

**ANALYSIS OF PRIVATE SECURITY COMPANIES COMPLIANCE TO  
THE PRIVATE SECURITY INDUSTRY'S REGULATORY  
FRAMEWORK IN GAUTENG, SOUTH AFRICA**

**by**

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**submitted in accordance with the requirements**

**for the degree of**

**MASTER OF ARTS**

**in the subject**

**CRIMINAL JUSTICE**

**at the**

**UNIVERSITY OF SOUTH AFRICA**

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**NOVEMBER 2022**

## DECLARATION

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I, LESIBA SEWINI JOHANNES NGULUBE, declare that this dissertation: **ANALYSIS OF PRIVATE SECURITY COMPANIES COMPLIANCE TO THE PRIVATE SECURITY INDUSTRY'S REGULATORY FRAMEWORK IN GAUTENG, SOUTH AFRICA**, is my own work and that all the sources that I have used or quoted have been indicated and acknowledged by means of complete references.



**SIGNATURE:**

**DATE: 28 October 2022**

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## **ACKNOWLEDGEMENTS**

God is great and all praises upon Him. He has been the guiding light and pillar of strength throughout this journey.

I would also like to thank my Supervisor, Mr Mokata Johannes Nkwana for being patient with me. I remained confident throughout that we will succeed.

Above all, I would like to thank my family - my wife Malindi, my children Kabelo, Tumiso, and Masechaba for moral support through this exhaustive and difficult journey. You allowed me time to work on this project and I am humbly thankful.

## **EXECUTIVE SUMMARY**

This study analysed the private security companies' (PSCs) compliance to the private security industry (PSI) regulatory framework or the lack thereof, in the province of Gauteng, South Africa. The overarching rationale for the is to test the industry's progress in professionalisation.

The study focused on examining whether the PSCs register with the Private Security Industry Regulatory Authority (PSIRA) and complies with other requirements as stipulated in the Private Security Industry Regulatory Act. PSIRA is well positioned to effect control over the PSI. The question remains whether the Regulator is succeeding in its mandate to effect control over the security industry.

The image of the PSI is not one seen in a positive light by the society. It is, therefore, incumbent of the Regulator to professionalise the PSI so that it gains legitimacy and approval.

The researcher embarked on a process of investigating whether the PSC meets requisite or operating a security business by registering with PSIRA. The researcher followed a qualitative research approach to answer the research question whether PSCs are compliant or non-compliant. In line with qualitative approach, the research opted for the phenomenological methodological framework, which sought to obtain participants' lived experience. The rationale for selecting this methodology to study this phenomenon was to decipher as much data, experience, knowledge and lived experience from the participants.

Data were collected through research interviews with PSI experts and actors and other documentary sources such as PSIRA policies were also visited. In-depth semi-structured interviews were used to collect data from the research participants. The participants were carefully selected based on their experience and knowledge.

Based on the participants responses, PSCs exist because of high demand of their service made available by the void created by failing police service to provide protection to the citizenry. Although their motive is mostly making profit, for some

security businesspeople, it is a calling and some want to make a difference – to stop crime.

The PSI is riddled by non-complying PSCs because of varied reasons. Among others, PSCs join the industry for mischievous reasons, with some intending to acquire firearms. Some join the industry because it is lucrative and the entry level is quite low whereas some join because of opportunity for tendering. Many bypasses the regulations and operate illegally. It is therefore incumbent of the Regulator to come with interventions to eliminate non-compliance. Gauteng is highly affected owing to its economic status and the high crime level. The number of PSCs is highest in the country.

The Regulator has the inspectorate and legal arm/division to ensure that non-compliant PSCs are identified, sanctioned and where possible prosecuted. Participants shared divergent views on whether PSIRA is successful in its role. Some see the Regulator managing well to bring non-compliance down whereas some view PSIRA's efforts as insufficient. Some vow that they have never seen a single inspector in their business premises.

Amid all the negativity against the Regulator, there is consensus among the participants that PSIRA is not adequately funded. Their funding model, which is primarily sourced from the registered companies and levies from security officers, is not adequate to enable the Regulator to deliver on its mandate.

The Regulator keeps on improving in its operations. PSIRA has improved on its digitisations, which enables many more companies to register flawlessly and swiftly, and also making their services easily available.

