introduce a colour-coded route system, satellite surveillance and a taxi card fare system for commuters (where they were no longer going to use cash) (Fourie, 2003:40). Working together between SATACO and NDT signified that the South African government recognised the taxi industry and took well-intended actions to relieve the problems in the industry after the launch of the NDT. According to Fourie (2003:40), the MSA project did not present a detailed solution to the problems in the taxi industry, but it identified the dilemma in the transport industry which revealed formalisation and regulation as the probable answers.

### **2.3.5 The period between 1999 to 2009**

The apparent failure of the government's plan to re-regulate the taxi industry led to the government changing its re-regulation focus to restructuring the industry through the recapitalisation process. In essence, the recapitalisation strategy aimed to recreate the taxi industry from scratch, phasing out the 16-seater minibus taxis in favour of new 18- and 35-seaters, and introducing smart card technology to eliminate cash from commuter transactions.

Re-regulation and recapitalisation processes had challenges and seven years later after the introduction of recapitalisation it has not yet been fully implemented. These challenges were experienced from both the side of government and the industry. The government needed to engage meaningfully with the taxi owners in order to be able to properly formalise the taxi industry (Sekhonyane & Dugard, 2004:17).

Under the recapitalisation plan, jointly developed by the departments of transport, trade and industry, minerals and energy, and finance. The government was to subsidise owners to help them buy the new 18- to 35-seat taxi (Fourie, 2003:40). The idea was to replace the current 140 000 units of 10- and 15-seater petrol-powered taxis in the country with approximately 80 000 units of 18- and 35-seater diesel-powered taxis. This replacement was to take place over a period of five years and was supposed to streamline the public transport system in the country (Fourie, 2003:40).

The non-commercial goal of the recapitalisation project has been the regulatory management of the industry with a view to improving road safety and decreasing violence within the informal taxi industry. This process was to give the SA government a fiscal mechanism for controlling the roadworthiness of taxi vehicles by manipulating the capital depreciation period (Fourie, 2003:41).

It was difficult for the government to deal with the issue of recapitalisation because it was not clear as to who represented the taxi industry. Both SATACO and its splinter group the National Taxi Alliance (NTA) both claimed to represent the taxi industry. The members from SATACO who were not satisfied splintered and formed the National Taxi Association in 1999. The splinter in SATACO delayed the implementation because there were concerns over cost implications.

According to Dugard (2001:25), the NTA disputed that they recognize SATACO and NTA were not part of approving the planned recapitalization of the industry. NTA views was that the plans to restructure the industry were compounding the challenges in the industry and that recapitalization was directly responsible for the chaos and violence engulfing the taxi industry (Dugard, 2001:25). The formation of the National Taxi Drivers Organisation (NATDO) came into effect claiming to be representing the interest of taxi drivers. The NATDO had a fear that there would be job losses because of restructuring, so they embarked on a series of highly publicised protests against the recapitalisation (Fourie, 2003:42).

The government passed the National Land Transport Transition Act (Act No 22 of 2000) in order to assist to formalise and re-regulate the taxi industry. A 4-year re-recapitalisation scheme was instituted by the government together with new legislation in the same year the intention of the scheme was to replace the 15-seater minibuses with 18- and 35-seater minibuses. Electronic systems were to replace the traditional manual fare collection so that tax revenue could be established. The movement and control of the vehicles were going to be controlled at the central point by the vehicle tracking systems (Barret, 2003:16).

This move was not met with enthusiasm from many of the taxi associations, as it would ultimately cost the operators substantially. The most widely publicised and certainly the most ambitious Government intervention in the minibus taxi industry was the Recapitalisation programme.

The government delayed the recapitalisation process as it was waiting for the taxi industry to form one association that could speak on behalf of taxi owners; taxi owners disagreed to the nature and form that the recapitalisation scheme should take.

The NTTT suggested that provincial registrars be established. The NTTT also suggested that the industry be organised into co-operatives, which would not only consolidate the industry as part of the formal economy, but would also allow it to provide important services relating to vehicle maintenance. When the taxi industry was regulated as per the recommendations (Dugard, 2001:22) of the NTTT there was an increase nationwide of taxi violence, which was suspected to be orchestrated recapitalisation. In September 2001, delegates of all democratically elected taxi structures (SATACO and the NTA), provincial councils, as well as mother bodies held a national taxi conference in Durban. This conference resulted in the establishment of the SANTACO, which embodied the aspiration of all taxi operators. The new constitution for the taxi industry was adopted at the conference and also new leadership was elected and took several resolutions on all pertinent matters in the taxi industry. One of the important resolutions was to improve road safety, cooperation with law enforcement, endorsement of the recapitalisation programme and improved service to commuters (Fourie, 2003:42). Some groups of members were aggrieved claiming to be NTA disown SANTACO in the press briefing because some of their members were not elected in the executive positions (Barret 2003:22-23).

SANTACO supported the taxi recapitalisation programme because it anticipated that the majority of taxi owners would opt for the 18- and the 35-seater vehicles. Despite its overall

support for the recapitalisation process, SANTACO was concerned about the operators who were operating in the townships because they were not going to benefit from the recapitalisation programme, as their profit margins were too small to put them in a position to afford the vehicle instalments. This concern for certain categories of operators did, however, not detract SANTACO's overall support for taxi recapitalisation (Barret, 2003:18).

SANTACO supported the government's plans to recapitalise the industry and agreed to work with authorities to implement the proposed programme. The government proposed the introduction of an electronic management system (EMS) that was going to use an efficient and transparent fare payment system and also to track down each taxi by location at any given time for regulatory purposes. SANTACO itself was going to assist in efficient management but the industry would decide who should provide the technology (SANTACO, 2002).

Various associations representing taxi drivers exerted pressure on both the government and the taxi industry organisations by using both negotiations and violence as a means of ensuring their status as indispensable role-players in the recapitalisation process. According to Barret (2003:15), in recapitalisation the owners handing in old vehicles in order to access the scrapping allowance were not obliged to purchase new ones. The scrapping allowance was therefore not only an incentive to purchase new and safer vehicles which was linked to a range of controls, but it was also an incentive to reduce the total number of vehicles in the industry.

One major sticking point was that there was no accurate projection of possible job losses because the field study conducted by the National Productivity Institute (NPI) under the auspices of the National Department of Transport (NDoT) was abandoned in early 2000 as a result of alleged threats against the research team by taxi owners (Barret, 2003:17). According to Barret (2003:17), the government's expected net effects of the taxi recapitalisation were:

- Payment of income tax by owners;
- Reduction in number of operators and/or vehicles;
- Safer vehicles on the road;
- The registration of employees; and
- Improved data collection on industry statistics.

The industry has undergone a significant process of formalisation and development over the past years. The industry has built a relationship with government authorities to deal with the many problems it faces. SANTACO plays a role of negotiating on service, maintenance and supply deals on behalf of its members and mediates in the event of conflicts over the routes between local taxi associations (Barret, 2003:23).

### **2.3.6 The period between 2009 to date**

In 2006 the government announced the establishment of the Bus Rapid Transport (BRT) system, which was to be implemented in 2009. The first prototype of a BRT system was in Chicago in 1937. The first wide-scale development of the BRT concept using bus technology occurred in Curitiba (Brazil) in 1974, the first modern-day system where buses travelled on dedicated lanes making several stops on designated routes. These buses keep millions of commuters moving rapidly around the city every year. This system was the first modern-day BRT (Wright, 2004:12).

The BRT system had its own challenges in that at its inception it was not supported by most taxi operators because it was cheaper and was targeting the same market as that of the taxi industry and using dedicated that gave the BRT a more competitive advantage than the taxis. Taxi associations were blaming government for implementing the BRT without thoroughly explaining how it would affect the taxi industry. According to Gabara (2009), the Memorandum of Understanding (MOU) between the Mayor Amos Masondo and representatives from the Johannesburg Taxi Industry was signed in October 2007 to mark the opening of the BRT system. The signing of the MOU is followed on from the culmination of a lengthy process of consultation between the city and the taxi industry on various issues regarding the future of public transport.

At the start of the operation of the BRT, which in Johannesburg was named Rea Vaya, the system was in principle supported by the Johannesburg Taxi Industry Negotiating Team (JTIN). The JTIN team comprised Johannesburg representatives from the nine taxi associations that were affected by the BRT. According to De Bruyn (2009), the invitation was also extended to SANTACO and the NTA but neither group sent representatives. The city of Johannesburg was accused of side-lining some relevant parties by the taxi drivers and operators and protested against the implementation of the BRT, this caused some fragments of the taxi industry to feel

aggrieved by the perceived insensitivity of the government in implementing a large-scale public transport system that would undermine the livelihoods of the taxi operators in the cities of Cape Town and Johannesburg. The SANTACO and NTA accused the authorities of devising a plan without consulting the country's most important public transport industry on a plan that was invariably going to result in a loss of income for taxi operators. The implementation of BRT led to the taxi strikes in 2009 in both Johannesburg and Cape Town (Serino, 2009).

## **2.4 CONCLUSION**

Since the establishment of the taxi industry, it has grown to be one of the most recognised commuter transport industries, which also contributes to the creation of jobs and the increase in the economy of the country (Gross Domestic product GDP). Regulation and deregulation of the taxi industry by the government unfortunately had an impact in endemic violence and crime in that sector, which nevertheless did not hold back the expansion of the taxi industry. The abolition of entry restrictions to the taxi industry created chaos and fragmentation of the industry and taxi operators preferred to protect their territory. The formation of SANTACO representing the entire taxi industry in the country made a difference as it resulted in the decrease of taxi violence; and for once, the government had a specific body to engage with on the restructuring of transport and the taxi industry.

## **CHAPTER 3: THE NATURE AND EXTENT OF TAXI VIOLENCE IN SOUTH AFRICA**

### **3.1 INTRODUCTION**

Taxi violence in South Africa was the tool that the apartheid regime used to pursue their interest by dividing the people so that they will acquire what they needed (Sekhonyane & Dugard, 200:15). The state prevented entrepreneurs from operating kombi taxis by refusing to issue road carrier permits to them. The competition between rail and buses, which was and is subsidised by the government, also played a role because taxis were losing commuters.

The refusal by the government to grant permits hamstrung the growth of the taxi industry by making the operation of most taxis illegal and subjecting its operators to prosecutions and the confiscation of their vehicles. Despite all these challenges the kombi taxis defied all the odds and became the commonly used form of public transport in black communities. The violent taxi associations called “mother bodies” have been allowed to develop and expand virtually unchecked by the authorities. Taxi associations (also known as the Mother bodies) have been behind most of the violence that has come to be associated with the taxi industry, refusing rivals to operate over dominant routes. Government officials became part of the problem and not of the solution. Police officers were members of the association and government officials in the authority board were flooding the system.

### **3.2 TAXI VIOLENCE NATIONALLY**

The history of the South African taxi industry was closely linked to the history of apartheid. Blacks, in particular African people, had a very limited legal access to business opportunities as the institutionalised racism and the feature of apartheid was introduced in the early 1960s (Barret, 2003:6). In the taxi industry it was virtually impossible for an African person to acquire a permit to operate. The few who did operate used sedan cars, as sedan cars were the only vehicles recognised for tax purposes. They catered for a very small African market. Public transport was totally dominated by the state-owned rail sector and the subsidised bus industry (part publicly and part privately owned) (Barret, 2003:6).

The taxi industry was the first black source of income. In 1930 there was a Motor Carrier Transportation Act, which stipulated that no transportation of goods or passengers was allowed without permission from a local road transportation board (Sekhonyane & Dugard, 2004:14). For the black operators it was impossible to obtain a permit because they had to prove that they had a formal employment record, had lived in the area for number of years and were in possession of a daily labourers permit (Sekhonyane & Dugard, 2004:14). Most of the taxis operated illegally using private saloon vehicles as taxis. Ninety per cent of African permit applications were rejected because of the requirements that made it impossible to obtain a permit.

The taxi industry was the business that was dominantly owned by African people. In most cases the people who were taxi owners started by being taxi drivers. When they bought a second vehicle they employed a driver and when they had three taxis they stopped to be the drivers and started managing the business. Taxi violence can be traced back to the 1980s and 1990s as part of apartheid laws and the apartheid agenda.

Taxi owners employed the taxi operators to work in their business. The industry was a part of the informal economy in which the majority of operators were not registered employees and tax payers or adhered to any minimum standards of employment (Barret, 2003:1). However, the majority did possess licences to operate through the provincial registration processes, and the majority of drivers were licensed by public driving permits.

The taxi industry was celebrated as 'one of the most extraordinary socio-economic phenomena in South Africa in recent years'. Advocates of free market enterprise saw the growth of the taxi industry as a 'silent revolution transforming South Africa into one of the most integrated economies' and as the fruit of 'popular non-racial capitalism'. According to Khosa (1992:232), some analysts have acclaimed the taxi industry as one of the 'success stories' of black small businesses.

Like any other business the taxi industry needs to be regulated. In the apartheid era no regulation regulated the taxi industry. Most of the people were working in the way that suited them because the government fuelled the taxi violence for its own benefit (Dugard, 2001:4). The local taxi industries established taxi associations that were able to guide and manage routes and taxi fares. The industry produced different kinds of employment, drivers, queue marshals, car washers and in some areas there were fare collectors who travelled in the kombis. The total number of people

directly employed in the sector was around 185,000 in early year 2000. The demographics were not known in terms of race, how many whites, blacks, coloured and Indians.

### **3.2.1 Unions in the taxi industry**

In 1998 South African Tax Association (SATAACO) was established with an aim to achieve peace, unity, development of economic benefits and empowerment for all operators in the taxi industry as the government's attempts failed to resolve taxi violence. SATAACO wanted to change the whole operation in the taxi industry in order to create a sustainable framework for formalised economic development within the industry, which would ease the insecurities amongst taxi bosses. SANTACO did achieve its objective because there was a decline in incidents of taxi violence across the country.

There were two national trade unions, the South African Transport and Allied Workers' Union (SATAWU) and the National Taxi Drivers' Organization (NATDO). A new unified body representing around 90% of owners across all nine provinces was established in September 2001. SANTACO comprised the two existing national taxi bodies (the South African Taxi Council (SATC) and the NTA), as well as government representatives. Ten executive members were elected at the taxi industry conference with their national office established in Pretoria. The industry has undergone a significant process of formalisation and development over the past years and SATAWU has also been heavily involved in industry restructuring efforts (Barret, 2003:4).

The violence in the taxi industry did not only affect the associations who were in disputes with the routes or ranks but it affected the community at large. If violence erupted employees failed to go to work, which also had a negative impact on the economy of the country. Public or private service delivery was being hampered. The Congress of South African Trade Unions (COSATU) condemned taxi violence in the City of Cape Town and urged provincial government and Metrorail to put in place an urgent plan to confront the crisis and to include labour, business and the taxi bosses to contribute to finding solutions. SANTACO was not affiliated to COSATU but the workers under COSATU were affected when there was violence. The members could end up being charged for failing to report on duty or being late at work. Tony Ehrenreich, COSATU's Western Cape Provincial Secretary (Sapa, 2011), indicated that taxi bosses had a right to protest to the government because the government was seen as the cause of the problem.

### **3.2.2 Taxi associations (also known as mother bodies)**

The number of taxi operators flooded the taxi industry as there were no strict rules in obtaining the operating licence because of deregulation. Deregulation in the taxi industry resulted in the formation of taxi associations in which the members protected their territory so that they would be able to make profit by limiting the number of taxis to operate on those routes. The taxi associations called ‘mother bodies’ were created and eventually expanded without being checked and controlled.

The operations on the routes were regulated by the mother bodies. Mother bodies regulated the fares to be paid if the taxi owner wanted to be a member of the association, including involvement in day-to-day operations of the industry (Khosa, 1991:236). Taxi operators in the association made informal arrangements with each other on how they should operate (Boudreaux 2006:23).

Dugard (2001:20) indicates that the associations had mother bodies to protect their territory; they were doing all they could to protect routes that they were operating on, in order for the rivals not to ply in the same routes. Mother bodies had the upper hand in the association because of the power they possessed. According to Boudreaux (2006:23) mother bodies were the ones who dictated how the associations should function in protection of their routes. In most instances izinkabi were being hired by mother bodies in order to execute those rivals who came and operated on their protected routes. Mother bodies collected money from the taxi operators in the association in order to enable them to perform their duties as the body (Dugard 2001:20).

Most of the violence that took place in the industry was associated with mother bodies. Taxi associations used threats of violence and violence itself to enforce their arrangements (Boudreaux 2006:23). They used considerable firepower and weight to resist recent attempts to re-regulate the taxi industry and they were symptomatic of more general levels of organised crime in post-apartheid South Africa (Dugard: 2001:4). The root of taxi violence and the reasons for its continuation were located in the unresolved socio-economic conditions in South Africa.

The corrupt regulating bodies that replaced the state’s eventually discarded rules, which then led to the industry becoming increasingly criminal in nature. According to Dugard (2001:20), mafia-

like tactics including the hiring of hitmen soon exhibited gang warfare and price fixing. The race factor divided the mother bodies. Coloureds established a strictly coloured mother body in which other races were not allowed to become members and they attempted to monopolise new routes (Dugard, 2001:18). Coloureds and Africans both wanted to ply the same routes, which led to violence and the racial aspect of taxi violence.

In Soshanguve many people were killed in taxi-related turf wars between 1996 and 2000, which resulted in the establishment of the provincial government's Commission of Enquiry, which investigated the causes and extent of taxi violence in Gauteng. The commission's report maintained that police in some instances were directly involved in the shooting of drivers and passengers and not only provided weaponry and protection for hit squads in the Shoshanguve area ((Dugard, 2001:7). Some police officials were found to have a direct interest in the industry, privately owning around 10% of the taxi fleet in the area. Barret (2003:9) states that in early 2000 all minibus taxi operations in Soshanguve were closed by the authorities following the findings of the commission and on-going violence. In February 2000 seven men from Wits African Taxi Association (WATA) went to court. They were accused of plotting attacks on working drivers and commuters using the services of the rival association. Their alleged intention was to destabilise the industry and to recapture a diminishing market in the chaos that would ensue. The court case was the one of the very few that brought to light the relationship between competition for routes and the taxi wars (Barret, 2003:9).