**Key words:** Compliance; Non-compliance; Enforcement; Professional; Sanction

## **ACRONYMS**

DCS:	Department of Correctional Service
GDP:	Gross Domestic Product
PSI:	Private Security Industry
PSC:	Private Security Company
PSIRA:	Private Security Industry Regulatory Authority
RSA:	Republic of South Africa
SASSETA:	Safety and Security Sector Education and Training Authority
SAPS:	South African Police Service
SASA:	Security Association of South Africa
PSSPF:	Private Security Sector Provident Fund
SANDF:	South African National Defence Force
DOL:	Department of Labour
SSA:	State Security Agency

## TABLE OF CONTENTS

<b>DECLARATION</b> .....	1
<b>ACKNOWLEDGEMENTS</b> .....	2
<b>EXECUTIVE SUMMARY</b> .....	3
<b>ACRONYMS</b> .....	5
<b>LIST OF TABLES</b> .....	10
<b>LIST OF FIGURES</b> .....	11
<b>CHAPTER 1</b> .....	1
<b>THEORETICAL INTRODUCTION OF THE RESEARCH STUDY</b> .....	1
1.1    INTRODUCTION .....	1
1.2    THE BACKGROUND TO THE RESEARCH.....	1
1.3    THE RESEARCH PROBLEM.....	3
1.4    THE SIGNIFICANCE OF THE STUDY.....	5
1.5    THE RESEARCH AIM AND OBJECTIVES.....	6
1.5.1    Research aim .....	7
1.5.2    The research objectives .....	7
1.6    RESEARCH QUESTION.....	7
1.7    THE DEFINITION OF TERMS .....	8
1.7.1    Private Security Industry .....	8
1.7.2    Private Security Company.....	9
1.7.3    Regulation.....	9
1.7.4    Compliance.....	9
1.7.5    Registration/Licencing .....	9
1.8    OUTLINE OF THE DISSERTATION .....	10
1.9    CONCLUSION .....	10
<b>CHAPTER 2</b> .....	12
<b>LITERATURE REVIEW</b> .....	12

2.1	INTRODUCTION .....	12
2.2	THE TAINTED IMAGE OF THE PRIVATE SECURITY INDUSTRY .....	14
2.4	PRIVATE SECURITY AS A FACTOR IN CRIME DETTERANCE .....	18
2.5	THE POWERS OF PRIVATE SECURITY OFFICERS.....	19
2.4	THE DRIVE TOWARDS PRIVATE SECURITY REGULATION .....	19
2.5	THE PRIVATE SECURITY INDUSTRY REGULATORY AUTHORITY .....	21
2.6	THE PRIVATE SECURITY COMPANIES .....	23
2.7	THE GAUTENG PROVINCE AS AN ECONOMIC HUB IN THE REPUBLIC OF SOUTH AFRICA .....	24
2.8	THE THEORIES OF COMPLIANCE AND OF NON-COMPLIANCE.....	25
2.9	CONCLUSION .....	27
<b>CHAPTER 3 .....</b>		<b>29</b>
<b>THE RESEARCH DESIGN, METHODOLOGY AND METHODS .....</b>		<b>29</b>
3.1	INTRODUCTION .....	29
3.2	THE RESEARCH DESIGN .....	30
3.3	RESEARCH METHODOLOGY .....	31
3.4	THE RESEARCH METHODS .....	32
3.5	POPULATION SAMPLING .....	33
3.6	DATA COLLECTION .....	35
3.6.1	Research interviews.....	35
3.6.2	Documentary study .....	36
3.7	DATA ANALYSIS, DATA INTERPRETATION, AND REPORTING .....	37
3.7.1	Data Analysis .....	37
3.7.2	Data interpretation.....	38
3.7.3	Reporting .....	38
3.8	EVALUATION OF QUALITY.....	38
3.8.1	Trustworthiness.....	38
3.9	ETHICAL CONSIDERATIONS.....	41



3.9.1	Informed consent.....	41
3.9.2	Anonymity and Confidentiality .....	42
3.9.3	Ethical approval and access to participants .....	42
3.9.4	Data Protection .....	42
3.10	CONCLUSION .....	42
<b>CHAPTER 4 .....</b>		<b>44</b>
<b>PRESENTATION OF RESEARCH FINDINGS AND THE ANALYSIS OF COLLECTED DATA .....</b>		<b>44</b>
4.1	INTRODUCTION .....	44
4.2	SECTION A: BIOGRAPHICAL DATA .....	45
4.3	SECTION B: DOCUMENTARY SOURCES.....	47
4.4	SECTION C: GAUTENG PROVINCE .....	47
4.5	DATA ANALYSIS: THEMATIC ANALYSIS.....	49
4.6	SECTION D: PRIVATE SECURITY COMPANIES' COMPLIANCE TO THE PRIVATE SECURITY INDUSTRY'S REGULATORY FRAMEWORK .....	50
4.7	THE ELEMENTS OF PRIVATE SECURITY BUSINESS.....	55
4.8	PSIRA ABILITY TO EFFECT CONTROL OVER THE PRIVATE SECURITY INDUSTRY .....	60
4.9	THE MEASURES CRAFTED TO EFFECT CONTROL OVER THE PRIVATE SECURITY INDUSTRY .....	67
4.9	THE PROGRAMME DESIGNED TO IMPROVE PSIRA PERFORMANCE....	72
4.10	THE FUTURE PROSPECT OF THE PRIVATE SECURITY INDUSTRY.....	73
4.11	CONCLUSION .....	75
<b>CHAPTER 5 .....</b>		<b>77</b>
<b>CONCLUSION AND RECOMMENDATIONS .....</b>		<b>77</b>
5.1	INTRODUCTION .....	77
5.2	RECOMMENDATIONS .....	78
5.2.1	Recommendation to the Private Security Companies .....	78

5.2.2	Recommendations to the Regulator (Private Security Industry Regulatory Authority).....	79
5.2.3	Recommendation to the State (South Africa) .....	79
5.3	RESEARCH CONCLUSION.....	79
5.4	LIMITATION OF THE RESEARCH .....	80
5.5	RECOMMENDATIONS FOR FUTURE RESEARCH .....	80
5.6	CONCLUSION .....	80
	LIST OF REFERENCES .....	83
	<b>APPENDIX A: INTERVIEWS SCHEDULE</b> .....	91
	<b>APPENDIX B: PERMISSION LETTER</b> .....	92
	<b>APPENDIX C: CONSENT FORM</b> .....	94
	<b>APPENDIX D: UNISA ETHICAL CLEARANCE</b> .....	96
	APPENDIX F: TURNITIN DIGITAL RECEIPT.....	98

## LIST OF TABLES

Table 4.1: Biographical information of participants	43
Table 4.2: Research questions, objectives and interview questions	46
Table 4.3: The business of private security	51
Table 4.4: How PSIRA effects control	56
Table 4.5: The role of PSIRA	59
Table 4.6: PSIRA capabilities	61
Table 4.7: Measures to sanction non-compliance	63
Table 4.8: Contract cost structure	65
Table 4.9: Magnitude of non-compliance	66
Table 4.10: Breakdown of participants estimates: magnitude of non-compliance	66
Table 4.11: The future of PSI	69

## LIST OF FIGURES

Figure 4.1: Gauteng Province crime statistics vs South Africa crime statistics 45

## CHAPTER 1

### THEORETICAL INTRODUCTION OF THE RESEARCH STUDY

#### 1.1 INTRODUCTION

The private security industry is seen negatively by many societies and also in Gauteng, South Africa. In order for the industry to redeem itself, it has to professionalise to improve its reputation and legitimacy. Private Security Regulatory Authority (PSIRA) is mandated to effect control over the industry but it is not clear whether the Regulator is capable of achieving this goal.

This study scrutinises the PSCs' compliance to the regulatory framework as stipulated in the PSI Regulation Act 56 of 2001. The dissertation focuses on the PSCs' compliance with the required registration and the operation of the private security practise. This is premised in the proposition that if the PSCs comply with the regulations, the industry would follow through. This investigation focuses on PSCs' compliance to the regulatory framework in Gauteng Province of South Africa.

#### 1.2 THE BACKGROUND TO THE STUDY

South Africa has the largest number of private security companies (PSCs) in the African continent, numerically and per capita (Berg & Howell, 2017: 4). The numbers are surging and there is no sign of retreat. The violent and criminal nature that prevails in many societies worldwide drives the ever-increasing citizenry's mistrust of the public police, which permeates the continuous surge of the demand for private security service (Houghton, Smith, & Berndtsson 2020: 115 and Kole & Mashiloane, 2017: 52). This resonate with well with the Gauteng Province of South Africa, the economic hub of the country.

The Gauteng Province contributes 34.64% of the total gross domestic product (GDP) to the country. The province alone has the seventh largest economy in Africa (Africa Check 2018: 1-4). The province is also the largest in terms of population share. The latest statistical records the province's population at 15 million, which is over 25% of the country's population (Maphanga, 2019: 1-3).