Taxi squads were created by associations because of the failure of the government's law enforcement. According to Boudreaux (2006:20), mother bodies had taxi squads that were patrolling with their cars to protect their area. If offenders were found, the association disciplined such an operator by threats or violence. Mother bodies behaved in this way because they had invested many resources to develop lucrative routes and business.

### **3.2.3 Hitmen**

When taxi violence erupted it affected innocent people who were not part of the violence and the hired-gunmen-executed killings did not care about the lives of the commuters. Khosa (1991:232) states that some of the people in the association hired hitmen in order to kill the rivals who were contesting with them for the same route. Dugard (2001:18) states that mother bodies went as far as hiring the hitmen from other neighbouring countries in order to make it difficult for that

person to be traced. The hit squad carried out all the assassinations as per the directive from the mother body. Their payments were on a monthly basis or after the execution of job. Allied mother bodies collaborated in the protection against syndicates of hostile vehicle hijackers (Dugard, 2001:20).

Members of the mother body' executive made real money. Mother bodies didn't have financial reports where they went to report the finance of the association and how the finances had been used. They made a lot of money doing collection and there were no track record of the money paid, as there were no receipts of payment received. Dugard (2001:20) indicated that being an executive member of the mother body you became rich and powerful in no space of time and that is why the top positions in mother bodies were so viciously contested. The operation of taxi routes might necessitate violence in order to protect that route, but violence or the threat of violence was also used by mother body bosses to extract money as well as compliance from the bosses of other routes within the taxi fraternity (Dugard, 2001:20).

The powerful individuals in the mother body caused internal tension with the increasing resources invested in taxi associations. The power struggle emerged within the mother body, which caused the same members of the association to fight against each other; as the defence was more about association resources than taxi operations (Dugard, 2001:20). The competition for the control and domination of routes in the industry resulted in the increase of violent incidents, particular murders by hired guns. There were those busy routes that most of the taxi owners had interest in (Sekhonyane & Dugard, 2004:15); those that already operated in those routes did not allow new people who wanted to join and work with them; and they were protected their territory. Lucrative routes were central to successful taxi operation. Rival owners increasingly resorted to violence to eliminate competition and the assassination of rivals added a sinister dimension to the conflict.

The entire government effort to root out corruption was undermined by corrupt police who colluded with criminals. The worse thing that happened was the killing of people in daylight (Khosa, 1991:232). According to Dugard (2001:20), mentioned that the mafia-style killings, drive-by shootings were used by the hitmen to kill taxi operators, including commuters inside that targeted taxi.

#### **3.2.4 Political forces and influence**

Safety and security issues were side-lined by corrupt officials who turned a blind eye on traffic law enforcement. James Chapman (Sekhonyane & Duguard, 2004:15), a long time consultant to the taxi industry said “they [taxi operators] were divided by the [apartheid] government and violence was encouraged” against the black drop of escalating violence. During the final years of apartheid regime the stage was set for the violent taxi wars that came to dominate the deregulated industry.

The apartheid government used taxi industry for its own benefit, as taxi violence was fuelled by the political conflict. The most politically motivated wars played themselves out in the Cape Peninsular at the height of political violence, between 1990 and 1992. It is a known truth that during apartheid there was a third force. The policy of divide and rule of the Nationalist party’s government thrived. The taxi violence was disguised by so called Inkatha and ANC violence. The real targets of taxi violence were commuters themselves. The interrelated attack of political parties led to the associations’ arming their drivers to counter attack if they were being attacked.

In the Cape Peninsula the taxi conflict played major role in destabilising the ANC in an area to an extent that that the National party ended up gaining lots of political ground in areas as well in the provincial government.

### **3.2.5 Police involvement**

In the submission by the then KZN Minister Sibusiso Ndebele (2000) the taxi industry had always been understood as African entrepreneurship. In order to succeed in your business you needed to gain the protection of the police and the officials in the department. Complaints and accusations were received persistently that police were being bribed by the taxi owners and associations. In 1995 the then national commissioner George Fivas took a decision that police should not own taxis but nothing came out of this. The police were often biased in favour of one association over another (Boudreaux, 2006:20).

The ownership of the taxi by the police or government officials was a problem in the fight against taxi violence. Because it was difficult to deal with the issues of the taxi industry the police and government officials turned to be biased to the associations that they were registered with. According to Shaw (1995:49-50), cases that were reported by the rival association with which police officers were not affiliated were neglected or poorly investigated. The incapacity in

training of police officials in dealing with unique cases led to poor results in combating taxi related crimes.

The escalation of taxi violence in the taxi industry resorted to the taxi associations having their own agencies or security guards to monitor the routes. The police were biased in terms of dealing with taxi crime issues. Members of the Urban Monitoring and Action Committee (UMAC) were attacked in the presence of the police (Dugard, 2001:7). Information was given to the police about threats or crime that might take place but the police ignored those warnings. The UMAC contacted the police concerning the threat of violence to take place that night (by WEBTA) in the area which is about 100 metres away from the station but police failed to attend to it and indeed the violence did take place.

The police actively participated in taxi violence not only by not attending to the complaints reported but also by their involvement in the attack. If you were on the opposite side that they did not favour you would be shot at by the police. Dugard (2001:7) indicates that the taxi operators would run to the police for assistance or protection if there was violence only to find out that the police were also shooting at the operators and were not restoring peace. Members of associations carried firearms and dangerous weapons in front of the police but they were not disarmed. A video clip was captured where the police failed to disarm the large group of Webta members after two minibuses were attacked in a pro-Lagunya area of Khayelitsha (Dugard, 2001:7).

Police were also pointed out as part of the problem, instead of stabilising the situation. Different reports collected by the Black Sash and UMAC contained repeated claims that uniformed police or men wearing balaclavas participated in the attacks. Police officials were either active partisans in many areas but their calculated inaction fanned the conflict, as accusations of deficient policing ranged from failing to make arrests to shooting at escaping victims.

Government had declared war on taxi violence but instead of helping to eliminate crime and violence a good number of police were known to be undermining the effort by associating with the criminals for financial gain.

In cases where a taxi association was fighting with rivals police were involved directly in shooting as they backed their association against its rival (Dugard, 2001:28). Police officials in the industry used state resources to fight battles and even kill in favour of the association. Guns and uniforms would be hired out to the mother bodies for criminal activities and returned back to

police. Some police officials worked as body guards to senior executives of the mother bodies. The police who were properly investigating the case would find it difficult to get information that led to the conviction of perpetrators because of police being part of the association. Dugard (2001:25) indicate that if it happened that cases were opened there was a high likelihood that the dockets would go missing or the investigation would be tampered with or poorly investigated and no one was brought to book. According to Shaw (1995:49-50), case dockets were stolen while in the hands of the police.

People who witness to the incidents during the taxi violence were afraid to come forth as they could become the victims for witnessing of such an incident because of some police officials who were implicated in the attacks (Boudreaux, 2006:21). The non-intervention by the police gave the taxi operators the power to think that they could take the law into their hands, the ineffective law enforcement and complicity in the taxi violence exacerbated problems associated with increased competition (Boudreaux, 2006:24).

The suspicion of police involvement in the taxi violence (Dugard, 2001:25) led to the members of the Maphumulo Taxi Association reporting a complaint to the Independent Complaints Directorate (ICD) to investigate police suspected to be involved in taxi violence because all efforts to address the violence had proved futile.

According to Khumalo (2002), the NTT's final recommendation in 1996 on taxi processes clearly highlighted the ownership of taxis by police personnel as the key cause of violence within the taxi industry, said by the MEC of Transport Ndebele. *"the ownership of taxi businesses by policemen was contributing to violence in the already volatile taxi industry, with at least 47 policemen having been found to be running taxi operations"*. Police officers who are the owners of the taxi become conflicted and make the lives of the other colleagues to be in danger because they are not addressing taxi related issues objectively because they will be having vested interest. Police register taxi under family names and they are not directly linked.

Boudreaux (2006:24) states that an operation would be planned by the police to combat crime in the industry, but before its execution it would be known by taxi operators and that amounted to be a fruitless exercise if the police continued with that operation. Taxi bosses or operators were killed in day light. Sometimes the killers were known and the people who had witnessed incident were afraid to give such information to the police because they feared for their lives, as some of

the police officers were the owners of the taxis operating in the area (Boudreaux, 2006:21). Witnesses were expected to give that information to the police that were part of the taxi industry.

The low rate of conviction of perpetrators in the court of law resulted in people being afraid to report or give information to the police. Dugard (2001:25) alludes to the fact that there were many factors that might have caused the low rate of conviction – poor investigation, cover-ups or the docket had been tampered with, poor training, lack of resources and etc.

Another case was at Empangeni taxi rank where 11 people were killed and the then MEC Sibusiso Ndebele established a commission whose tasks were to look into various incidents of taxi violence in the province, external forces, the involvement of police, government officials etc. Some of the recommendations by the commission were that all relevant taxi violence crimes be reported to the Director of Public Prosecution in order for priority to be given to their prosecution and progress in their investigation to be monitored. It was noted with concern that the interference by police officers concerned were hampering the prosecution of perpetrators of taxi violence.

### **3.2.7 Vigilantism**

The taxi associations in the ranks created a community court and those who were caught doing the wrong things were punished. In Gugulethu the court was run by Eyona Taxi Association. Boudreaux (2006:7-8) indicates that it was difficult for the police officer to intervene when they saw the person being beaten up. Sometimes it was because they were few police members to deal with a rampaging crowd or that officers were using the same taxis to and from home and they knew where the officer stayed. If the member of the industry was involved in vigilantism, the police would be unlikely to intervene as they believed that taxi operators were heavily armed. Community courts were created where the associations could not afford the services of private security companies.

### **3.2.8 Revenge**

Revenge in the taxi industry prevails. If a person was killed in one association his colleagues would kill other members of the other association to avenge the colleague who had been killed

and the taxi violence would resume (Dugard, 2001:21). Two taxi operators were killed and another sustained injuries on the drive-by shooting on the N2 freeway near the Queensburgh off-ramp. The victims were returning from the Bellair police station where they were reporting as part of their bail conditions (Sapa, 2000).

### **3.2.9 Security guards / taxi squads**

Taxi operators have invested resources in the development of the lucrative routes and business. In the absence of effective law enforcement they would create private means to protect their business; squad cars would be sent out to monitor and patrol their areas of operation. When an illegal taxi was found operating on the route, the taxi operator would be taken to the association to be disciplined sometimes by threats of violence (Boudreaux, 2003:20). The associations, after accessing the threats from the people who were taking over their terrain, employed security guards to protect the ranks and routes (Khosa, 1991:236). Different associations employed security guards for protection of their work. In towns most of the people who were operating from the same taxi rank were not from the same association. Security guards in the industry were neither good nor bad. When the peace was restored they continued and perpetuated the violence so that they would continue to be employed by the association.

### **3.3 TAXI VIOLENCE IN KWAZULU-NATAL (KZN)**

KwaZulu-Natal in the year 2000 was dominated by a series of taxi violence in different parts of the province. The frequency of the taxi violence was better than referred to the previous years but it is happening. The taxi operators and the drivers were killing do kill each other fighting over the routes. The most problematic areas were Mandeni, Stanger, Folweni, Umlazi, Hammasdale and others.

KwaZulu-Natal in 1999 has about 17% of the national taxi fleet ranks with 19 860 registered taxis administered through 287 registered associations, about 20 000 owners and 200 000 employees. The figure was higher than this, as a large number of taxis estimated at 13 000 were operating without an operating licence (Ndebele, 2001).

There were different associations affiliated with SANTACO (including Ubumbano, NLTA, Top 6, Alliance etc.), the council that was established and held its first national congress in 2001 in KZN. All associations were fully represented. The government worked towards addressing the association's demands and developments were communicated through SANTACO rather than each association (Fourie, 2003:42). SANTACO structures were starting from national, provincial and association level. In KZN, the SANTACO provincial structure interacted with the provincial government. Some of the associations (which were a part of the formation of the council SANTACO) believed that SANTACO was not representing them fairly and wanted to put their views or concerns directly to the government.

The nature and the extent of taxi violence are similar across the country. Being a member of the association you need to abide by the rules of mother bodies, like payment of prescribed fees that will assist in the functioning of the association. According to Shaw (1998:18), there were dominant routes that were highly contested and that most of the associations liked to operate. The desirability of these routes led to the dispute between the taxi operators and associations. Mother bodies were the main role players in the functioning of the taxi associations (Boudreax, 2006:23), because of the power they possessed over how the industry should perform.

Politics had an influence on the on-going taxi violence because taxi operators were killed if they stayed in the area where there was a dominant political party, whether ANC nor IFP (Dugard, 2001:12). Boudreax (2006:23) indicated that police involvement in the taxi industry made it difficult for the people involved, including the victims, to give information to the police as they then would become targets. There was a breach of trust between the community and the police as mother bodies resorted to having their own security guards or squads (Khosa, 1991:236).

### **3.4 TAXI VIOLENCE IN STANGER**

Taxi violence in Stanger fluctuates: there was competition over routes between taxi associations that were operating to and from the area. Taxi operators and owners together with the commuters were killed in taxi violence. The involvement of police in the industry created problems as it negatively affected service delivery in policing of taxi violence (Dugard, 2001:25). The indecisive decisions by the government and the bias towards Maphumulo taxi association and Stanger taxi association erupted into violence. The taxi violence in Stanger was between

different taxi associations who were operating short- and long distances and who were using the same ranks and routes for business operation.

Taxi operators or owners paid a fee to the association on a weekly or monthly basis, depending on the association. This money assisted in the day-to-day running of the association (Dugard, 200:19). The association determined the fees that were going to be paid by the commuters on different routes. One single taxi association was established for all associations operating at Stanger in which R50 membership fee would be payable annually as suggested by the Stanger Taxi Association. Violent confrontation and killings followed in protest over the demand of R50 payment. Members of the industry and commuters were killed (unknown source).

Khosa (1991:245) states that competition over dominant routes resulted in violence between associations (Sekhonyane & Dugard 2004:15). Legal and illegal taxi operators killed each other in working and in protecting their routes (Khosa, 1991:241). The violence between associations did not affect only competing associations but commuters were also killed in the line of cross fire (Boudreax, 2006:22) Sometimes the killing was deliberate as a taxi operator would be shot while transporting passengers to their respective destinations or inside the rank. Boudreax 2006:23) indicated that threats and force were used by the association to enforce their arrangements.

In other instances violence was within the mother body, where those who were in power wanted to continue leading because as a member of the executive (Dugard, 2001:18) you were able to make more money than those who were operating the taxis. So the increase of resources in mother bodies resulted in the power struggle, as there was no accountability for the use of resources. The use of the hit squad was one component of the mother body that was vital. Hit squads were used for the assassination of taxi operators, bosses and commuters. Vehicle hijacking (Dugard 2001:18) also took place. There were a few cases that went to court and related to the dispute between parties in competition of lucrative routes.

### **3.5 THE CAUSES OF TAXI VIOLENCE IN SOUTH AFRICA**

The following mentioned below are considered to be the causes of taxi violence in South Africa.

### **3.5.1 Avenue to accumulate capital**

The African blacks in particular were disadvantaged in opportunities of getting employment; it was difficult for them to find employment in the cities. Those who were lucky to be employed, when retrenched or out of job, took their money that they had saved to buy motor vehicles that they were going to use as taxis in order to accumulate capital. The person would buy the vehicle and start to operate it in order to bring income into the household, without following the procedures to obtain a permit which would allow him to operate (Khosa, 1991:235). The taxi industry played a role in the South African economy by becoming a method of poverty alleviation because it generated business and made life easy for the commuting public while adding to the wealth of the South African economy (Boudreaux, 2006:5). The taxi industry quickly became the contested terrain over which black people fought so that they could accumulate capital (Sekhonyne & Dugard, 2004:15).

### **3.5.2 Economic contribution**

The taxi industry played an important in the economy of South Africa. The business was not about only making profit but the industry has contributed to the South African economy by creating job opportunities for the people in the society (Boudreaux, 2006:7-10). Examples of such people were drivers who were transporting commuters to and from their different destinations; queue marshals being responsible for ensuring compliance in loading passengers, checking tyres and taking the complaints of the passengers and car washers etc. (Barret, 2003:27).

According to Boudreaux (2006:5-6), the taxi industry provided the opportunity for self-employment and an entrepreneurial platform to build on and form other businesses. The industry generated wealth in the economy by providing inexpensive transport compared to the government service and improved the quality of life for poor South Africans by lessening time spent commuting.

Taxi industry was the first opportunity for black South African to become entrepreneurs and self-empowerment although it was difficult struggle, as the law were designed to protect white business restricting black economic activity by limited competition and supplying a steady

stream of black customers (Boudreaux, 2006:15-16). Although there was segregation in term of Group Areas Act but the people who were the most contributor's in the market were black with their labour, who had to travel from distance from locations or homesteads to town or industries in order to work (Boudreaux, 2006:16).

Taxi violence was apartheid ploy to destabilise black people. Taxi violence was going to assist them in achieving their objective. Dugard (2001:9) indicates that regulations were used by the apartheid regime to enforce racial segregation of transport and to protect the near-monopoly held by the South African Transport Service's (SATS) subsidy of rail and bus industry.

People going to and from town for different needs required supplied transportation. Many people in the community longed for the opportunity to be in the business of transportation. Taxis were the most commonly used form of public transport and played a critical role in the lives of the majority of commuters, particularly in poor black communities (Barret, 2003:1). The taxi industry contributed positively to employee productivity and industrial relations. If there was no transport to take people to and from work, such a situation would have impacted negatively on a country's economy. Barret (2003:11) stated that although the contribution of the taxi industry to the South African GDP in terms of the turnover was not known, presumably because of the nature of the industry, it played an important role in the economy. Black economic activities were severely restricted by government making most black taxi services illegal (Boudreaux, 2006:24).

### **3.5.3 Deregulation and regulation processes**

African people took an opportunity to partake in the taxi industry as it was deregulated by the apartheid regime. People who were able to buy taxis bought them and started to work, which created a conflict amongst the taxi operators because of the greater competition over the routes. According to Dugard (2001:3), rapid deregulation resulted in the immediate rise in the number of taxi associations, which had used exploitation to build lucrative empires-cum-protection-rackets directly associated with violence from the beginning.