While the population growth outgrows the economic output, this creates “disproportionate burden on the economic infrastructure” (Maphanga, 2019: 1-3 and De Kadt, Parker, & Culwick, 2018: 1-4), which encourages economic competition that overburdens the State’s ability to fight crime. This is evident in the 2021 crime rate statistics, which revealed Gauteng's crime rate as the highest in the country (SAPS, 2021: np).

Evans (2017: 1) asserts that the police are “not winning the war against crime, the police resources are stretched and budgets are limited”. The demand for private security services are increasing. Lately, the public police robbed in private security to assist in crime fighting interventions. Furthermore, where the society feels that the State is failing in provision of adequate security, they turn to private security who makes use of sophisticated security technologies among others to beef up security (Houghton, et al., 2020: 111).

Of all registered PSCs, Gauteng Province in South Africa constitutes 11 550 companies, which translates into 40% share of the total number of registered PSCs. This also translates in a sizable number of registered private security officers (PSIRA, 2022).

Van Rooyen (2017: np) asserts that the South African private security consumers spend over R45 billion annually to protect lives, property and businesses. This translates into “third of what the government spent for the public police force in 2016, making South Africa the fourth largest private security consumer per Capita in the world”.

The demand for private security service drives the mushrooming of PSCs (Kole & Mashiloane, 2017: 53). However, the growth of the PSI has not translated into improved citizen security or an improved positive image of the industry in many societies. Many sees PSI as one lacking in professionalism and high moral values. This aspect calls for the review of the industry’s professionalism. This study attempts to adjudge the progress made in professionalising the industry.

Various developments in different countries ignites the security reform in an attempt to professionalise the industry. In South Africa, the first form of regulating private security was the enactment of the Security Officers Act of 1987 with the

aim of professionalising the PSI. With various amendments to the original regulation influenced by the political dispensation of the day, culminated in the ratification of the Private Security Industry Regulation Act 56 of 2001 (Berg (2017: 6)).

The Private Security Industry Regulation Act 56 of 2001 purports to regulate the functioning of the PSI in South Africa. This effectively means that the regulatory authority was mandated to exercise control over the practice of private security service in the public and national interest, thereby, among others; ensuring compliance with existing legislation through monitoring and investigation (South Africa, 2001).

Quintessentially, the Private Security Industry Regulatory Authority (PSIRA), which is mandated to execute the Act, “conducts ongoing audits or investigations on the conducts of rendering security services dealing with evasion, abuse or violation of the procedures and the principle as contained in the Act” (South Africa, 2001).

The regulator enforces the regulations by issuing fines, publishing defaulting companies and initiating criminal prosecutions against the perpetrators (South Africa, 2001). One of the key requirements for PSCs and operators are to register or obtaining licencing from PSIRA to legally provide private security service. “It is a criminal offence to render a security service without being registered with the regulatory authority” (PSIRA, 2001). This therefore raises the question whether PSIRA is succeeding in its mandate to exert control over the private security industry.

### 1.3 THE RESEARCH PROBLEM

The research question is pitched in a form of a problem statement (Johnson et al, 2020: 139). Nasution (2018: 1) describes a problem statement as an expression of the researcher’s rationale for embarking on a study. It highlights the importance of research in a “flow of reasoning”. A flow of reasoning refers to the nature the reasons are inter-connected and how the research question is answered.

Govender (2020: 1) poses a very pertinent question relevant to this study; that “why are some PSCs failing to comply” with the minimum requirements as per the private security regulations? In South Africa, State regulation of the private security manifests in two folds, through regulatory authority and the Department of Labour. The regulatory authority regulates the operation of PSCs and parallel is the Department of Labour, which covers the human capital aspects of private security companies, wages and employment standards (Diphorn, 2016: 167-168).

Kole (2017, 58) contends that the level of crime in South Africa is out of control and the South African Police Service (SAPS) is inadequately equipped to deal with it. The number of registered PSCs in South Africa was estimated to be over 9000 in 2019 (Karen, 2019: np) in a population of nearly 60 million. This overburden the regulatory authority, which is poorly-capacitated to deal with the ever-growing PSI. If the industry is left unchecked, unregulated and uncontrolled, it could not only pose a threat to its clientele, but also to national security.

The size of the PSI and the poorly capacitated regulatory authority create a vacuum for non-compliance where some PSCs operate outside the regulatory framework – without registration/licencing as private security service providers or operating with expired licences. These types of PSCs are known as “fly-by-night” (Kole, 2017: 54).