Policies were derived as a result of commissions targeting how the transport industry should be deregulated. Associations conflicted with each other, which perpetuated violence. Policy confusion enabled taxi owners to enter the industry (Barret, 2003:7). Taxi associations created

rights over the routes and the government was confused whether to recognise those rights as its policies promoted conflicts over the routes by creating ambiguities over rights to operate (Boudreaux, 2006:24).

The transport policy of the outgoing apartheid regime was established in which the 16-seater was legalised. The South African Black Taxi Association warned that too many taxi operators would enter the market and chaos would be imminent. Ignoring the call the 'buy one get one free' was launched, which led to the taxi industry being swamped with aspirant operators.

The flexibility in the industry resulted in the taxi operators sharing the same routes and now the industry was characterised by exploitation and aggressive competition between operators attempting to poach passengers and ply the same routes (Sekhonyane & Dugard, 2004:15). The owners gathered together and formed the associations in order to regulate how the taxis were going to function in the absence of state regulations. Taxi associations used their strength to extract income through the use of violence by protecting their areas and not allowing others to work. The refusal of a taxi association for another association to work on the same route prompted violence because the other operators were unemployed and had no other source of income. Taxi violence between the associations was ignored, allowing them to expand and proliferate unchecked as it had been encouraged by the apartheid regime; taxi violence spread all over the country in the final years of apartheid (Dugard, 2001:4).

When the number of taxi operators entered the taxi business and obtained permits and then they found out that there was no business on routes where they were allowed to operate, they often poached passengers from other routes. This was evidence to suggest that in some other areas the taxi market was saturated (Khosa, 1991:248-249). The government was blamed for the violence in the country. The government was accused for issuing lots of permits without creating a necessary infrastructure.

When taxi association had been established their terrain was protected and anyone who wanted to join the taxi industry had to obtain all the legal documents and apply for membership in the ranks as the terrain was secured. Applications were made to a taxi association for consideration and, if the association felt that there were adequate taxis at that rank, the applicant was turned down. When an operator made an application to a taxi association, it did not mean that the operator could start to operate (Khosa, 1991:241), if it was his operation that triggered violence.

The change of affiliation by small associations in favour of the more violent and financially stable associations caused violence as they wanted to be in better positions.

Poaching of passengers by the drivers also led to taxi violence. If the driver was caught stealing passengers they were offloaded to other taxi or beaten up. The other reason for the drivers to poach was a target that the driver was supposed to reach at the end of the day (Sekhonyane & Dugard, 2004:15). There were no means to regulate the operation of the industry even for the owners, as the entire operations were carried out by the driver in term of the cash that was supposed to be given to the owner at the end of the day. As long as the expected target was reached for the day, the number of passengers loaded and offloaded was only known by the driver.

The introduction of 35-seater vehicles including the driver (in terms of the National Road Traffic Act 93/1996) created a conflict amongst the operators as the ones who were using the mid-bus could make two loads with one trip, which was disadvantaging other drivers from reaching a target.

Although taxi violence fomented during the late-apartheid period, it did not end with the demise of apartheid, unlike other forms of political violence that diminished or disappeared after 1994. Taxi violence actually escalated in the immediate post-1994 period.

Many people were injured in the fight over the lucrative routes. Drivers for taxi associations accused each other of stealing commuters. There were peace initiatives but little was achieved then as violence continued to escalate. Six prominent leaders of the ANC were assassinated in the Western Cape in a period of less than a month. Taxi violence was impregnated with transition in politics between 1990 and 1994. Deregulation of transport contributed to the spread of taxi violence with underlying political motives.

Official efforts to deal with the taxi industry were almost non-existent between 1987 to 1994. Police used their positions of authority to promote violence between associations and to destabilise black communities. In many areas police were implicated in attacks, which included a failure to disarm attackers or to respond to warnings of immanent attacks (Dugard, 2001:7).

### **3.5.4 Competition over dominant routes**

A competition between legal and illegal operators started. Those who held permits were only allowed to travel and pick up and drop off passengers at specified stops. Failing to comply with this was an offence and warranted prosecution. There were so many taxis and taxi associations that it was practically impossible for police to police all these areas effectively. Unfortunately, this state of affairs made it lucrative for these illegal operators.

There was constant competition between operators; some routes were more lucrative than others, which brought about animosity between operators; disagreements arose as a result and infighting became ugly and fatal (Sekhonyne & Dugard, 2004:15). Those disagreements led to breakaways and before long the operators engaged in full-scale violence. Another reason for violence was when shopping complexes were built without foresight. People were required to work in these complexes and they needed to be transported, which also resulted in major competition between operators.

### **3.5.5 Territorial conflict**

Territorial conflicts in the taxi industry were mainly associated with access to taxi ranks and routes. Fights usually broke out when drivers crossed the boundaries into other territories. Jealousy and greedy also perpetuated violence. The CATA-Codeta conflict at times led to the division between coloured and African communities and have fed to taxi violence.

Taxi association has routes considered as their area of operation. There were those routes that were highly contested (Sekhonyane & Dugard, 2004:15). There were rumours that officials were also the cause of this confusion by giving the same licence to different associations or to the dominant association. In the Western Cape one of the causes of taxi wars was rumours of widespread corruption within the local road and transportation boards. Government officials were seen as siding with dominant associations in their areas, stoking violence between taxi operators by granting preferential licences to selected individuals or allowing only one association to ply a particular route.

The overtrading and wide-scale illegal operating on certain routes was cited among the chief causes of taxi violence in the industry. In Katlehong the cause of taxi violence emanated on the dispute over routes between operators from the Germiston and District Taxi Association an

affiliate of SABTA and the newly established Katlehong Taxi Association. The conflict had its roots in November 1989 when the two associations disagreed over taxi operations (Khosa, 1991:245). The Katlehong Civic Organisation tried to intervene but before the peace talks could take place between the associations the violence erupted which left many people dead, houses and taxis were burnt and other people were injured. The issue started between the two rivals in the taxi industry and developed into running battles between the youth on the one hand and the taxi operators by vigilante gangs on the other hand (Khosa, 1991:246).

Taxi violence started a long time ago. The war broke out between legal and illegal taxi operators for their recognition in 1960. The illegal operators would pretend to be passengers and boarded taxis in order to kill the registered owners from the back seat and this was called “death from the back seat”. By 1964, four legal taxi operators had been murdered this way (Khosa, 1991:241). There were many processes that the operator had to follow in order to obtain an operating permit. The application had to be sent to a municipality planning committee. Delays in getting operating licences on time caused violence, as other operators would operate illegally while waiting for permits and fights erupted between associations.

Some of the associations established 'taxi squads' to police 'pirates' in their area of operation. According to Khosa (1991:236), the duty of the squad was to patrol taxi routes, and if 'illegal' taxis were found the passengers were forced to alight and the drivers escorted to the nearest police station where charges could be laid. If the 'pirate' drivers refuse to co-operate, the vehicle might be damaged and the driver assaulted. The squad members were compensated by taxi associations).

Khosa (1991:239) writes that the taxi violence frequently erupted among operators within the same organisation who all wanted to contest the same terrain. In Alexandra the violence erupted because of the split in an association and another group opened its own association. The new association then claimed the use of the same routes and ranks as they were part of the association (that they had split from) and other people became casualties of the situation. The fight was over the supremacy of routes and ranking rights. Most of the drivers were armed with all sorts of weapons, including sophisticated weapons such as AK47s (Khosa, 1991:244). The fights over ranks were also happening in certain areas where associations were fighting over the ranking bays. The Witwatersrand Council of Churches Task Force conducted a report and in their findings they blamed the police and local town council for fuelling and diverting the conflict in order to legitimise their power base (Khosa, 1991: 47).

Taxi associations establish their own ranks and routes with the assistance of local state officials, operators were expected to respect in order to protect their work. Khosa (1991:248) states that the fights were over lucrative routes as the association regarded them as their exclusive territory; this was evident by the violence that erupted in Germiston-Edenvale in fights over routes (Sapa, 2010:9); by the greater Germiston Taxi Association and the Lethabong Taxi Association.

The illegal operation of pirates ended up in taxi feuds as pirates were not restricted by the regulations laid down by the existing taxi associations, who often operated freely anywhere. 'Pirate' operators frequently use a car hire permit system and declared certain routes their territory (Khosa, 1991:249). Taxi operators joining the association have to go through an internship system. If a new operator was joining the association he/she had to abide by an informal hierarchy enforced by the existing operators, which ensured that new entrants got the least preferential treatment with regard to routes and rank space. Newcomers dissatisfied with the internship system often broke away and formed rival taxi associations with a claim to the same ranks and routes. One critic observed, 'regulating the industry has allowed for vested interests and corruption of officials' (Khosa, 1991:249).

Undercutting prices by some of the associations created conflict. Some association used the strategy of lowering fares in order to attract more passengers. In Port Elizabeth one association lowered its taxi fares as a way of giving back to the community, which angered other association and led to the taxi feuds. The leaders in the Eastern Cape intervened in the matter and the peace accord was signed but the fighting continued unabated. Civil and political associations threatened actions against the taxi operators unless they stopped the feuding. This led to the establishment of a monitoring committee consisting of commuters and taxi drivers (Khosa, 1991:249-250).

The government has made many attempts to stop crime and taxi violence as it occurs today by keeping prices up and competition. There were claims that there was an increasing number of white ownership in the industry, which caused more friction in the taxi industry. Those black operators who were suspected of fronting for whites were often attacked by other black operators. In Pretoria in 1989 three drivers were killed in a feud between drivers of white-owned and black-owned vehicles (Khosa, 1991:250).

This caused some fragments of the taxi industry to feel aggrieved by to the perceived insensitivity of the government in implementing a large-scale public transport system that would

undermine the livelihoods of the taxi operators in the cities of Cape Town and Johannesburg. They accused the authorities of devising a plan without consulting the country's most important public transport industry about a plan that would have resulted in a loss of income for taxi operators. This led to the taxi strikes in 2009 in both Johannesburg and Cape Town (Serino, 2009).

There were certain steps that needed to be followed before the operator could acquire an operating licence. According to Khosa (1991:241), the acquirement of association membership was the first step and if the application was not considered the operator could apply to other associations for consideration. Taxi operators had to obtain a permit in order to operate legally on the routes. Although the permits were issued by the government, one of the requirements was that the operator must have a letter from the association that confirmed that he/she belonged to the association.

If there were two associations working on the same routes, the government issued permits to one association and that automatically resulted in the other association operating illegally on that route. Dugard (2001:5) indicates that the pirate services by the aggrieved and the protection of routes by the legal operators resulted in violence. Disputes within an association resulted in a split of the association (Khosa, 1991:244), which resulted in the conflict of the two organisations.

As early as 1991, down town in Stanger, there was a big rank and most of the associations used that same rank for their operations. There were disputes over the use and the control of the rank some of the associations wanted to take charge of the rank (Barret, 2003:11). The use of the same rank by the different associations created a big problem; they wanted to take charge of the rank and routes (Khosa, 1991:244). The dispute over the routes by different association led to the violence and the assassination of the taxi bosses and operators (Boudreaux, 2006:22). The association who had the right or the permit to operate a route was doing everything possible to protect that route from the rivals who also want to operate in the same route (Sekhonyane & Dugard, 2004:15). Operations over the similar route led to violence because the association who has the right to use the route did not allow the rival to take charge of over those routes (Khosa, 1991:239).

The leaders of the associations become powerful because of the resources that were invested in the operation of the association; a person in a leadership position would not want to vacate that

seat because there were more benefits than operating the taxi. The leaders made sure that they adopted some individuals to enjoy the gains so that it would be difficult for the people who wanted to remove them from their current positions (Dugard, 2001:21). The violence became about power base and control of resources and no more about the operation of the taxi and the routes.

The uncertainties in the taxi industry was also caused by the introduction of Bus Rapid Transit (BRT) in which over 500 taxis were removed from their routes of operation to another routes in order to cater for BRT buses.

The taxi violence in Stanger was intense in such a way that the then MEC of Transport Mr Bheki Cele established the tribunal on the dispute between Stanger and Maphumulo taxi association over the Danall route. The department ruled in favour of Stanger taxi association, after the findings by the tribunal that the Stanger association was the legitimate route permit holder. Minutes afterwards ruling the taxi belonging to Stanger association was shot at and many people died after violence erupted. The chairman of Stanger association, Nathi Khanyile, said they did not have knowledge of the tribunal's decision and indicated that they were not given a chance to present their problems as the violence has been there for a long time (Zulu, 2005). In Groutville members of KwaDukuza hosted the braai after they opened the Silver Star car wash but it was alleged that they were attacked with AK47. The MEC Bheki Cele indicated that when he spoke with associations they were all willing to work together and said it seems as if the associations had no control and their members were resorting to guerrilla warfare.

The continuation of taxi violence in Maphumulo and Stanger Associations led to the suspension of their permits until the matter had been resolved. In the apartheid government many permits were issued in order to cause chaos (Dugard 2001:11). The confusion about policies by the government promoted conflict over the routes and who had the right to operate those routes. Confusing policies were used to enforce the law that promoted violence instead of government recognising and enforcing the rights that were established by the taxi associations (Boudreaux, 2006:24). Many attempts were made by the stakeholders to stop taxi violence but failed. The efforts by the department that established the tribunal to resolve the ongoing violence between the taxi associations failed. The causes of the violence were the taxi routes which were not clearly defined.

Stanger and Maphumulo taxi association having fought over the routes and sharing the same rank both employed security guards to protect their work (Boudreaux, 2006:20). One day a shootout took place at the taxi rank between security guards from different associations where nine people were injured. That situation led to local police and Crime Combating Unit being permanently stationed at the KwaDukuza taxi rank and along the disputed routes. According to the station commissioner, Snr Supt Mnisi, six civilians and three police officers were caught in the crossfire; it was not known who started the shooting and the provincial task team was requested to investigate the matter. The disputed routes were the N2 freeway, the R102 to KwaDukuza, the Darnall route, the Doesburg route and the R74 to Maphumulo. As a result of the violence, the routes were being patrolled by the police, the Road Traffic Inspectorate and KwaDukuza Community Safety (Newman, 2005).

There was a dispute over the route between Maphumulo and Stanger taxi association, the matter was taken tribunal hearing where it stopped Maphumulo Taxi Association from using the disputed route. The tribunal found that there were errors in the association's application for an operating permit and gave the right to Stanger taxi association to operate the disputed route. Maphumulo Taxi Association took the Department of Transport to court (Durban High Court) and the court ruled on its behalf, concluding that Maphumulo taxi association would be allowed to operate the contested route pending a final judgement. Taxi violence erupted after the court's decision and Maphumulo Taxi Association members had resumed operating in the disputed route. Bongani Mkhize the chairperson of Maphumulo Taxi association indicated that there had been renewed threats of violence after the court decision (Sapa, 2005).

The nature of the violence in KwaDukuza not only targeted the people in the industry but also those who held positions in the community. The investigation made by the police in the killing of the municipal manager Nathi Mthembu had not yet ruled that the killing was related to taxi violence (Khan, 2005:3 & Sapa 2005). Mthembu had received threats before he was killed.

The security of the Mayor Sduduzo Mkhize was beefed up following the dead threats to ensure that no harm befell the mayor. In KwaDukuza area and surrounding areas the taxi violence has claimed many lives of taxi owners, drivers, commuters, police and municipal officials (Sapa, 2005). The killing of Mr Mthembu followed by six other people being killed including two taxi

bosses assassinated by an unknown person. In 2006 Mthembu's killers were sentenced by Durban High Court to life imprisonment (Zulu, 2007:01).

The dispute between Maphumulo and Stanger taxi associations revolved around the exclusive use of taxi ranks and certain routes (Khosa, 1991:244-248). The revenge between the associations (Dugard, 2001:21) escalated to violence. On November 14 2003 two members of the rival Maphumulo Taxi Association were shot in Kwadukuza and on the following day four taxi passengers died in a suspected revenge killing. A group of armed men ambushed a minibus taxi in Kwadukuza; they set the taxi alight and when passengers alighted from the vehicle they were shot at; two died on the scene, two trapped inside were burnt beyond recognition and three were rushed to hospital in a critical condition (Sapa, 2003).

The taxi industry was left to 'clean itself up' through the assassination of problem individuals (Dugard, 2001:26), the key men known to have been behind much of violence that been eliminated, presumably by members of rival taxi associations. The government did not intervene in solving the problem, South Africans should obviously not have to rely on this method to eradicate the violence as it would continue to escalate.

The violence in the taxi industry between the associations over dominant routes resulted in the killings between the associations.

Khosa (1991:245) indicated that different association wanted to be in control over the routes and there were dispute on disagreement on how a taxi must operate. The taxi operator who had tried to make an application in order to join the industry was rejected and started to operate illegally. The operator would have been assaulted or the vehicle damaged by legal operators, who would use any means to protect their terrain from the intruders (Khosa, 1991:236). The illegal taxi operators would kill the legal owners in order for them to be able to work in the contested route (Khosa, 1991:241).

Mostly in towns different associations were operating the same ranks and some of the association wanted to have the supremacy over the ranks and they would start to fight with each other (Khosa, 1991:239). Security guards were being employed by the associations to guard operations on the routes and to deal with the illegal operators for the protections of the ranks (Khosa, 1991:236). The association that started to operate the route first protected their routes from the rivals by hiring hitmen to kill on their behalf. Boudreaux (2006:22) indicated that the war between associations and the rivals escalated and they were shootouts in the ranks, which killed

and wounded the innocent bystanders. Taxi associations used threats of violence and violence itself to protect their arrangements on the lucrative routes.

The existence and the operation of the mother bodies needed members to affiliate to the association and pay certain fees in order for the mother body to be able work and every member of the association has to comply and contribute. If you were on the executive of the mother body you were able to make more money than operating the route (Dugard, 2001:21). That caused tensions within as everyone would like to be in the executive and enjoy fruits. The assassinations of mother body bosses were common; they killed each other so that they would be able to extract money as well as the compliance from others within the taxi fraternity. So the person in power wanted to remain there in order to enjoy the fruits of being a boss (Dugard, 2001:21).

### **3.5.6 State subsidies**

The government disadvantaged the taxi industry as there was competition between the rail and buses which were subsidised by the government continuously. The taxi industry received no subsidy and it was therefore at a competitive disadvantage for taxis without any form of subsidy (Fourie, 2003:54). Taxis charged low fares and provided wide coverage across the city, often serving poor areas that got no service (Boudreaux, 2006:14). Bus and trains were expensive even though they received subsidies from the government, were less convenient and managed by an oppressive regime (Boudreaux, 2006:18). Bus boycotts emerged.

The DOT amended the NLTTA and it was now the National Land Transport Act No.5 in April 2009, which stipulated the transformation of the minibus-taxi industry and fast tracked its recapitalisation programme which had not yet been fully recognised.

### **3.5.7 Government interventions**

Previously there were no permits before the regulation of the taxi industry but the government was using radius permits in order to determine the area that would be used by the different associations in Stanger. There was a dispute over the use of Darnell route between Stanger and Maphumulo taxi associations and the department had to determine who has the right to have ownership of the route (Boudreaux, 2006:21).

The government was reactive instead of taking proactive approach when dealing with taxi violence (Ngwenya, 2003:3). The government tried to intervene with the programmes in order to combat violence in the taxi industry, but the officials who were working for the government took advantage of the situation. They were the cause of the problem rather than the solution (Dugard, 2001:27), by issuing the operating licences for different associations to work on the same routes and that caused violence as two or more associations had authority to use the same route. The leniency to other associations when dealing with their issues portrays the incapability by the government officials, which demonstrates the effect on taxi wars and facilitated the spread of violence (Dugard, 2001:26), by being negligent and corrupt.

The officials took an advantage seeing the opportunity in the taxi industry and ended up being owners which was conflicting the interest. They issued fraudulent permits to operators in order to enter in the industry (Dugard, 2001:27). Full attention was not given to cases because of police involvement and police dockets were sometimes tampered with, the perpetrators were protected or poor investigation of the case was made. Problems were also related to the lack of resources, staff demoralisation, insufficient/poor training, low pay or police corruption (Shaw, 1995:49-50). In other instances police were implicated in attacks or were in other ways partisan to attacks (Boudreaux, 2006:21).

Police officials were turning the blind eye in violation of law; as a result they were unable to tell who had legitimate right to operate on certain routes. The police were unwilling to enforce law in the townships where many taxi were allocated. Boudreaux (2006:21) states that some taxi operators literally got away with murder because of the failure of the police to work effectively. The ineffective law enforcement and complicity in taxi violence exacerbated problems associated with increased competition (Boudreaux, 2006:24).

Corruption by the government officials was an enemy within as they were literally doing wrong things for their personal gain and never mind about the consequences or the damage caused by their acts (Minaar, 1999). Government officials together with police contributed to government failure to stop violence in the taxi industry as they both had ownership, or they were involved in crime themselves, which made combating of crime to be complicated (Dugard, 2001:27). The police were biased towards certain associations they had membership with, and they used their position of authority to undermine rival associations.

Associations would fight in front of the police but they would fail to intervene or to disarm the attackers. Even if information was given to them they would ignore such warnings (Boudreaux, 2006:21).

### **3.5.8 Increase in taxi fares**

The increase in taxi fares was determined by the association. The non-consultation of the commuters regarding the increase in taxi fares resulted in a taxi feud between the commuters and the drivers. Khosa (1991:238) indicates that in most cases the commuters become aware when the queue marshal requested them to add more money as the taxi fares had been increased. This was evident by IOL news (Zondi, 2006), which reported the toyitoyi and closure of the roads by commuters to show their anger. In Copsville (Pietermaritzburg) more than 3 000 residents of the informal settlement gathered in the early hours of the morning as part of a taxi boycott over a R1 fare increase and sought an. The confrontation between the police and the community resulted in people being injured and others arrested.

The treatment of commuters by the drivers led to the community boycotting the taxis. Some of the drivers swore and beat the commuters. The safety of the commuters was in the hands of the drivers with their roadworthy vehicles. The fight between the drivers put the lives of the commuters in danger. Khosa (1991:239) states that the general treatment of passengers by drivers overloading commuters together with speeding resulted in commuters boycotting the taxis.

### **3.5.9 Revenge**

If one of the taxi operators or owners had been killed in the taxi violence, the colleagues in the association or family would want to take revenge against those people who had killed their beloved one.. According to Dugard (2001:21) *“the former president of the South African Long Distance Taxi Association (SALDATA) Dickson Mampane was shot dead after a meeting with Jacob Ledwaba the president of the Lethlabile Taxi Association (LTO) who himself was subsequently assassinated; in what to be believed to be retribution for the murder of Dickson Mampane”*. In Newcastle revenge between associations were common, Bhekizizwe Godfrey Mtambo was the taxi owner who played a leading role in the Buffalo Taxi Association was

killed. According to evidence, the person who was alleged to have sparked the killings and attempted murders in the Buffalo Taxi Association was Mtambo.. The killings were sparked in revenge for the murder of rival taxi boss Sizwe Mdlolo from Sizwe Taxi Association. Most of the murders were executed by the hired hitmen from outside the province between associations.

### **3.5.10 Recapitalisation**

The aim of recapitalisation by the government was set to formalise the taxi industry (Sekhonyane & Dugard, 2004:17) by moving from 15-seater buses to 18- and 35-seater vehicles together with the introduction of electronic money collection (Barret, 2003:16). This move created a lot of disagreements between the association and the government (Fourie, 2003:42).

When the taxi industry was regulated as per the recommendations (Dugard, 2001:22) of the NTTT there was an increase nationwide of taxi violence, which was suspected to have been orchestrated. The implementation of recapitalisation resulted in taxi violence where the individuals jostled for the positions before the implementation of the re-capitalisation programme which would see custom-built, 18-seater- and 35-seater buses replacing minibus taxis.

Recapitalisation in some other instances slightly shifted the focus for the drivers to fight each other. Instead they united against the competition with the bus industry, which was given the tender by the government. Fourie (2003:42) stated that drivers embarked on series of protests against recapitalisation, fearing of job losses because of recapitalisation. Dugard (2001:17) indicated that the aim of the government in restructuring and recapitalisation of the taxi industry was the establishment of new friendly conditions in the industry, in turn also awarding transport contracts to them.

### **3.5.11 Daily monetary target**

The owner indicated the targeted amount per week that the driver must make, and that created pressure for the drivers because if they failed to do so, the owner might dismiss him. According to Khosa (1991:248-249), drivers worked very hard chasing the target and ended up poaching or

loading commuters that they were not supposed to (commuters from other routes) and that triggered violence.

The association had their own routes that were designated to them; drivers from either association would accuse each other of pouching customers and that resulted in conflict (Dugard, 2001:6). One operator from other association went through the route of the other association in order to go to town and there were commuters on the way seeking transport to town. The commuters stopped the taxi unknown to and the driver was well aware that he was not allowed to do that. Assuming that he was not seen he took those passengers who had helped him to reach the acquired target by his employer but if he had been caught that incident would have erupted in violence between the associations as they would have been playing the same routes (Sekhonyane & Dugard, 2004:15). Taxi operators sometimes would do such an action deliberately because they wanted to fill their pocket first before meeting the owner's target (Barret, 2003:27).

### **3.5.12 Employment of security guards**

The insufficient visibility of law enforcement resulted in the creation of taxi squads in the associations and the government created incentives for taxi operators to take private proactive measures (Boudreaux, 2006:22). Associations were employing the security guards or from security companies or taxi squads in order to protect their territories, as the Stanger taxi rank consist of different associations. One would find different kinds of security companies or squads that operated the same rank (Khosa, 1991:236). Their presence in the rank caused tension between them. Their duties included the monitoring of the industry operation and overseeing the illegal activities by their counterparts, joining forces with other association to prevent the rivals, monitoring and patrolling the routes and guarding against the illegal operation of pirates on the routes (Dugard, 2001:20). Security guards were employed because the mother bodies had invested a lot in the lucrative routes and they needed to protect them (Boudreaux, 2006:20).

### **3.6. Conclusion**

Taxi violence has shifted its form as previously it was politically motivated and also instigated by the apartheid regime; regulation and deregulation made it difficult for the taxi operators to obtain operating permits because of the pre-requisites which were not satisfied. Taxi violence

was perpetuated deliberately by the past administration to fulfil their political needs. The damage caused by the government resulted in the associations being established with the intention of protecting their work, terrain, operation of the industry and also hired security guards to monitor their routes and ranks. However, the taxi industry was not yet fully formalised in order to have strict guidelines on the functioning of the industry. Taxi violence was caused by lucrative and dominant routes where everyone wanted to have authority over the routes. Police involvement in taxi violence related more to corruption than to destabilisation. The establishment of SANTACO played a role in the working relations between the industry and the government, as it brought about a decrease in taxi violence.

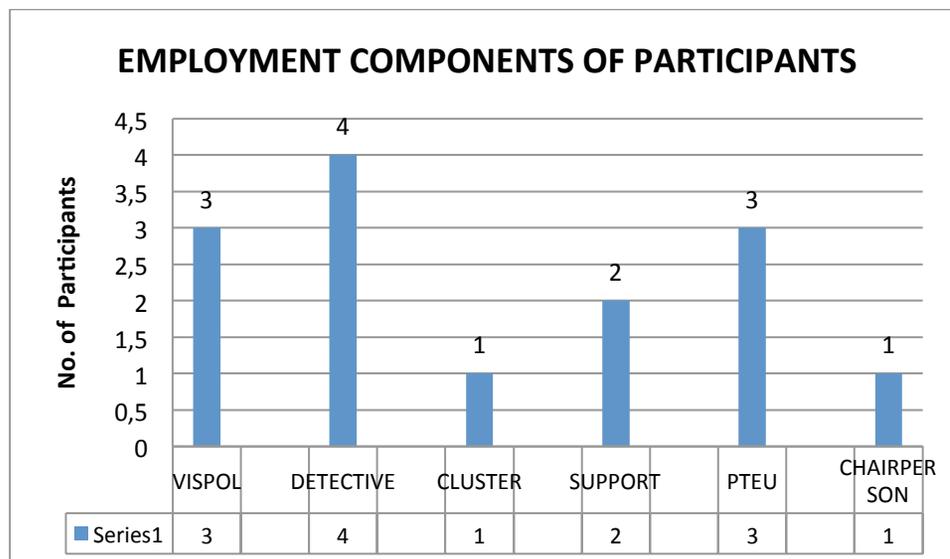
## CHAPTER 4: PRESENTATION OF RESEARCH FINDINGS

### 4.1. INTRODUCTION

The aim of this chapter is to present and discuss the findings of this study. In this study a qualitative research methodology was used to collect data, in order to explore how taxi violence was policed in the Stanger area. The researcher used one-on-one semi-structured interviews to obtain data from the research participants. As the researcher mentioned in Chapter 1 when analysing data, the researcher scrutinised the answers that were provided by the participants and extracted similarities in them in order to find the frequency on the same answer by different participants. The researcher then took the total number of participants who gave the similar answer for the same question versus the total number of participants' interviews and arrived at the percentage. The researcher categorised, interpreted and classified each piece of data accordingly (Creswell, 1998, in Leedy & Ormrod 2005:150). The researcher used the very basics of spiral data analysis, which is widely used in qualitative studies by breaking down responses from recipients, categorising the answers to further extract reality behind statement with an aim to further analyse it and get additional meaning. The table and graphs do not aim in any way to change the qualitative study to quantitative data, Tables and graphs are a way to get embedded meaning that lies behind statements.

#### 4.1.1. EMPLOYMENT COMPONENTS OF PARTICIPANTS

Figure 1: Number of participants



- The interview was done to ensure that all people with relevant experience are interviewed. Participants were then asked as to how long they had been in their place of employment.

Table 1: Participants work experience

<b>1-5 yrs.</b>	<b>6-10 yrs.</b>	<b>11-15 yrs.</b>	<b>16-20 yrs.</b>	<b>21-25 yrs.</b>	<b>26-30 yrs.</b>
4	1	2	2	4	1
29%	7%	14%	14%	29%	7%
					100%

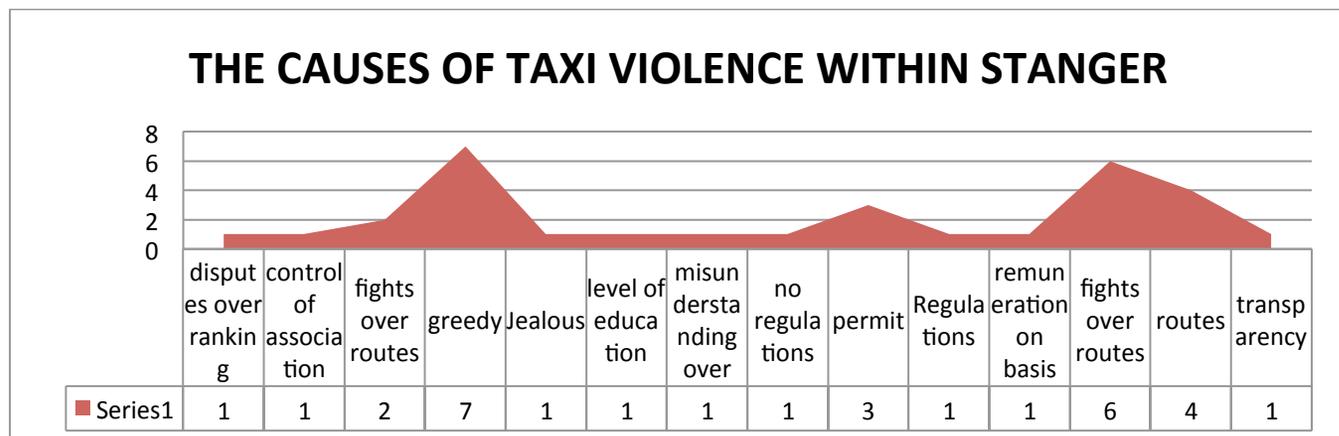
The data was then analysed following the spiral data analysis method, according to which the researcher read through the interview transcripts one by one several times to get a sense of what they meant. The researcher then jotted down a few notes that suggested possible categories or interpretations. General categories of data were identified and then each piece of data was classified accordingly. For example, information that belonged under the challenges facing the policing of taxi violence was grouped together under one theme while other information that belonged under the nature of taxi violence was also grouped together and so on. Consequently, a general pattern was obtained and a sense of what the data meant was made. Interviews that were collected are discussed below.

The findings of this study revealed that before 1998 the taxi routes were not clearly demarcated according to which route belonged to which association between Stanger and Maphumulo taxi association. Therefore, the two associations used the routes jointly and had constant disagreements regarding which route to use and which ones not to use. In an attempt to regulate or demarcate the routes, the KZN Department of Transport in 1998 informed Maphumulo and Stanger taxi associations to register these routes and to use only the routes that were dedicated to them. Instead of these instructions creating a harmonious working environment between these two taxi associations it led to more violence among them. Detailed discussions on the findings of this study are summarised below in the paragraphs that follow.

## 4.2. CAUSES OF TAXI VIOLENCE IN STANGER

During the research project, the following were found to be the main causes of taxi violence in Stanger, namely: the control of association funds on the basis of position, disputes over ranking facilities, fights over passengers, greedy fights over routes, jealousy, levels of education, misunderstanding over associations, no regulations, permit, remuneration on basis of number of taxis, routes and lack of transparency.

Figure 2: Causes of taxi violence in Stanger



Out of 33 opinions received the major picks of conflicts are three:

1. greed
2. fights over routes
3. permits

### 4.2.1 Greed

The study indicates that greed was another element that triggered violence as there was no proper regulation in place to curb it. As greed came into play, the taxi owners in the industry wanted to have more money even if that was at the expense of the others in the association or eliminate opposing competitors. Such elimination of competitors would allow them to have more passengers that could be transported, and that would automatically mean the increase of loads and extra cash. Some taxi owners were influenced by greed so much that once they were granted permission to operate their taxis they wanted to have more taxis than the others on the routes. According to the I Lembe Regional chairperson (participant number 14) of Santaco (where both Maphumulo and Stanger taxi associations

are the affiliates) *“the cause of violence is greedy amongst the people in the industry and if the industry can be truthful that might assist”*.

If the person became the chairperson in the association, he had more powers than any other member of the association; for example, the chairperson could have 20 taxis whereas the other members could only be allowed to have up to a maximum of five taxis. Both associations (Maphumulo and Stanger taxi associations) had a norm that the chairperson could have more taxis than the others. Greed came into effect because other members of Maphumulo or Stanger taxi association wanted to remove the chairperson so that they could hold the position that would allow them to make a lot of money. Sometimes the people who were causing the conflict were the local taxi owners themselves; if you were not in the favour of the chairperson he could hold your taxi operation permit application whilst the people who applied after you had obtained theirs. The chairperson was the person who submitted applications for permits to the authority board in the department of transport on behalf of both Maphumulo and Stanger taxi association. He further liaised with the authority board officials in the department of transport on the progress of applications. This granted him the powers to manipulate the process as he wishes.

#### 4.2.2 Irregular conduct by licenced taxi owners

In some other instances licenced taxi operators would collude with unlicensed taxi owners in terms of which licenced taxi operator would pass forward a taxi belonging to the unlicensed owner as his and use his/her licence to allow such a taxi to operate. This kind of practice is known in the industry as “*ukuteta*”, loosely translated as “riding on the back of the other”. Problems would start once it surfaced that licensed taxi owners has put a non-licensed taxi owner’ taxis on the route through *ukuteta*. The other licenced taxi owners would be annoyed and in most instances would forcefully remove the unlicensed taxis. The licenced taxi owners would feel betrayed by one of their own and would view him/her as being consumed by jealousy and greed. Incidents like this could end up in full blown taxi violence and perpetrators could be reported to the Department of transport through Mpimpa Hotline.

Mpimpa hotline (Ross 2003) is the free hotline (0862211010) that was established and introduced by the department of transport in order for the people of KwaZulu-Natal to

report any irregularities that were happening on the roads. The reporting included also the behaviour of the drivers on the roads: unroadworthy vehicles; as well as any crime that the community wanted to report could remain anonymous. According to participant no 11 (the police official from PTEU) this had assisted a lot because those who sometimes witnessed taxi violence called the Mpimpa hotline and gave information, which assisted in the investigation of crime. According to Ross (2003), *“the police are now running the Mpimpa hotline on a 24-hour-a-day basis and say it has become an effective weapon against traffic offenders”*. The use of this hotline was encouraged also by The MEC of Transport Mr S Ndebele in his speech on the KwaZulu-Natal Transport’s Annual Summit in 2004 when he indicated that *“adopting a culture of road safety means that the public themselves assist road traffic authorities in rooting out anti-social road behaviour. Use the Mpimpa Hotline, Report bad driving, Report unroadworthy vehicles, especially public transport vehicles”*.