Berg and Howell (2017: 05) highlight that the PSI in South Africa is relatively well regulated. However, according to Kole (2017: 58), PSIRA is not efficiently capacitated to carry out adequate oversight and monitoring. The failure of the regulatory authority to enforce compliance leads to the exploitations of the security officers. It could also put a PSC at risk of incurring sanctions that could potentially lead to the business to close. Most importantly, it could place consumers at risk of relying on the protection of poorly trained and ill-capacitated security officers (Admin, 2018, np).

Gumedze (2020: 39) adds that unregulated, poorly regulated and under-resourced regulatory agency perpetuates the PSI, which is “force unto itself, beset by misconduct, characterised by employee exploitations, and low-level of



officer's training". This raises the question whether PSIRA is failing in its mandate to exercise effective control over the PSI and enforces compliance.

The attitude towards regulatory frameworks could be mirrored in the recent Department of Labour inspections in the Free State and Mpumalanga provinces in South Africa. Honiball (2016: np) reveals that the Department of Labour in the Free State uncovered the high level of non-compliance with the regulations by PSCs during their inspection. Out of the 26 inspections, they found that only three companies were fully compliant.

In a similar inspection exercise in Mpumalanga, the Department of Labour uncovered that "out of 55 private security companies operating in the province, only 23 comply with the required labour laws" (Anon, 2019, np). The researcher embarked on this study project to examine the PSCs' compliance or non-compliance to the regulatory framework, which is the basis of a professional PSI.

Against this backdrop, the research problem for this study is therefore premised on the rationale that PSCs continue to flout the rules. If the PSCs followed the regulatory framework, they would not have failed the labour relations tests. Furthermore, it is not clear how PSIRA enforces compliance or inspects unregistered companies because they (PSIRA) do not even know of their (unregistered companies) existence. These results in the exploitations of security officers employed by unscrupulous companies thereby putting the clients in danger of having poorly trained, demotivated and incapacitated security officers guarding their lives and properties. This further begs the question whether PSIRA is failing in its mandate of regulating and enforcing the regulation in the PSI.

#### 1.4 THE SIGNIFICANCE OF THE STUDY

This study examined the role of PSIRA in exercising effective control over the PSI thereby striving towards professionalism. The focus group is the PSCs which provide private security service to the communities. This study project envisages to unearth the magnitude of PSCs compliance or lack of it and the danger that come with it.

According to Williamson and Johanson (2018: 203), highlighting the significance of conducting the research study is critical as it highlights the value that the

participating organisation would derive from the outcome of the project. With this in mind, the PSI actors are sensitised that the absence of an effective PSI poses a security threat not only to the clientele but also in a greater scale of national security.

Unscrupulous private security operators continuously find ways to avoid regulations thereby gaining unfair advantage over legit operators (Anon, 2018: np). The consequences are dire and unethical. It is therefore imperative for the regulatory authority not only to ensure that PSCs comply with regulatory framework, but also incumbent upon the regulator to enforce compliance.

Kole (2010: 154) undertook a similar exercise that pointed to the shortcomings of PSIRA in enforcing compliance. In his study, Kole (2010: 154) used students as the participants who are mainly security officers and security managers. This study zooms into the PSC as subject matters of the investigation.

The outcomes of the current research project would certainly enlighten PSIRA about the magnitude of the problem and provide it with the opportunity to introspect and improve or look into how they can improve.

The recommendations of this study can be used to strengthen their regulations and to refute the notion that PSIRA is effective or ineffective in its regulatory mandate. Secondly, the investigation would also not only educate the private security clientele on purchasing private security service but also sensitise them against unscrupulous operators. Furthermore, the study would contribute to the academic body of knowledge in respect of the subject matter. The research findings will be incorporated in their study guide during their curriculum review.

## 1.5 THE RESEARCH AIM AND OBJECTIVES

Gray (2018: 56) asserts that research aims are the general statement of intent and the direction of research. It is the purpose of the research. Contrasted with the research aim, which is a general statement, Gray (ibid) maintains that the research objectives are clear statements of the intended outcome, which can be measured. The aim and objective of this study follows:

### 1.5.1 Research aim

The aim of this study was to analyse whether the PSCs comply with the regulatory framework as per the Private Security Industry Regulation Act 56 of 2001 in South Africa in Gauteng Province.