#### 4.2.3 Pressure from taxi owners to drivers

It also became clear that the taxi owners put much pressure on the taxi drivers by setting a high target or profit margin that must be reached at the end of each day and if the driver failed to reach such target he or she could lose employment. In turn the driver would use an intimidating language to get commuters to enter his taxi and other taxi drivers would try to oppose such acts by threatening the commuters not to enter the taxi. These actions would lead to an exchange of words and eventually to a fight. The insulting language that the drivers use is very intimidating that the commuters are even afraid to caution the driver if he was doing something wrong while driving. The consequences of talking may lead the driver to ridicule or even threaten to drop passengers off on the way or to hit them. This study agrees with Khosa’ study (1991: 248-249), conducted in other three South African townships: Alexandra, Soweto and Katlehong, which have shown that *“drivers worked very hard chasing the target and ended up poaching or loading commuters that they were not supposed to (commuters from other routes) and that triggered violence”*.

#### 4.2.4 Inconsistent ranking fees and facilities

In Stanger area the taxi ranks are situated at the shopping mall and the business owners there gave the left side of the parking space to Maphumulo taxi association to use as their taxi rank. In the middle of the parking lot, you will find a long-distance taxi rank owned or controlled by the municipality. Then on the right hand side of the same parking space it is the Stanger taxi rank. This means the long distance taxis (going to Durban, Empangeni, Johannesburg etc.) also operate in the same vicinity with local taxi associations (in this case is Stanger and Maphumulo taxis). Initially there was no conflict between these three taxi associations. However, when people understood that the Maphumulo taxi association had two starting points and that, according to Stanger taxi associations, should not be the case. This also led to negative emotions between the taxi associations and hatred towards each other since the Maphumulo taxi appears to have been more favoured than Stanger taxis.

In terms of the ranking fees it was noted that there was money that was paid on a daily basis by the taxi operators when leaving the taxi rank with a load. The fee for Maphumulo was R120.00 for a taxi and for Stanger was R200.00. For Stanger and Maphumulo taxis the money was controlled by the chairperson. That money was called *ibhakede* (bucket), because the money was inserted into the locked bucket and there were people who were responsible to make sure that each and every taxi paid the money. Later on it was taken and given to the chairperson. The said money was not accounted for anywhere and no one was allowed to enquire on how it was used, even the executive committee was not responsible for its destination. This secrecy regarding the use of the money led to frustrations amongst other taxi owners.

As a result within the association the chairperson, deputy chairperson, secretary, deputy secretary, treasurer and the additional members of the taxi board would be jealous of each other because everyone had an interest in the bucket. The money made by taxis operating on the routes; was nothing as compared to what was made from the bucket a day. The bucket was another causal factor of taxi violence between the two associations. If somebody was killed within Maphumulo or Stanger taxi associations those who were suspected for the killing would point a finger to the other association and the violence would erupt. The association (either Maphumulo or Stanger taxi association) will just take that as it is that their suspect was from the other association and they would want to exact

revenge. The people that were killed were not coming only from the opposition (rival taxi operators) but sometimes within the same association (Maphumulo or Stanger taxi association). These allegation and finger pointing of suspects were taken seriously by the taxi owners and without proof they would act on such allegations.

#### 4.2.5 The use of private security guards within the taxi ranks

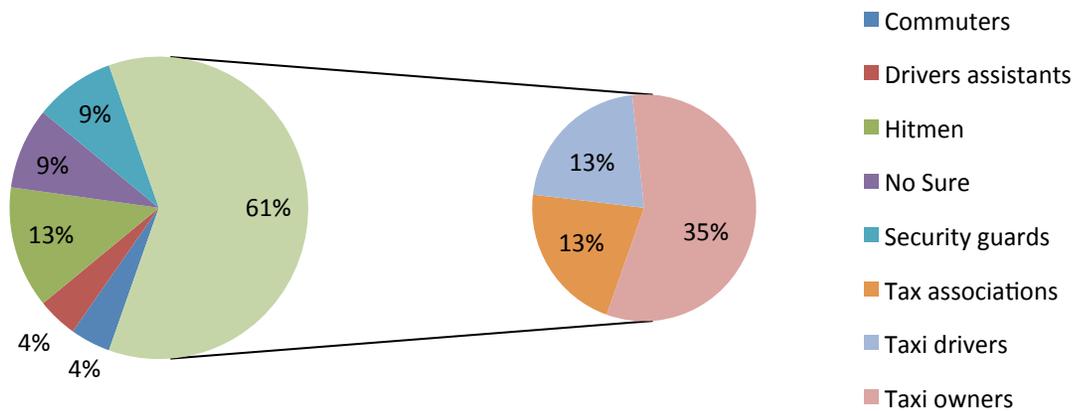
Security guards were employed and paid by Maphumulo and Stanger taxi associations. The security guards were employed in order to protect the daily operations of the taxis and the owners. Security guards were working at the rank to guard the daily operations, sometimes to do patrols on the routes or give close protection to the taxi owners. The security guards were also suspected by some in the taxi industry to be the ones provoking violence. The manner in which these security guards behaved was suspicious to the police who alleged that the fact that they were doing whatever that was required by their employers (taxi owners) and they could even be used in the commission of crimes such as the shooting of opponents during the taxi violence. These security guards were also found to be disrespectful towards the police. Sometimes they did not want to take instructions from the police (such as when they were told about the manner that they should handle their firearms in public and not to point them to the public members). The study reveals that the manner in which the security guards conducted themselves in the taxi rank was not friendly, as they carried rifles in the taxi rank in the middle of the community.

#### 4.2.6 The use of hitmen

The research findings show that 61% of people involved in the taxi violence are the hitmen.

Figure 3: Parties involved in taxi violence

## WHO ARE THE PEOPLE/PARTIES INVOLVED IN THE TAXI VIOLENCE IN STANGER



The police (participant number 11 from PTEU, number 4 from cluster and number 3 from detectives) in this study suspected that the taxi owners did not want their hands to be dirty or became arrested for the violence that had taken place in the area. Therefore they will hire the hitmen (known as *izinkabi*) to kill on their behalf. In most instances the *izinkabi* were people who do not live in the area but who will come and do the work on behalf of taxi owners or associations (either Maphumulo or Stanger taxi association) and leave. *Izinkabi* duties were to kill the members of the opposition (rival taxi operators) or members within an association (Maphumulo or Stanger taxi association) in order for the person or persons who hired them (*izinkabi*) could take over and have access in the industry affairs. According to participant number 10 (Police official) “*the people who do the shooting during the taxi violence are rarely known to other taxi operators*”. Dugard (2001:20), and Khosa 1991:232), agreed with this study when they alluded that the hiring of the hitmen to kill the rivals who were contesting with them in the same routes was a common activity by most taxi owners who wanted to hide their link to the murders.

#### 4.2.7 Incorrect registrations of Routes

Given the response from people interviewed, it is clear that Out of 99.8 % opinion with regards to understanding of taxi violence more than half or 50% of the respondents it is clear that at Stanger the dispute and fights is over the routes. Below please refer to table.

Table 2: Violence resulting from incorrect registration of routes

Dispute over routes		Misunderstanding		Lack of Regulation		Administration
7		3		2		2
50 %		21.4%		14.2%		14.2%
						99.8

Both Maphumulo and Stanger taxi associations continuously claim the authority over the routes. One of these associations would claim that it was their respective taxis which were supposed to operate in a particular route and such claims would sometimes lead to violence. The I Lembe Regional chairperson of Santaco (participant number 14) alleges that another problem was created by the registrar (the person who was appointed by the department of transport to work at the authority board where route permits were issued and the registrar was also part in issuing of permits). It was found that the register appointed was also a taxi owner; in 2006 he was approached by the member of Maphumulo taxi association under Santaco who convinced him to gazette the route from Maphumulo, Stanger and Tongaat. The registrar also managed to issue the second permit for Maphumulo without being gazetted. That gave Maphumulo to go to other places and return back to Maphumulo then to Stanger.

The first permit that was issued said that Maphumulo taxi association must travel from Maphumulo to Stanger then back to Maphumulo. The second permit gave Maphumulo taxi association the right to travel from Maphumulo to Stanger then go to other places and return back to Maphumulo and to Stanger, which placed Maphumulo taxi association on the advantage. There was a dispute at court concerning these operating licences and that has also caused a division within Maphumulo taxi association because other member do agree that there was a mistake on permits but others were refusing to accept that. Sometimes the

association would overlap or encroach on the route of another association. There were dominant lucrative routes that were profitable, where everybody likes to work on those routes. Taxi owners were able to make cash quickly and those routes were highly contested. Some of the taxi members (from Maphumulo or Stanger taxi association) would deliberately want to operate on the routes that had already been serviced by another association (either Stanger or Maphumulo taxi association).

One of the police officers (participant number 7 from support) adds that after the DoT informed the Maphumulo and Stanger taxi associations to register their routes “*the Maphumulo taxi association wanted to extend their scope by deciding to cover Ntshawini area which was on the south of Stanger (two kilometres from town). The dispute started from there because Stanger taxi association wanted to own the whole of Stanger routes; hence the split of routes with the Maphumulo taxi association caused violence*”. The police officers interviewed in this study (participant number 4 from cluster, number 12 from PTEU and number 2 from crime prevention) feel that DOT also has a hand in the cause of taxi violence, by awarding some routes that seems to overlap or bring rivals association across each other’s path. There were routes that were policed by Maphumulo taxi association, but according to the department those routes were originally awarded to Stanger which created a conflict. This is supported by Dugard (2001:5), and Khosa (1991:244), who stated that if there were two associations working on the same route, it means the government issued permits to one association and the other association is operating illegally on another’ route.

Another participant number 10 (police detective) stated that “*the authority board was the one causing the continuation of taxi violence because they were biased in terms of issuing the permits and it is difficult for the police to monitor the issue of permits as they are not conversant with the taxi regulations*”. The authority board was not neutral when dealing with two associations (Maphumulo and Stanger taxi association) and it took years to obtain a permit. At one stage Stanger taxi association ceased their operations because they did not have route permits. The DOT had the authority that deals with issuing permits to taxi associations. The permits allowed taxis to operate certain routes demarcated for their association. These permits were not monitored effectively because some of the taxis did work without permits. Taxi owners who possessed permits would fight with the ones who did not have. Sekhonyane and Dugard (2004:15) state that it was common that the taxi

association with a route permit would do everything in their power to protect strangers from using their routes for financial gain.

#### 4.2.8 Leadership problems

In Stanger there were people who were in the taxi business who were from the area of Stanger. With the maturing of the industry other people (including those in Maphumulo) outside of Stanger started to have an interest in the taxi business and, as a result, Maphumulo taxi association and Stanger taxi association started to work together. When the time passed by, rivals from Maphumulo taxi association started to remove the old people (first people in the industry) so that they could be in charge of Stanger. Most of the new people who were accepted in the industry were from Maphumulo and Maphumulo wanted to take charge of Stanger.

Stanger was not a huge town and their taxis were not regulated in terms of how many taxis were supposed to work in Stanger. There was now a challenge that there were many more taxis than necessary. The taxi operators had a shift system that they were using where they took breaks (some would work in the morning; others during the day or in the afternoon) in order to allow others to work. Some taxi operators would be greedy and would not want to take a break and that would cause clashes between them.

The leadership of both taxi associations often come to loggerheads over the routes and ranking facility problems. Maphumulo and Stanger taxi association would, without sitting and discussing their problems, just resort to fighting. Some of the taxi owners themselves were also involved in the violence, as they were the owners of the taxis. Taxi operators on the other hand were involved because they were taking instructions from the taxi owners; in order to secure their duties they followed instructions.

#### 4.2.9 Lack of business management skills

The ILembe regional chairperson of SANTACO alluded to the fact that taxi operators and owners were not educated about the business management part of the taxi industry and that created a problem. Such a level of illiteracy saw taxi operators and owners running the taxi

industry by force and violence, believing in solving problems with firearms. This study has shown that the lack of taxi management skills also contributed to constant violence in the industry.

#### **4.3 THE NATURE OF TAXI VIOLENCE IN STANGER**

According to participant number 13 from Public Enforcement Unit (PTEU), *“when the taxi driver was killed in a drive-by shooting whilst travelling with the commuters, these innocent commuters ended up being killed when the driver was shot and lost control of the vehicle”*. Once the taxi violence had taken place the scene of crime would be cordoned off by the police in order to prevent any disturbance so that evidence is properly collected. The road would be closed down and no one would be allowed on the scene of crime, except the police and emergency services to do the work. If the people were killed at the taxi rank, there would be blood all over and it would be very difficult for the police to preserve a scene of crime because of the number of people in the rank and the scene of crime would be violated. This happened because there would be few police attending the scene of crime because of the shortage of human resources. Sometimes other taxi operators and owners would take off the cordon tape and disturb the scene of crime deliberately and interfere with or destroy evidence. The police officers (participant number 2 & 2 from crime prevention, number 10 from detectives and number 4 from cluster), indicated that *“the family members of the taxi owner sometimes get shot at when the hitmen come to assassinate the owner at home, in that the hitmen just shoot who ever who is in the house”*.

When the violence erupted it had a negative impact on both associations (Maphumulo and Stanger) together with the members of the community at large. People were shot at and others ended up being dead, their taxis were set alight or stoned, commuters became victims of taxi violence. Different kinds of weapons were used in commission of crime: panga, knives (See Addendum for taxi violence scene of crime).

### 4.1.3 The impact of taxi violence in Stanger

Taxi violence has a devastating socio-economic impact. The following sectors have been identified as the most vulnerable and easily affected during taxi violence according to the 14 respondents that were interviewed:

Community	Education	Commuters	Business	General Transportation
14	8	4	5	10

Generally, it is perceived that during such violence commuters were not able to go to work, children's learning and education were interrupted and general peace in the community was negatively impacted on.

#### 4.3.1.1 Commuters

It was evident that taxi violence affected commuters the most because they were the ones who relied on taxis to and from their destinations, as they could not afford to have their own vehicles. When taxi violence erupted in Stanger sometimes taxis cease to operate and commuters became frustrated because there would be no public transport operating. The study shows that taxi violence had a tendency to spread from the ranks, to the routes and the neighbourhood especially where the taxi owners stays. Violence brought fear and anxiety as innocent commuters get shot when the fighting took place. Boudreaux (2002:22), shares the same view and argues that *“The violence between association did not affect only competing associations but commuters are also killed in line of cross fire, or deliberately as sometimes a taxi operator would be shot whilst transporting passengers to their respective destinations or inside the rank”*.

The study indicated that the economy of Stanger was affected when there was violence because people could not go to work. Stanger was a central place for most of the surrounding areas for the people to get their needs as well as the departure and arrival place for all local- and long-distance taxis. There was no incoming or outgoing transport to

factories in town, shops, and industries and so on. Manufacturers were affected because there was no labour for the period of time and operation of the machine in those areas become a challenge. The ILembe Region chairperson of Santaco (participant number 14) indicated that *“if the taxi violence has started everything come to stand still. If the association did not want anything they didn’t allow anything coming or going out of Stanger. Until they manage to solve their problem”* There was a wasteful expenditure for vendors who were working at taxi ranks because they could not sell their products. There was a high likelihood that vendors would also be injured in cross fire.

#### 4.3.1.2 Family of members of the taxi owners

Family members of the taxi owner often become the victims as well because if the hitmen came to assassinate the taxi owner at home they would kill everyone. Other family members also wanted to avenge their family members who were killed. The ILembe Regional chairperson of Santaco (participant number 14) stated that *“when the taxi violence happened family members must move to the other area because of fear since mothers and children are killed for nothing”*.

#### 4.3.1.3 School children

During the taxi violence school pupils were left behind with their studies because they were unable to go to school. Schools in Ntshawini, Groutville and Stanger areas were mostly affected by the taxi violence, including Groutville High School, Etshelenkosi High School, Stanger South School, ML Sultan and others. The parents feared for their lives as they were unable to take their children to school because, they were assaulted by the taxi owners saying that they were now in the business of transporting children. Participant number 10 (police officer) from the detectives unit stated that *“if your vehicle was seen carrying five people it was likely that you would be stopped and told that you must take those people out, they did not care whether they were your family members or not and if you resist you were assaulted”*. Children had to walk as they were afraid to get lift from other people fearing for their lives. Other modes of transport were also not allowed if the train had broken down. In one incidence Metro Rail organised buses to transport commuters to their destination.

The taxi association did not allow buses to use such routes they wanted their taxis only to operate in those routes.

#### 4.3.1.4 Fear of security guards

According to a police detective (participant number 8), the community people were afraid of the taxi violence. Moreover, when there were security guards (employed by Maphumulo taxi association together with Stanger taxi association) carrying big rifles openly in fighting position driving around the residential area sang songs of fight. Residents locked their doors and gates because of fear as they did not know who was going to be attacked. Security guards even went to the malls or complexes with their rifles. The police from crime prevention (participant number 1 & 2) further add that *“In one incident the municipal manager of Stanger was killed because he wanted to regulate taxi ranks which were privately rented and used by taxi associations, the office of the mayor was also attacked following the same incidence”*.

#### 4.3.1.5 Political impact

It appears that within Stanger there was no political element involved in taxi violence because even the politicians did not want to be involved in taxi issues because they feared for their lives. The local mayor together with the other local political parties refused to be involved in the negotiations concerning taxi violence.

#### 4.3.1.6 Crime prevention and investigation

The investigation of taxi violence was often difficult for the police because sometimes commuters or eye witnesses were afraid to give information directly to the police. One police officer (Participant number 8) from crime prevention said, *“Community members were not cooperative in giving the information because they were afraid that taxi people will kill them and did not trust police”*. Another police officer (Participant number 13) from PTES adds that when the community does give information they prefer not to be known. The situation was not conducive, as commuters feared for their lives even if they witnessed

the incident taking place in front of them. Commuters would not give such information to the police as they feared being the next victims.

When you asked other commuters about the incident they would only tell you that they knew nothing. It sometimes happened that positive information was given through anonymous calls because the caller did not want to be known and testify in a court of law. Participant number 10 a police officer from detectives indicated that *“it was hard to register informers because there was no one who wanted to be associated with taxi violence”*.

#### **4.4 THE STRATEGIES USED TO POLICE TAXI VIOLENCE IN STANGER**

The study shows that the methods of policing used to deal with taxi violence in Stanger were ineffective on many different fronts, for reasons such as: lack of police visibility; lack of crime intelligence; lack of community cooperation and ineffective and allegedly conflicted local police. In what follows the strategies used by different law enforcement stakeholders are discussed.

##### **4.4.1 Public Transport Enforcement Unit (PTEU)**

The strategy that was used by the law enforcement was reactive; PTEU waited for the incident to take place before they acted on it. When cases were reported at Stanger police station the police would go out to attend such incident. PTEU would be informed by the department of conflict management team that the violence had erupted and that was when they would call the forces to go and attended to the situation.

The police officer (participant number 12 and number 11) from PTEU indicated that *“when the incident has been reported to PTEU, members are briefed of the incident that had took place proceed to Stanger to police taxi violence. Upon their arrival in Stanger they do roadblocks and try to target the source of the violence”*. That was the first step whereby PTEU checked that all taxis making use of such routes had operating licences to operate those specific routes. All illegal operators found without valid documents were arrested and their taxis were impounded at Groutville.

Another members of the police (participant number 11, number 12 and number 13 all from PTEU) interviewed in this study add that *“once we arrive in Stanger police operate on both areas without taking sides by enforcing issue of permits on the routes. What we do we impound the vehicle driven by the normal driver and we ask the driver to call the owner because there is an act that we are using called National Land Transport Act 5 2009 (NLTA) it allows us or give us powers to arrest the operator at this stage”*. The study showed that it was not only taxi operators who got arrested but taxi owners were also arrested together with their taxis impounded. Another police officer (participant number 11 and number 12) from PTEU adds that *“usually this task is a combined roadblock with SAPS whilst we are busy with the operator asking permits and other staff and the SAPS members are busy searching the taxi and the luggage of the passengers for illegal firearms and staff”*. The passengers’ list with name, surname, address and the amount paid on the other hand was completed by all passengers in the taxi. That passenger list was used as evidence in the court of law in order to show that the taxi was operating the route for reward and that evidence was included in the case docket that had been opened against the operator at the station.

The study shows that with PTEU being in the Stanger/Maphumulo area doing policing of taxi violence reduced the profit margin for the taxi owners because their taxis were not operating as usual. Some of the taxis did not have permits and taxi owners were afraid that taxis would be impounded if found on the route. Therefore the taxi owners decided to park their taxis at home until PTEU left the area before their taxis could start to operate. When the violence erupted and taxi associations did not want to co-operate, the department stopped the operations of the taxis. This affected not only the passengers but the taxi owners too because some other taxis were still paying car dealer’s monthly instalments and there was no other source of income. By their taxis not operating and negotiations suspended that brought them back to the table where they sat with the MEC of Transport Mr Mchunu and resolved the issues at hand. The minute things got back to normal and money was rolling again they started to work against the resolutions and the situation reverted back to square one. Once a plan had been arranged with the local police to deploy the police members (from Public Order Police (POP) and other police stations) from outside Stanger, in the Stanger/Maphumulo area there was reduced taxi violence for a longer period of time.

It was evident that Mpimpa hotline was the tool that was established by the department so that members of the community could report any wrong doings, including crime in general. The operational plan to fight crime was developed between PTEU and SAPS for safety reasons but mostly with police officers from outside of Stanger. Once a plan was arranged with the local police the information leaked and the operation became unsuccessful. Briefing of police officers was done outside of Stanger if there were joint operations. If outside police officers were deployed in Stanger police officers were not allowed to travel alone. They travelled as a team so that whatever happened they would be able to overcome that situation together as law enforcers.

The study reveals that PTEU had its own intelligence whereby it would send police officers, who were in civilian clothing and not using the state vehicles, for a drive around the area in order to give the details of the new routes that were used by the taxi operators. That was done because police officers who were going to execute duties were not from the area and they had to have advance information before going to the area. That information was used to clear the routes, especially of those taxis that were operating illegally. During operations by PTEU in Stanger their presence was felt by everybody operating legally or illegally. Taxi owners who were operating illegally had their vehicles taken off the road as they were working outside the prescripts of the law. Taxi owners operating legally with permits were suspended from operating the route if found that their vehicles were unroadworthy, so both of the associations (Maphumulo and Stanger taxi associations) felt the heat.

After the operations in the area PTEU did the debriefing in order to identify the shortfalls so that they would be able to rectify hiccups for future operations. The gathering of intelligence was very crucial because it guided the planners on the strategy that could be used to stop violence. It would further determine the type of equipment and manpower that could be utilised to deal with anything that could come up.

#### 4.4.2 SAPS

The study indicates that police conducted operations where the visible policing commander would take command and control of any operations. Normally police conducted cordon and

search operations in the taxi rank, roadblocks in the routes and visibility in the area by doing patrols.

It appears that there were no proactive measures put in place or intelligence that was able to detect that violence might erupt. The strategy that police used when a crime had been committed was to call a backup from other law enforcement agencies. Police attended to the scene of crime and conducted proper investigations. An initial primary investigation was conducted at the scene of crime. The police collected as much evidence as possible as it would enable them to identify the suspect involved in commission of crime and to follow the leads during an investigation.

Once the evidence has been gathered, police backup was requested from other areas to come and perform planned operations or assist in normal policing. Local police were not involved in such operations because it was feared by their external colleagues that they would leak the information. In one joint operation where local police were excluded 21 suspects were arrested and many firearms were recovered. Firearms were sent to ballistics in order to know who were the owners and if the firearm was used in the commission of a crime elsewhere in order to link it. Local police sometimes were engaged on observation duties and sent their informers to listen to taxi operators or taxi owners' plans in order to know who the perpetrators were.

The operations were conducted and perpetrators arrested in their residential areas without disclosing the plans of operation to any members of local police. This approach was called the "disruptive approach" because everyone would be caught by surprise because of what had happened. One police officer (participant number 2) from crime prevention indicated that *"the destructive approach differs on situations as to who coordinated the operation if it was coordinated at the station level the crime prevention head will take charge. If the operation coordinated at the cluster level the cluster crime prevention head will take command of the operation"*. In some other instances meetings were called where taxi violence issues were discussed. The operational commander set out the rules and orders, the duties that were mostly performed were roadblocks, stop and search looking for firearms and general crime prevention in and around the taxi areas. Crime prevention was the key in order to collect and record evidence whilst it was still fresh but the reactive approach affected the work of the detectives as they relied on the primary information collected at the scene of crime.

The study shows that there were taxi owners who were not involved in the taxi violence, who were against what was happening, but who also knew who the perpetrators were. The approach that the police used was to apply tactics of getting information from those people within. That approach was working because the perpetrators got arrested and the taxi owners became confused over how they got arrested because they knew that their secret was safe. Taxi owners were very clever; they knew how to manipulate the police (giving those bribes) and, therefore, the best way was to arrest them and not enter into any negotiations with them.

The study also revealed that taxi operators behaved as if the transportation of commuters through road transport was their exclusive business. A case in point was when the train from Durban transporting commuters to KwaDukuza broke down. Metrorail was compelled to transport commuters to their destination, bringing buses as an alternative transport. The taxi people did not allow Metrorail to transport commuters claiming that they were the owners of the routes and those passengers must be given to Stanger taxi association; the police tried to intervene but failed in their intervention to negotiate and resolve the issue.

Police officers from Stanger police station mostly followed the strategy from the POP if there were crowd management situation. The POP would take over the operations, because they were empowered to conduct crowd control and penetrate operations in the ranks. The police station gave backup. The resources that POP had such as armoured vehicles were more suitable for the situation and the environment. They had most of the equipment in their possession – shotguns, teargas, armoured vehicles, and stun-grenades and so on. Crime intelligence was used to gather more information before the situation got out of control. Crime prevention strategies that were put in place were effective in the short term but there was no long-term solution for the matter.

Normal joint operations of law enforcement were headed by the Stanger cluster commander from SAPS. In most instances successful joint operations were done with the police officers from outside of Stanger's policing area and the highest ranking officer of those officers was in charge. That operation became a success because most of the people who worked on the operation had no vested interest in Maphumulo/Stanger issues. Both law enforcers (SAPS and PTEU) concentrated on what they knew best. PTEU checked if the vehicle qualified to be on that route, the road worthiness of that vehicle, and SAPS concentrated on stop and search of people who might be carrying illegal firearms that could be transported or used in

the commission of crime. A vehicle was searched regardless of whether it was a taxi or not because small cars were used to transport people or the firearms that were used to kill and that was done in order to prevent crime from taking place. One of the police officials (participant number 8) from crime detectives stated that *“there was a need also to bring vehicle expects on board during operations in order to check if the taxi were not stolen or changed”*.

#### 4.4.3 Department of Transport (Authority Board)

The study shows that the process of applying for permits from the authority board took a long time for the application to be finalised. The workload of the officials who were working at the Pietermaritzburg office (authority board) was responsible for the delays as it was the only office in the whole province responsible for permits. Fortunately, there was one office that had been opened in Empangeni region but it was not helpful enough because it catered only for the people who were residing in that region or closer to that region. The powers to issue the permit were still vested with the main office in Pietermaritzburg. Empangeni region would receive application forms, capture the applications and do all the necessities and when the file was complete, the file would be sent to Pietermaritzburg for final decision.

The study shows that there was a conflict committee that was established by the MEC of Transport, Mr Willies Mchunu. The meeting was supposed to sit twice a month and include relevant role players from SAPS, DOT, legal, PRISA and other departments. Its purpose was to embark on a rigid operational plan on the implementation of law enforcement because of the conduct that was portraited by the security guards who were working for the association at the ranks and their behaviour was uncalled for. The way the security guards handled their firearms and dressed in civilian clothes made it difficult to know who was who. The unfortunate part was that the committee lapsed without fully executing their duties.

The police officer (participant number 4) from cluster crime prevention indicated that *“workshops on Firearms and Control Act 60 of 2000 and Psira Act 56 of 2001 were conducted with different security guards on how to conduct themselves. Administration fines were given to those security guards who failed to abide by the rules, R5000 fine were*

*given for the first offence and thereafter the fine increases by R5000 on every subsequent charge*". Even though workshops were done the conduct of security guards remained the same because of their attitude. These workshops were done only at that specific time but did not assist in reducing taxi violence.

#### **4.5 THE STAKEHOLDERS INVOLVED IN ADDRESSING TAXI VIOLENCE ISSUES IN STANGER**

The success of policing crime depends on the cooperation of different stakeholders ranging from law enforcement agencies to community members. This study explored the roles played by the different stakeholders in the policing of taxi violence in Stanger as well as the level of cooperation that existed amongst the stakeholders.

The findings of the study indicated that there were working relations between the South African Police Service (SAPS), Public Transport Enforcement Unit (PTEU), Municipal police, Security guards, Public Order Police (POP), Road Traffic Inspectorate (RTI) and Department of Transport (DOT) if need arises. If the violence erupted other units were activated to come and urgently assist. Public Order Policing (POP) coming from Empangeni, Durban or Newcastle and other stations coming out of Stanger area and emergency service units such as fire department, ambulance services, municipal police and security guards were called. By the time the different units arrived, the crime scene would easily be contaminated because local police did not have sufficient manpower on time to deal with such situation. In some other instances the police had to wait for backup before attending to the scene of crime due to the fact that they might be attacked. The police officers (participant number 1 and 2 from crime prevention and participant number 3 and 8 from detectives) indicated that *"even though there were relations within law enforcement but it was hard to trust one another as police members because some of our police officers were alleged to be owners of taxis or they were having relatives who are in the taxi industry"*.

The study indicated that there was good level of cooperation amongst each discipline as they carried out their own functions. When there were planned operations the people in charge of these discipline had joint meetings where problems were identified, discussed and come up with a proper plan. The plan was therefore shared with members during briefing

on the day of the operation, given instruction of execution; sometimes there were individual or joint briefings. Joint operations were done by outside police in order to yield good results and briefings that were not done in the area. They only entered the area once they were ready to execute the plan. Everything become in order immediately when PTEU was deployed in the area because PTEU were the specialists in issues of route permits and they impounded all their illegal and un-roadworthy vehicles. The police from PTEU (participant number 13) indicated that *“local police did assist outsiders (PTEU) in giving them the details of other alternative routes that might be used by taxis if they knew that PTEU was in the area”*. Once taxi operators knew that PTEU were in the area they would divert and change their directions and use the back routes that were unknown to the person who was not from the area. Those routes would mostly be used by illegal operators.

The relationship between the local police and the taxi industry was conducive as they had known each other for a period of a long time, but taxi owners do not give information to the police. One of the police detectives (participant number 8) pointed out that *“even though they differ with taxi association but there were those working relations. The chairpersons of the associations were cooperative if may be there was a taxi owner or the driver that committed crime and the case had been opened the police would call the chairperson and the suspect will be brought to the station by the taxi owners”*. Other police officers (participant number 3, number 6 and number 8) from detectives also confirmed there were people within the Maphumulo or Stanger taxi association who do not want taxi violence and they are sometimes cooperative with the police in few cases. If they knew the suspect that was requested by the police, they also made that person available for the police and the police affect an arrest. It was also noted that in other instances the relationship between the local police and the associations was ruined by police officer from outside Stanger (such as PTEU) who would come, make arrests and then leave the area. Once the PTEU has left the taxi associations would start to have negative attitude towards local police and the level of trust would decrease. The local police had to start afresh in trying to mend relations with Maphumulo and Stanger taxi associations. The findings of the study indicated that the working relations between the local police and other law enforcement agencies coming from outside to intervene were good. There was mistrust when it comes to performing the planned operation because they were afraid that the local police would leak information.

Municipal police seemed to be reluctant to involve themselves in taxi-related issues. The local municipality had a role to play pertaining to the issues of bylaws and traffic laws that needed to be sorted out. In Stanger there were five different security companies and they did assist if requested to do so. These security guards were entrusted with security duties at the taxi rank and they posed a danger to the community. Psira who supposed to deal with transgression of security guards in terms of the Psira Act 56 of 2001, as the custodian and the regulation authority board, was failing to do its work, and showed interest in executing Psira duties as they were not taking actions against security guards who did not adhere to the Act. The police officer (participant number 8) from detectives indicated that *“in some other instances Business against Crime did become part of the meetings held with stakeholders in order to find solution”*.

The DOT deployed officials in the area when taxi violence had erupted in order to resolve conflict. When the government official arrived in the area they just gave instructions that all those who did not have permits be arrested. The delays in finalising permit application by the DOT resulted in a situation where taxi owners would show the local police the proof of application which was dated two years previously and was still pending finalisation. Such situation caused a burden for the local police as trust between them and taxi industry diminished.

The police officer (participant number 1) from crime prevention indicated that *“there was a team which was established by Department of Community Safety and Liaison (DoCSL) for negotiations. It included all stakeholders (SAPS, PTEU, Municipal police, and taxi associations & RTI); the officials from Department of Community Safety and Liaison were leading negotiations. The taxi monitor from Stanger municipality was responsible to liaise with the taxi industry and coordinate meetings”*. The taxi monitor was ineffective in executing duties because the committee ceased to operate. The taxi monitor was supposed to be in constant contact with taxi associations (Stanger and Maphumulo taxi associations) and called meetings on a monthly basis but failed to do so and that was the end of that structure. DoCSL were residing in their Head Quarters in Pietermaritzburg and they would only come to attend the meetings. The commitment of stakeholders was weak and that was ruining the stakeholder relation that was going to be able to open doors for negotiations and understanding with taxi industry.

#### 4.5.1 Meetings conducted to resolve taxi violence

The finding of the study shows that the MEC of Transport Mr Willies Mchunu was calling meetings with both Maphumulo and Stanger associations if violence had erupted. Police were the secondary role player to ensure safety and security of the citizens. According to one of the police officers (participant number 4) from cluster crime prevention, *“meetings didn’t yield good results because the incidents continued to take place and there were no long-term solution to the problem”*. Another police officer (participant number 1) from crime prevention indicated that *“taxi associations were not negotiating in good faith because resolutions taken in the meetings were not implemented , instead the people continued to die whilst negotiations were still in motion. In other instances after the negotiations it was quiet for few weeks and then started again”*.

The then MEC of Transport Bheki Cele established the forum where all role players (SAPS, traffic, municipality police etc.) were supposed to meet and deal with the issues in order to prevent violence. The forum had few meetings but could not continue with the work for unknown reasons. The person who was appointed to be in charge of the forum was the person responsible for security matters at Stanger municipality. The ILembe Regional chairperson of Santaco (participant number 14) indicated that *“there was Operation Hlokomela where Santaco, municipality, SAPS KwaDukuza and Maphumulo have joint operations and that assisted a lot and motor vehicles found doing wrong were given warnings”*.

The study indicated the intervention by the MEC of Transport Mr Willies Mchunu allowed the participation of taxi associations in meetings called by the local police at station. Those meetings allowed working relations between the police and the taxi associations. The police were then able to consult and share information with the chairperson of the taxi association if need be. In the meetings that were called by the MEC of Transport the invitation was extended to the traffic officers, the mayor, together with councillors in order to find a solution to the matter.

The police officer (participant number 5) mentioned that, *“when there were meetings both associations were given a chance to voice their views in one meeting because if a meeting was held with one association it tended to say that the police are biased”*. Sometimes meetings with Maphumulo and Stanger taxi association yielded good results and sometimes

there were unproductive. In other instances the meeting convinced that there was an understanding on the issue at hand but at a later stage the complaint of another incident of taxi violence that had just been committed would be received. The leaders of both Maphumulo and Stanger taxi associations were very cooperative when invited to attend the meetings. They came accompanied by their bodyguards and security but the attacks on the other hand continued whilst meetings were held. Police officer (participant number 8) from detectives echoed the same sentiments that *“even though, meetings took place but it seemed as if true resolutions were not disseminated to the members of the associations correctly as per the engagements. In one of the meetings in their engagements they agreed on the routes that were going to be utilised by the other association but few weeks down the line they went against their decision”*. Agreement after discussions seems to yield good results but taxi owners would revert back to the same problems and there was no permanent solution to the taxi violence issues.