### 1.5.2 The research objectives

To achieve the aim of this study, the researcher will follow the following objectives:

- to establish whether the current private security service providers are registered with PSIRA.
- to determine whether PSIRA conducts inspections on all current private security service providers to ascertain compliance.
- to determine whether PSIRA enforces compliance as per regulatory framework.
- to establish the action taken on non-complying private security service providers.

## 1.6 RESEARCH QUESTION

Lune (2017: 206) and Johnson, Adkins and Chauvin (2020: 139) point out that once the researcher had decided on the idea, the next step is to formulate a research question. The research question maps the purpose of research. The research question is further framed by identifying the aim and objective of research.

Johnson et al (2020: 139) defines a research question as a conceptual framework formulated to guide a research study. Gray (2018: 58) asserts that a research study should have a formal statement of the question, a research question. The research question “identifies the problem to be studied and direct the methodology” to be used (Ratan, Anand & Ratan: 2019: np).

Gray (2018: 58) asserts that research questions should be concise and unambiguous. Johnson et al (2020: 139) aver that the real-life experiences triggers research questions. The research question reiterates the purpose of the study in a more specific way. It further determines the direction of the study and create parameters for research (Gray, 2018: 58).

PSIRA does not inspect unregistered companies because they do not even know of their existence. This creates a fertile ground for unscrupulous companies that exploit security officers who subsequently put the clientele's lives and properties in danger owing to their poor or lack of training, demotivated and incapacitated security officers.

This begs the question whether PSIRA is failing in its prime mandate of regulating the Private Security Industry and whether the PSCs comply to the regulatory framework. Therefore, the research questions for this study are as follows:

- What are the requirements of the PSCs to comply with the private security regulatory framework and are they in compliance?
- What are the negative impacts of PSCs non-compliance?
- What are the measures taken by the regulator to enforce compliance?
- What are the sanctions for non-complying PSCs?
- How prevalent is non-compliance to private security regulations by PSCs in Gauteng, South Africa?

## 1.7 THE DEFINITION OF TERMS

The following concepts form the basis for this study they warrant some clarification. The concepts are:

- Private Security Industry
- Private Security Company
- Compliance
- Regulation
- Registration.

### 1.7.1 Private Security Industry

Kole (2017: 52) defines PSI as an industry with the primary role of protecting private property of its clients. The industry' subjects offer private security services

from guarding services, armed response, cash management services, electronic installations, locksmith, in-house security, close protection, etc.

The PSI in this dissertation therefore refers to all private security services providers which render security or protection services for profit. The actors in this regard are private security officers, PSCs and PSIRA, the regulatory authority of the industry.

#### 1.7.2 Private Security Company

According to Berg and Howell (2017: 5), the PSCs are private entities established for the purpose of protecting property and people who forms part of their clientele. They vary in terms of sizes with smallest as one individual and some are multinational conglomerates.

#### 1.7.3 Regulation

Drahosi and Krygier (2021: 1) explicitly define regulation as legal rules that envisage to dictate the behaviour of the regulated and when compliance is not sought, penalties are applied. Regulation in this study therefore refers to legal rules that control the behaviour of the private security actors. These include, but not limited to the legislative requirements of PSCs to register their companies before they can operate as private security service providers.

#### 1.7.4 Compliance

Braithwaite (2017: 28-29) defines compliance as a deliberate action to do what the authority wants to be done. He further outlines that compliance is an outcome of a regulatory intervention. It expects specific behavioural responses that could be measured. The authority in this dissertation refers to PSIRA or the government which puts out regulations that aim to control the behaviour of private security actors. The actors therefore comply with the regulation by acting in the manner that the authority requires. If the actors fail to comply, they are therefore not in compliance – in non-compliance.

#### 1.7.5 Registration/Licencing

Gumedze (2020: 35) summarises the registration process of registering a private security service provider in South Africa. He asserts that the Private Security Industry Regulation Act requires every person that wishes to render a security

service for remuneration, rewards or benefit to register as a security service provider. This means the person should submit all necessary documents that confirm or satisfy that they have the capacity to render a private security service. The regulator keeps the register for registered PSCs.

## 1.8 OUTLINE OF THE DISSERTATION

The outline of this dissertation is presented as follows:

- Chapter One presented the background of the research. The research problem is premised and the research aim, objectives and the research questions are discussed.
- Chapter Two is an orientation of the research in the form of literature study. This reflects upon the posture of the PSI, the need for regulations, the challenges in respect of compliance, enforcement and possible future studies.
- Chapter Three details the research methods, research design and research methodology. The chapter further looks at into the analysis of collected data and the interpretation thereof.
- Chapter Four presents the findings and interpretation.
- Chapter Five is the conclusions and recommendations.

## 1.9 CONCLUSION

Being the largest private security host in Africa, South Africa is faced with a daunting challenge of ensuring that the industry is not only regulated but effectively regulated and the PSCs comply accordingly. Whenever the PSCs fail to comply, the authority should effectively enforce compliance.

The lack or ineffective enforcement not only pose a risk for the industry and its clientele, but also poses a threat to the country's national security. The unscrupulous companies continuously avoid complying to regulations with an intention to maximise profit. They achieve these while compromising the wellbeing of their security officers. They therefore employ unprepared and poorly trained or totally untrained officers who lack motivation owing to low pay. Moreover, they hire criminals who pose a threat to its clientele.

Since it is crystal clear that non-complying PSCs threatens the national security, it is imperative to adjudge and to an extent uncover the magnitude of the problem. This study followed a qualitative research method, which uses the subjects to be unit of analysis to attain the lived experience that truly reflects the picture of the problem.

## CHAPTER 2

### LITERATURE REVIEW

#### 2.1 INTRODUCTION

This chapter gives an orientation of research in a form of literature study. It reflects on the PSI, its actors, the rationale for regulations, the regulatory authority, the compliance and enforcement. The chapter also encapsulates the deliberations that characterise the PSI in Gauteng, South Africa.

The researcher embarks on literature review to examine the past literature on PSCs' compliance or non-compliance to the PSI's regulatory framework and also to highlighting the main compliance theories that are relevant to this study.

Literature review is the examination of past literature in respect of the research topic (Lune & Berg, 2017: 26). The grounds for conducting literature review is to appraise past literature and analyse the previous findings in respect of the research topic and identify the research gaps that warrant further studies. It further explains why certain literature is preferred over others for a particular study (Gray, 2018: 56).

Xiao (2019: 93) avers that in conducting literature review, one discovers the magnitude of the existing body of work. Moreover, literature review helps to evaluate the quality of the existing body of work in relations to the research topic. Although there is no specific study in respect of this topic, the researcher aggregates the important elements in relation to the topic and creates a meaningful background to construct a theoretical context of the study.

The researcher begins the process of reviewing literature by recounting the assumptions that underpin the image of PSI. Then, the reader is introduced to the historical context of PSI regulations and the issues that drive an industry to regulate. The key actors in the PSI regulations are the regulatory authority, PSCs and private security officers. Our interest in this study is on the regulatory authority and the PSCs. The PSCs are in a better position to affect the regulatory framework through compliance to the regulations. Towards the end of the chapter, the researcher introduces the theories that underpins the rationale for compliance.



It is important from the beginning to note that the advent of technology and the notable Fourth Industrial Revolution (4IR), among others do not only present the opportunities for sophisticated application of security measures, such as CCTV, facial video recognition, etc, but it also presents the more complex nature of security risks and threats. Criminals are continuously becoming sophisticated, perhaps even ahead of security officials. In the intelligence environment, Medcalf and Caldwell (2017: np) put it succinctly that “spy threats of the 21st century do not equate those of the past century”. Similarly, the threats to private life, property and livelihood continue to manifest in different forms, in a much-improved manner.

The continuous changing PSI landscape has attracted the attention of many scholars, with their focused pinned on the industry’s regulations, most notably Pillay (2020), Gumedze (2020) and Scheerlinck, Buts, Cools, and Renier (2020). Pillay (2020) scrutinised the growth and regulation of the PSI in South Africa and India. Likewise, Gumedze (2020) provides an in-depth analysis of private security regulations in the Southern African region. Scheerlinck, et al (2020) tackle the impact of regulation on the survival chances of newly established private security service providers. Kim and Prensler (2016) investigated the rationale, nature and effectiveness of the PSI’s regulatory framework in South Wales. They unpack the evolution and the reason for specific regulation change in a given time in South Wales. This is coordinated with what transpired in South Africa with the changing political landscape translating into changes in the PSI posture.

Gumedze (2015) drifts away from regulation while Dworzecki (2018) and unzips the role and place of PSCs, and what they offer to the Slovaks in the Internal Security System. In contrast Gumedze evaluates the potential public and private policing collaboration in South Africa. Whereas PSI regulation have enjoyed attention as highlighted above, its intended goal has not been explored. Compliance with PSI regulation have not been examined. Although PSI regulation is acclaimed to be the answer to the industry’s reputation, legitimacy and professionalism, it is even more important to uncover whether it is reaching its intended goal, which is compliance. This study attempted to lay bare the industry’s actor, particularly the PSCs, compliance to the regulatory framework.