The chairperson of Santaco ILembe Region (participant number 14), indicated that they always reported to the police when they were having meetings, which combined both of the parties (Stanger and Maphumulo taxi associations) in order to prevent the violence that might take place. Some of the meetings were held in the presence of police because of fear that they might end up fighting inside the meeting. This also assisted in relations because the police wanted to share something with the both leaders of Maphumulo and Stanger taxi association. However, that did not reduce the rate of taxi violence in Stanger.

#### **4.6 THE CHALLENGES FACING THE POLICING OF TAXI VIOLENCE IN STANGER**

The study reveals that the challenges were are encountered by the police hindered the implementation strategies that were used in order to police taxi violence. Among others was shortage of human and physical resources, alleged conflicted relations of local police with taxi association, poor performance of policing and proper investigation of cases that had been reported. What follows are the challenges that were faced by the police in execution of their duties in details:

#### 4.6.1 Manpower

The study revealed that shortage of manpower was a challenge that brought unsafe environment where police officers were working. Crime prevention strategies in Stanger do take place but the police who were performing such strategies were not sufficient. If violence had erupted everyone was posted at the taxi rank and policing of crime in general would be compromised. The police officers (participant number 3, number 6, number 10 from detectives; number 4 from crime prevention and number 9 from support) indicated that “ *If there was enough manpower it would be easy to post members in different posts to do observation, random searches, stop and search, static at the ranks and others to perform normal patrols on rotational basis*”. Another police officer (participant number 10, number 4 from crime prevention and number 11 from PTEU) revealed that “ *police work was affected in terms of the manpower because the community of Stanger had increased a lot and the manpower ratio was very low compared to the community they serviced*”.

#### 4.6.2 Resources

The police (participant number 1,2 & 5 from crime prevention, number 10 from detectives, number 4 from cluster and number 13 from PTEU) also complained of limited resources (such as armoured vehicles) to utilise when attending to taxi violence cases. Sometimes when the violence had erupted at the taxi rank it was difficult for the members to immediately attend to such a complaint. The armoured vehicles assisted when attending to such incident by protecting victims and police officers from being hurt. The police armoured vehicles were stationed at Empangeni, and POP members were the ones who would come with them if they were called. Local police members were deployed to be static at the rank. They were supposed to stay there for the duration of their shift and use soft-top vehicles, which were not suitable for the situation because a bullet could easily penetrate.

The police officer (participant number 4) from cluster confirmed that: “ *you cannot restore order easily, you cannot cordon off scene of crime properly, there were lots of taxis moving between different associations, there were lots of movements of people, lot of aggression and it was total chaotic with small capacity of police that we had. It was difficult to control the cordon scene of crime and preservation of it. Taxi people would deliberately break off*

*the cordon and question why do you cordon here, you must go and cordon there*". In a few cases the taxi members were cooperative but it seems like mostly they were not cooperative.

#### **4.6.3 Information / witness**

The findings of the study indicated that case dockets were opened for the crime committed during taxi violence but were mostly closed undetected. Cases were closed due to insufficient evidence obtained because people who witnessed the incident were afraid to give information to the police. For example, police officers (participant number 13 from PTEU, number 4 from cluster, number 1 & 2 from crime prevention and number 3, 6 & 8 from detectives) mentioned that "*Community members were not cooperative in giving the information because they were afraid that taxi people will kill them and did not trust police*". That proves that the society was scared, and if it happened that they give you information they may not submit sworn statements or even to testify at court. The challenge was that many cases were thrown out of court because of insufficient evidence and the perpetrators walked free.

#### **4.6.4 Conflict relations**

According to the police officer (participant number 1 and 2) from crime prevention, "*policing of taxi violence in Stanger was a challenge because some of police members were related to taxi owners in different relationships*". The information of police reached quickly to taxi owners but in return they did not get any information from them, which threatened planned operations. Another member of the police (participant number 2 from crime prevention) made an example that "*information leaked at the planning session where information was disseminated concerning the road block or an operation that was going to take place in R74. When the operation resumed they didn't find any illegal taxis using that route it meant that they got information at hand and there were no successes made*". The police officer (participant number 10) from detectives confirmed that: "*you cannot leave aside that police officers who were working at Stanger were well known by taxi owners, in both associations and they have relatives who owns taxis. Definitely sure what ever*

*strategy that will be put in place will fail, but with the deployment of outside police to work in the area for a period of time it assisted. When members of the station were posted to go and work at the rank, few will agree to the call but others will be reluctant and they would indicate by body language that they don't like to work there".*

Taxi owners appeared to be well connected with police, Justice Department, and have relations or friends with prosecution, which also posed a challenge when it came to convictions. Some of police members booked off sick when there was taxi violence because of fear from their colleagues as they did not trust each other. With the taxi industry resumed it resulted in more shortages of the little manpower that the police station had. According to the police officer (participant number 8) from detectives, *"some members were afraid to perform duties whole heartedly because they were afraid of victimisation as some of station managers own taxis and others had relationship with taxi owners, most of managers and their relatives were involved in the taxi business"*.

The police officer (participant number 4) from cluster crime prevention revealed that *"local police were known to taxi associations as there were working at the station for many years"*. Local police were often reluctance to enter at the rank or to be involved in taxi violence issues, because taxi people had been threatening the police on many occasions and made accusations. In some instances when there were shooting at the rank you would find that sometimes a police officer would be posted on static alone, and you do not get urgent support from the police station if you need assistance as they were reluctant to work taxi related crimes. The challenge was that police officers were known by the taxi owners and feared for their lives as there was a policeman killed in 2004, he and his family were involved in taxi business and it was suspected that he was killed by taxi owners or operators. That meant it was risky for the local police to attend the taxi violence within their area.

#### 4.6.5 Security guards

Both Maphumulo and Stanger taxi associations at the rank had their own security guards. When the violence erupted security guards ended up shooting each other at the taxi rank and there would be firing crossing between both security guards. One of the police officer (participant number 8) from detective's indicated that *"most of the taxi people were armed*

*and it was very difficult to deal with them because they had armed security guards*". Security guards employed by Maphumulo or Stanger taxi associations were fully equipped and carry big guns; terrorised. If it happened that a private vehicle collided with a security guard vehicle they took the car and impound it at the rank, claiming large sum of money exercising their powers. The police officer (participant number 7) from support revealed that *"at one stage security guards came into the police station, carried guns in their hands and shots were fired"*. One of the police officers (participant number 1, 2 & 5 from crime prevention, number 3 & 6 from detectives and number 4 from cluster) support that *"Security guards did not have respect in the police or the police station; they even cocked their firearms in front of the police station"*.

The involvement of the firearm in a scene of taxi violence seemed to be a huge challenge that would only be detected if security guards' firearms were confiscated and taken to ballistics in order to check whether they were involved in any crime or not. That is when it would be detected that the firearm was involved in commission of crime but it would be a difficult mission to know who used such a firearm to commit crime, as it would already have exchanged many hands. Security guards booked firearms at the duty room when reporting for duty and handed the firearms back when they reported off duty. The security guards that would be booking on duty relieving security guards booking off duty would be issued with the same firearms that were issued to the previous security guard. Firearm tests would be done after every six months in order to check if there if there any firearms involved in the commission of crime. If firearms belonged to the security company the challenge was that they were often not assigned to an individual but issued to different officers when reporting for duty meaning during the change of shift the person going off duty would hand over duties and the firearm to the person reporting on duty.

#### 4.6.6 Enforcement of the law

The police officers (participant's number 1 & 2 from crime prevention and number 3, 5 & 6 from detectives) pointed out that *"police officers needed to be assisted with laws that could be enforced in executing their duties in relation to taxi-related laws"*. Police officers needed to be conversant with taxi laws because whatever strategies that they came with failed as there were specifications that they needed to check. If police officers stopped a

taxi that they supposed to know specifications and if not they would not hesitate to implement relevant laws. Another police officer (participant number 1) from crime prevention pointed out that *“there were no direct laws that guided police in enforcing taxi regulations. It was difficult to police taxi violence because they didn’t have idea on what to implement on taxi related issues.* Committed police officers were needed because the taxi industry had a lot of money and some officers may be easily influenced in enforcing the law and accepting bribes.

The police officers (participant number 3, 5, & 6) from detectives indicated that *“the police were not allowed to carry a rifle in public or anyhow except in compelling situations but the security guards used rifles in public spaces and did not take into account such rules”.* On the other hand the community ended up not trusting the police because you would find the police officer carrying a pistol inside the holster and the security carrying a rifle on hand. That gave the ordinary person or an indication to the members of the public that security guards were higher than police officers. When police officers went to the taxi rank security guards were not even afraid to inform the police that they were employed to guard the taxi rank, they were performing their duties and would take orders from their employer only (taxi owners). As a result the police had limited access and powers within the rank as it was a private property.

#### 4.6.7 Private taxi rank

The findings of the study showed that the municipality did not have control over the taxi ranks. That made the work of the police very difficult when it came to the policing of taxi violence in the ranks, as they were situated on private property. That also posed a challenge for police officer who were working at the taxi rank because they were working on private property and not public. The police officer (participant number 6) from detectives pointed out that *“in Stanger there was no public rank which was owned or controlled by Stanger municipality”.* Both taxi ranks were privately owned; Stanger and Maphumulo taxi association were renting property from Boxer Store owners. The municipality did not have a control over taxi ranks; in other words taxis were operating on private property as they wished.

According to the police officer (participant number 8) from detectives, the study reveals that *“police were faced with armed people who had licence to possess firearms and had permits to carry rifles. So if there was violence at the rank you cannot send two or three officers to work at the rank. Since the police were not trained on how to identify taxis which were not permitted to work on certain routes and they did not even know what the permit was or what does it looks like, its features. They were not trained in identifying whether contracted security guard were wearing a uniform which conformed to prescripts or not. Police didn’t know jurisdiction for the operating taxis”*.

#### **4.7 CONCLUSION**

It is clear from the above findings that the policing of taxi violence in Stanger was not an easy task for the local police. Hence the meetings and the strategies that the police employed are not fruitful as this issue continues despite the intervention of other stakeholders. The fact that there was no specific training that was dedicated to police officers in performing duties relating to taxi violence, routes and permits was also a huge challenge. Taxi violence did not affect only the people in the taxi industry as even community become the victims of taxi violence.

## **CHAPTER 5: CONCLUSION AND RECOMMENDATION**

### **5.1 INTRODUCTION**

The purpose of this study was to find the ways and means that could be used to effectively police taxi violence in Stanger. From the findings it became evident that taxi violence was a huge challenge to the police in Stanger area. Owing to that this research proposes new ways that could be used when dealing with taxi violence in this area. The discussion in this chapter starts with the summary of the research findings, then the proposed recommendations, then the conclusion.

### **5.2 Summary of the research findings**

- Objective 1: To determine the causes of taxi violence.

The findings of the study have shown that there was competition amongst the taxi owners together with unequal treatment of the association members in determining the total number of taxis the person must possess, which led to greed and the inspiration of wanting to eliminate some other taxi owners in order to make more profit. The powers that were vested in the chairperson of the association granted him the power to manipulate the process as he wished because process coordination was centralised to him. Fronting (Ukuteta) appeared to be one of the elements of jealousy and the cause for conflict as well, because taxi owners would want to be seen as having many taxis whereas some amongst his taxis did not belong to him. This impression of living a high lifestyle led to tension between the taxi owners.

The high profit margin that was set by the taxi owner also resulted in the taxi driver operator neglecting the road rules in order to meet the daily profit target. The study has shown that the tension between Maphumulo and Stanger taxi associations came about when the Maphumulo taxi association appeared to be more favoured than Stanger taxi association because Maphumulo taxi association had two starting points. The daily rank fee that was paid by the taxi operators made the taxi owner aggrieved because there was secrecy

regarding the use of such money and it was not accounted for. Consequently, most of the owners wished to control such funds and that aggravated the tension between the two taxi associations. Accusations levelled against taxi by associations against each other was a norm if somebody was killed even though you may find out that, that person was killed within the association itself. They would do it in order to shift the blame as if the rival association had attacked them and they would pay revenge based on hearsay information.

The study further showed that the manner in which the security guards conducted themselves in the taxi rank was not friendly; they carried rifles in the taxi rank in the middle of the community and they were disrespectful to the police. Security guards were also involved in the escalation of violence, when there was no taxi violence they had to be withdrawn from the area and they would deliberately start the violence so that they could extend their stay.

The study shows that the flouting of system by the officials (Transport authority board) created a challenge which ended up with some routes given to different taxi associations. There were dominant, lucrative and highly contested routes in which most of the taxi operators wanted to operate such routes in order to make quick cash. Some would deliberately want to work those routes even though they knew that it was not their association that was permitted to work such routes. The timeframe to obtain a permit that allowed the driver to operate the routes took a long period of time for the owner to receive it. Therefore, operators were almost encouraged to operate illegally.

The study reveals that contestation of power made the leaders lose focus on the role that they were supposed to play of leading and giving guidance to the members of the association but other leaders resorted by being part of the taxi violence than the solution. The study shows that taxi industry was mostly owned by layman people who were illiterate in formal business management and believed that problems are resolved by force or violence.

- Objective 2: To investigate and describe the nature of taxi violence in Stanger.

The findings of this study have shown that the taxi violence crime scenes are easily contaminated by uncooperative taxi owners and the crowd in the taxi rank. During fighting commuters become the victims because they got injured or killed in the process. Different weapons like gun, panga, knives, stones etc. were used in the commission of this violence.

The findings of the study reveal the difficulties in investigation of taxi violence whereby witnesses become reluctant to give information to the police as they fear for their lives. Nobody wants to be associated with taxi violence.

- Objective 3: To understand the impact taxi violence had in Stanger

The study shows that during such violence not only commuters were affected as they were not able to go to work. Children' learning and education was interrupted and general peace in the community was negatively impacted on.

Commuters were the ones who were mostly affected when taxi violence erupted, as taxi owners may decide to suspend operation of taxis. Indeed this affected commuters because they relied on taxis or public transport to any destination that they desired but in general taxi violence also brought fear and anxiety to commuters and the community at large as they would be killed deliberately or in the line of cross fire during taxi violence.

The study reveals that taxi violence had a negative impact on the families of the taxi owners because they became victims of the violence. School children were unable to go to school because of transport and their parents were prevented to take them to school, as they would be regarded as operating on the routes if their private vehicle had five people.

- Objective 4: To explore strategies used currently to deal with taxi violence in Stanger.

The findings of the study show that reactive policing methods were used by all law enforcement agencies to police taxi violence in Stanger. Taxis operating without valid permits were impounded and the names list of passengers were made including the amount paid in order to be used as evidence in a court of law.

The study reveals that law enforcement agencies in some instances had joint operations whereby each discipline focused on its specialties. Public Law Enforcement Unit (PTEU) specialised on permits, checking that all taxis operating on such routes had operating licenses to operate. Illegal operators found were arrested together with taxi owners and their taxis were impounded. PTEU used its in-house intelligence to gather information and this decreased taxi violence in Stanger area.

One strategy that the MEC of Transport Mr Willies Mchunu would use when there was taxi violence and taxi owners did not want to co-operate would be to close off the taxi rank,

which would automatically force taxi owners to go back to negotiations as there would be no source of income for them.

The findings of the study reveal that in joint operations South African Police Service commanders took command and control of the operations. The duties performed by SAPS were to cordon and search operations in the taxi rank, roadblocks in the routes, visibility in the area by doing patrols, stop and search. The study shows that when the complaint had been received the backup was sought in law enforcement agencies. Scenes of crime were attended and proper investigations were conducted. Evidence collected at the scene of crime assisted in following the lead of identifying the suspects involved in the commission of crime.

The study indicated that in most of the operations local police officers were not involved. A destructive approach was used to surprise the suspects by the operational commander without disclosing the full information of the operation in order to find suspects unaware. Informers were hard to recruit but some of information was gathered from the taxi operators, which assisted in the execution of duties.

Public Order Police (POP) was the one entrusted of executing crowd management duties because they were trained and had relevant equipment in dealing with crowd management. Operation Hlokomela by Santaco was another tool used to curb taxi violence whereby taxi associations together with law enforcement agency worked jointly.

The finding of the study shows that interventions by the MEC of Transport Mr Mchunu yielded good but temporary results because after few months taxi violence would start again. The same applies to other joint operations that took place; they brought about only temporary solution to this problem.

- Objective 5: To identify the challenges faced by the police in policing taxi violence  
The findings of the study show that there was shortage of human resources, which was a challenge when posting members to go and execute duties. There were no suitable physical resources to be used in policing taxi violence amongst the others. They used soft top vehicles which were not favourable for the situation. Only Public Order Police had relevant resources because they were specialising in crowd management.

The study reveals that many cases were closed undetected or thrown out of court because of insufficient evidence and no one wanted to give sworn statement and to go testify in the court of law because they might be killed, witnesses also did not trust police. It was alleged that some of police members were related to taxi owners in different relationships which had a high possibility of leaking information to the outsiders and that would pose danger them. It was risky for the local police to attend the taxi violence within their area. Security guards armed with big rifles posed danger to the community and the police because when the taxi violence erupted there would be firing crossing between both security guards and innocent people would be injured.

### **5.3 RECOMMENDATIONS**

The following factors are proposed measures that could be used to deal effectively with taxi violence within Stanger area, namely:

- Regulation of the taxi association by SANTACO: SANTACO needs to monitor the application of its rules, which guide the operations of the taxi industry within the association. The rules must be clearly outlined as to how many taxis should one person be entitled to have. ‘Fronting’ has to be discouraged because it does not empower people but adds to the problem. The committee must verify that taxi owners indeed are the lawful owners of taxi assisted by the DOT; and that would eliminate ‘fronting’. The exact amount of money for subscriptions must be known to all the owners and receipt of payment to be issues when payments are made. The money that would be paid to the association would be regulated and accounted for by tabling the financial report in the relevant meetings.
- Electronic card system for passengers to be introduced. The passenger would buy the prepaid card and swipe it when using a taxi instead of cash. With this system the owner would not rely on the driver to know how much had been made for a day. This would reduce violence because all members of the association would respect the rules and there would be no exchange of money between the taxi driver and the taxi owner.

- Regulations by the DOT to be implemented accordingly in order to avoid conflict. Disciplinary processes to be taken against the officials who were found breaking the law. This should cover also how taxi owners should control/account for rank fees, verification of taxi ownership to avoid ukuteta/fronting.
- Regulation of the conduct of the private security guards within the taxi industry  
There is nothing wrong with the security guards helping in taxi ranks but how they conduct themselves should be regulated and monitored by Private Security Industry Regulatory Authority (Psira). The security guards who are recklessly carrying firearms anyhow in public should be prosecuted.
- Strengthen the use of informers, recruitment of informers to be an ongoing exercise by the police, which would enable them to have a pool of informers around the area. So if there is a crime to take place that information would be given to the police as soon as possible and that could assist the police to come up with a strategy to prevent crime from being committed. Anonymous crime reporting lines should be drawn up and the community to be sensitised to make use of the anonymous crime reporting lines if they suspect an incident or have witnessed one. Some of the people would want to remain unknown but they must be encouraged to report to the police any criminal activities.

Many crimes go unresolved due to limited evidence because witnesses are afraid to give evidence to the police as they fear for their lives. Some police officers are alleged to have relations with the people in the taxi industry so it is difficult to become a witness because there is no trust between the community and the police. For giving information to the police or testifying in the court, the witness would be known and could up being killed. People could witness the incident but when enquiries were made by the police they would say that they do not know. Place witnesses under witness protection so that they would be able to testify in court of law; which is also a challenge because when the case has been finalised the witness needs to go back to the community. The witness's life is not guaranteed because the perpetrator had been sentenced and the people in the taxi industry worked in groups, so the remaining ones might take revenge against the witness.

- Clear demarcation of taxi routes

The authority board should make a clear distinction of the rightful taxi association to be given an authority to use a particular route. That information/ rules should be circulated for comments by the taxi members so that the people disputing it can come forward before the final decision is made. This would prevent issuing the same route permits to different associations.

- Decentralisation of route permit offices

There should be quicker timeframes to obtain route permits. The authority board should decentralise its duties by opening offices in all four regions (as per DOT demarcation in KwaZulu-Natal) for taking service delivery to the people. This would fast track the processing of application forms for permits and would drastically reduce the waiting period. The DOT should put strict measures in place to penalise those taxi operators who would operate illegally on the routes that are not designated for them and a heavy sanction to be imposed on culprits. The DoT should also allow the use of temporary permits in case a person is waiting for a formal permit. This would reduce the element of jealousy in this industry and the frustrations endured while waiting.

- Enhance partnership policing

The local police should partner with the traffic officials, the private security personnel and the police from other police stations. The traffic officials would assist in verifying taxi permits, while the private security companies would assist to secure the crime scene until the police came and then strengthened themselves by using police from other stations. Such a situation seems to be working well within Stanger. For renting of the taxi rank the municipality to negotiate with Boxer Store in taking over the rank, so that the municipality would be the one responsible for collection of the rank fees. Municipality to provide security and that would solve the issue of ibhakede (the money that is paid by the taxi drivers when leaving the rank) and private security guards. The rank fee would be paid to the association, the only money that the association would be responsible of would be the association subscription fee which could be accounted for.

SAPS need to liaise with the DOT in order to train or provide workshops to local police officers on regulations of taxis so that it would be easy for them to enforce the law because policing of taxi violence differs from any other policing. Police needed to understand the operations of the taxi industry, routes and permits, be able to check on who were the associations having the authority to those routes or not. That would assist in empowering local police and traffic police and enable them to include such practice on their daily routine work.

Crime intelligence should gather information that would enable police to be proactive and put measures in place in preventing taxi violence or be prepared if violence erupts. Crime intelligence should continuously and closely monitor the taxi industry by being informed of their tactics and strategies and building good informers within the taxi industry itself.

Police officers are entrusted with many duties and the number of population within Stanger has increased, which has resulted in the shortage of manpower. It is recommended that more police officers to be employed for effective service delivery. Constant policing is crucial because it is a determining factor to prevent taxi violence. Focus crime prevention to operate 24/7 in order to show visibility at all times and be able to detect and defuse suspicious acts, perform patrol duties, stop and search. Police need to identify hot-spot areas and be more vigilant in such. Constantly do surprise visits and searches that might assist in curbing taxi violence, as the people in the taxi industry would never know when the police are coming and they would be afraid to plan evil acts.

Police officers need to build good working relations with the taxi association by constant visits to taxi associations as well (Stanger and Maphumulo taxi association) in order find out their problems, hear their proposed views on how such problems can be resolved and put mitigation factors in place. The environment would encourage both associations to interact and engage in working together to find the best solution to the problem and that would proactively eliminate violence.

The DOT as the custodian of the law and issuing operating licenses (permits) need to have relations with taxi associations (Stanger and Maphumulo taxi association) at the regional level in order to advise address challenges.

Law enforcement agencies in some other instances needed to do joint trainings in order to understand their shared roles and responsibilities and to exchange their experiences in taxi

violence. Public Transport Enforcement Unit to educate other agencies about permits, routes etc. as they are specialists in this field. The more the involvement of the stakeholders in taxi violence matters the more the manpower and the resources to help the police to deal effectively with this violence.

- Corruption within the taxi industry

Corruption from police who own taxis and government officials selling route permits. The study recommends that an internal investigation be made with an aim to root out all those police officers who are involved in the taxi industry, so that it would be effective to deal with taxi-related crimes, because having such police officers within gave an impression that the local police officers were useless and not doing anything. Government must have a stricter rule for the people working in the law enforcement not to be allowed to have taxis or to be in the taxi business, because that compromised the effective work of the police. Rotation or restructuring of local police members would give a fresh start to the functioning of the station. Disciplinary action should be taken against government officials who are selling the routes. If these officials are found guilty they should be punished according to the law of this country.

### **5.3 CONCLUSION**

Without fear of any contradiction taxi violence is due to various factors, tangible and intangibles. Over tangibles, are dispute over ranking facilities, routes and commuters. “Intangibles” are behaviours that are there in society and eventually manifest themselves in the industry through greediness, bullies and victimisation. The enabling environments for all these things to thrive are a lack of proper administration, both by the industry itself and the government as proper regulator. The industry has just been generally characterised by a broad community that is conducted by illiterate people and people with a lack of proper education and proper administration. On the other side all this happens when government and law enforcement have no direct laws to be used by police, no knowledge of administration of routes, and no standard regulations in the issuing of permits. The government has taken a long times to make the relevant laws.

The entire business fraternity generally has accepted that the taxi industry is a sensitive business to participate in and is part of black-on-black violence. The industry emanated during apartheid and by default started by the black race, who were the victims of the system and who were given the last preferences by the then government for the work they did.

When one checks its nature, taxi violence has proven to be a sporadic phenomenon and happens everywhere there are taxis. It thus renders a challenge to police because it happens like any other form of crime but there is no grand plan on how to do with it. There are no specifications in place on how to detect and police taxi violence. Whereas the democratic elected government wishes to deal with this inherited monster, government intervention is seen as interference and involvement by government officials together with the police in the taxi industry is conducted with great suspicion and mistrust that makes it difficult to police the taxi industry effectively and this poses a danger to police, taxi industry and the community at large.

The regulation and deregulation of the taxi industry by the government is also met with great mistrust from the side of the taxi owners and operators, which further creates the uncertainty about the future and solutions to challenges facing the industry. Despite the challenges facing both government and the industry, monitoring tools need to be put in place to check whether taxi associations abide by the rules or not and those who fail should be harshly penalised. This would assist in making sure that there is no poaching and the association is using the routes that are allocated to them. The security guards that are utilised by the taxi association end up becoming the instigators of crime by making sure that they perpetuate crime when their term of office lapses so that their contract can be renewed.

The taking over of the ranks by municipalities with their own security would minimise private security on guarding the associations and the monies that are paid by the association would be paid to the municipality and be accounted for. Training of police is also a factor to be considered closely when one attempts to stop taxi violence, as currently one can conclude that if the new members and the old members do not have a plan to deal with taxi violence in place, the frightened new staff could lead to demoralisation. Lack of a strategy and a plan for old members can bring complaisance and a lack of attempts to deal with situation. The sense of vulnerability can be seen as exposure to a lack of skills from the junior members, eventually bringing lack of trust.

Taxi-related regulation is non-negotiable. If the government was to stop this violence, good training would be given to the police to equip them in dealing with taxi related issues; including the dictation elements of crime before it can take place and to apply preventative measures thereof. Taxi violence is a challenge, as it is sporadic with not enough manpower from the police to be in all places at once. The sense of vulnerability can be seen as exposure to a lack of skills from the junior members, which could eventually bring a lack of trust.

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## **ADDENDUM A**

### **INTERVIEW SCHEDULE**

### **PARTICIPANT NUMBER**



**TOPIC:** THE POLICING OF TAXI VIOLENCE IN STANGER

**AIM:** How should the taxi violence is policed in Stanger?

### **RESEARCH QUESTIONS:**

- What strategies do the police use in policing taxi violence in Stanger?
- What are the challenges of policing taxi violence in Stanger?
- What is the nature of the relationship between the police and the taxi industry?
- How should taxi violence be policed in Stanger?

You are kindly requested to answer the following questions in this interview schedule, for the researcher. The questions, responses and the results will be revealed.

Privacy will be maintained throughout the study, the researcher will ensure that participants are treated equally regardless of their socio-economic status. The information given will be treated with confidentiality and no other person will have access to interview data. The researcher will ensure that participants are treated equally regardless of their socio-economic status whether illiterate or learned and privacy will be maintained throughout the study. The participants to the research will remain unanimous. The information you provide will be used only in a research project for a Master of Technology degree registered with the Programme Group: Police Practice at the University of South Africa. The analysed and processed data will be published in a research report.

Your answers will be noted by the interviewer himself, on paper and by Dictaphone. Should any question be unclear, please ask the researcher for clarification. Only one answer per question is required. When answering the questions, it is very important to give your own opinion.

Written permission has been obtained from the South African Police Service in advance, for the interview to be conducted.

**PARTICIPANT**

I hereby give permission to be interviewed and that information supplied by me can be used in this research.

YES / NO

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**SECTION A: BACKGROUND INFORMATION**

- Where are you working?

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- How long have you been in a place of employment?

1 – 5 yrs.	5yrs – 10 yrs.	10yrs and above
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- Do you currently police taxi violence?

YES	NO
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- For how many years have you been involved taxi violence related issues?

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- What is your highest qualification?

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- Did you undergo any training on policing taxi violence?

YES	NO
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**SECTION B: WHAT IS THE HISTORY OF TAXI VIOLENCE IN STANGER?**

1. In your opinion what is your understanding of taxi violence?


2. To your understanding who are the people/parties involved in the taxi violence in Stanger?


3. To your understanding what are the causes of taxi violence within Stanger?


4. To your understanding what is the nature of taxi violence within Stanger? (manner in which it occurs from the beginning to the end)


5. In your opinion who are the people who are affected by taxi violence in Stanger?


6. According to your opinion, what are the impacts of taxi violence in the economy of Stanger?


7. How does the taxi violence in Stanger affect the social relations among the community members and/or between the community members and the members of the taxi industry?


8. What, according to your opinion, are the effects of taxi violence politically in Stanger?


**SECTION C: HOW IS TAXI VIOLENCE POLICED IN STANGER?**

1. Which strategies do the SAPS follows to police taxi violence in Stanger?


2. Which stakeholders are involved in resolving taxi violence in Stanger and what is their involvement like?


3. Do multilateral and bilateral meetings with parties involved (taxi associations) yield any good results?


4. Is the role (strategy) of the police effective in trying to combat taxi violence in Stanger?  
Motivate your answer


5. Are the members of the society cooperative in giving information to the police?


6. What are the joint strategies to combat taxi violence and who is heading operations?


**SECTION D: WHAT IS THE NATURE OF THE RELATIONSHIP BETWEEN THE POLICE AND THE TAXI INDUSTRY?**

1. How can the working relationship between the police and the taxi industry be best described?


2. Is there a good relationship between the police and the taxi industry or not? Motivate your answer


**SECTION E: WHAT ARE THE CHALLENGES OF POLICING TAXI VIOLENCE IN STANGER?**

1. What are the challenges faced by the police in policing taxi violence?


2. Do you think there is a good working relationship amongst all partners regarding taxi violence? Why do you say so?


3. Do police enjoy support in dealing with taxi violence?


**SECTION F: WHAT PROACTIVE MEASURES COULD POLICE HAVE TAKEN IN POLICING TAXI VIOLENCE IN STANGER?**

1. What factors do you think can be taken into consideration to stop taxi violence?


2. What will be the role of police in fighting taxi violence?


3. In your opinion how can taxi violence be best policed?


**SECTION G: HOW SHOULD TAXI VIOLENCE BE POLICED IN STANGER?**

1. What do you think would be the best way to police taxi violence?


2. What are the other alternative methods that could be used to eliminate taxi violence?


3. Do you think taxi violence is a provincial or national problem

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**ADDENDUM B: TAXI VIOLENCE CRIME SCENE**







# ADDENDUM C: PERMISSION LETTER FROM SAPS

G.P.-S. 002-0222

SAP 21

**SUID-AFRIKAANSE POLISIEDIENS**



**SOUTH AFRICAN POLICE SERVICE**

Privaatsak/Private Bag X94

Reference Nr Verwysing	3/34/2
Navrae Enquiries	Col J Schnetler Lt-Col GJ Joubert
Telefoon Telephone	012-393 3177/3118
Faksnommer Fax number	012-393 3178

**STRATEGIC MANAGEMENT COMPONENT  
HEAD OFFICE  
PRETORIA**

- A. The Divisional Commissioner **CRIME INTELLIGENCE** (Attention: Lt Col Bothoko)
- B. The Divisional Commissioner **DETECTIVE SERVICE** (Attention: Lt Col Stassen)
- C. The Divisional Commissioner **VISIBLE POLICING** (Attention: Col Mosikili)
- D. The Provincial Commissioner **KWAZULU-NATAL** (Attention: Col van der linde)

**RE: RESEARCH REQUEST: POLICING OF TAXI VIOLENCE IN STANGER; MASTERS DEGREE: UNISA; RESEARCHER: I N MOLEFE**

- A-D 1. The research request of Mrs Innocentia Molefe, pertaining to the above mentioned topic, refers.
- 2. The aim of the research is to establish how the issue of taxi violence in Stanger, Kwazulu-Natal, should be policed. The researcher will attempt to achieve the following objectives:
  - 2.1 to determine the effectiveness of strategies used by the police in policing taxi violence in Stanger and
  - 2.2 to identify the shortfalls of the current policing practices in Stanger (see proposal attached).
- 3. The target population for the study will include members attached to the Kwazulu-Natal and the Stanger Police station who have a good knowledge of the problem. The respondents will include SAPS members at the following offices:
  - 3.1 SAPS Provincial Office (Head: Detectives; Head: Crime Prevention; Head: Crime Intelligence and a detective at the Special Task Team)
  - 3.2 Stanger Police Station (Branch Commander; Commander: Crime Prevention)

**RE: RESEARCH REQUEST: POLICING OF TAXI VIOLENCE IN STANGER; MASTERS DEGREE: UNISA; RESEARCHER: I N MOLEFE**

and Supervisor: Crime Prevention)

- 3.3 Cluster Office: Stanger (Commander: Crime Intelligence)
4. The proposal was perused according to National Instruction 1 of 2006 and it is recommended that permission be granted for the research subject to the final approval and further arrangements by the offices of the Divisional Commissioner: Crime Intelligence, the Divisional Commissioner: Detective Service, the Divisional Commissioner: Visible Policing and the Provincial Commissioner: Kwazulu-Natal, and that the undertaking be obtained from the researcher prior to the commencement of the research that –
- 4.1. the research will be at his/her exclusive cost;
- 4.2 he/she will conduct the research without any disruption of the duties of members of the Service and where it is necessary for the research goals, research procedure or research instruments to disrupt the duties of a member, prior arrangements must be made with the commander of such member;
- 4.3 the information will at all times be treated as strictly confidential, and
- 4.4. The researcher will provide an annotated copy of the research work to the Service.

With kind regards,

  
BRIGADIER  
HEAD: STRATEGIC MANAGEMENT  
J SURAJBALI

Date: 2014-11-27

**South African Police  
Service**



**Suid-Afrikaanse  
Polisiediens**

**Umbutho Wamaphoyisa Aseningizimu-Afrika**

Our Reference / U Verwysing / Inkomba Yakho  
My Reference / My Verwysing / Inkomba Yami  
Enquiries / Navrae / Buza  
Telephone / Telefoon / Ucingo  
Fax No / Faks No

25/7/12/2/3 (228)  
Colonel A.D. van der Linde / CAC R. Moodley  
031 – 325 4841 / 6116  
031 – 325 6022

THE PROVINCIAL COMMISSIONER  
KWAZULU-NATAL  
P O BOX 1965  
**DURBAN**  
4000

Ms IN Molefe  
31 Wanderers Crescent  
Grange  
**PIETERMARITZBURG**  
3201

**RE: RESEARCH REQUEST: POLICING OF TAXI VIOLENCE IN STANGER: MASTERS  
DEGREE: UNISA: RESEARCHER: I.N. MOLEFE**

Attached, please find Head Office minute 3/34/2 dated 2014-11-27 regarding permission to conduct the above-mentioned research.

Recommendation to conduct the said research has been granted in terms of National Instruction 1/2006 (SAPS Research Policy).

Approval from the office of the Provincial Commissioner is hereby granted to conduct the said research only at SAPS KwaDukuza (Stanger).

The research application in terms of interviewing members within the Crime Intelligence environment is declined.

**RE: RESEARCH REQUEST: POLICING OF TAXI VIOLENCE IN STANGER: MASTERS  
DEGREE: UNISA: RESEARCHER: I.N. MOLEFE**

Paragraph 4 of minute 3/34/2 dated 2014-11-27 from the Office of National Strategic Management must be adhered to.

Attached, please find statement of undertaking that must be completed and returned to this office ([MoodleyRohine@saps.gov.za](mailto:MoodleyRohine@saps.gov.za)) prior to the commencement of the research study.

For any queries, please contact Colonel A.D. van der Linde on the following numbers:

Office: 031 325 4841

Cell: 082 496 1142

Thank you.



.....MAJOR GENERAL  
DEPUTY PROVINCIAL COMMISSIONER: OPERATIONS OFFICER: KWAZULU-NATAL  
P.E. RADEBE

DATE: 2015-03-30 .....