## 2.2 THE TAINTED IMAGE OF THE PRIVATE SECURITY INDUSTRY

It is common knowledge that private security officers are seen in a negative light. The private security officers in many societies are viewed as unprofessional and lacking high moral standard. To make matters worse, Tencredi (2013: 3) laments that “film makers make a mockery of private security officers in that they portray them as a joke, incompetence and clumsy unlike their police officers who are usually seen as rather corrupt, private security officers are seen as morons”.

Löfstrand et al. (2018: 4) assert that the PSI is vulnerable to malpractice. The PSI actors are suspected to be criminals (Diphorn, 2016: 166-167). They are often seen as “criminals in uniform” suspected to be involved behind the commission of many crimes – “the inside job” (Diphorn, 2015: 11). Moreover, they are not only viewed as unprofessional and lacking competence, but they are underpaid. Diphorn (2015: 11) asserts that the private security officers are not highly paid professionals and they do not require the highest level of qualification for their occupations.

Despite these perceptions, Anderson (2015: 271-274) argues that the private security officer has one of the difficult jobs. Similar to their police counterparts, the private security officers experience “boredom in what they do and excitement of action turns to affect their wellbeing”. Security officers endure a long period of waiting for something to happen. Their job is also associated with “fear and anxiety” (Anderson, 2015: 271-274).

Tencredi (2013: 4) asserts that security officers are unfortunate because they experience some of the harshest or poor employment conditions. They work with poor equipment, they are continuously experiencing redundancy, and their jobs are low paying. Furthermore, they are expected to reduce risk, enhance security, report incidents, and prepare for emergencies. In some instances, they are used in safeguarding important infrastructure such as power plants, airports, chemical industries, etc (Tencredi, 2013: 4).

Koekhoven (2018: np) points that security officers lately are trained in using mobile scanning devices to confirm access and regress from the premises. Moreover, record equipment and search vehicles play an integral part in safety on the site.

Thumala, et al (2011: 283) further delineate a gloomier picture of the PSI. They mention that private security is a “tainted trade” and it suffers a reputational problem. Notwithstanding the remarkable growth and expansion, Thumala, et al. (2011: 283) point that the industry is characterised by high employee turn-over, it has more personnel than the public police and they deal with rapid technological development. These challenges toss and expose the industry in serious quagmire. It is therefore imperative to revive the tainted image of the industry.

Thumala, et al. (2011: 287-288) highlight that some of the issues that underpin the tainted images of private security include the poorly trained staff, the industry’s association with “cowboy trade” tactics of trading with criminality and violence, and the erroneous nature of selling private security services and products. Thumala, et al. (2011: 290-293) suggest that the following points could help to improve the negative image that characterise the PSI:

- Forging legitimacy of the industry through the establishment of professional body;
- The regulation of the industry;
- By creating an education and credit caring skill course that are tailor made to the industry, and
- Through the formation of professional body by association.

It is therefore incumbent for the government to regulate the industry not only to create restrictive measures to limit the subjects’ behaviour but also to create an environment conducive for the industry to grow and accepted as legitimate in South Africa. The mandate of the regulator is primarily to promote professionalism, transparency and compliance with the legislative prescripts of the country.

### 2.3 THE GENESIS OF PRIVATE SECURITY INDUSTRY REGULATION IN SOUTH AFRICA

The PSI in South Africa existed for many years even during the apartheid era. However, its prominence heightened in the eighties at the height of political upheaval. The police resources were diverted from their primary role to deal with political antagonists. With more police assigned to deal with political conflicts,

the government of the day “outsourced” private security to guard the strategic installation (National Key Points), which led to the major shift in legislation. The enactment of the National Key Point Act 102 of 1980 that conferred strategic site’s security provisions to the management of the sites/installations, which subsequently created the demand for private security services to guard those installations (Diphorn, 2016: 168).

With all the political violence before the 1994 dispensation where police resources diverted to State-related violence, the private citizen became vulnerable to all sorts of risks.

The rampant growth of the PSI set in motion an obligation on the State to consider the formal regulatory system. The birth of state regulation in South Africa was with enactment of the Security Officer Act (SOA) of 1987, which enabled the establishment of Security Officers Board (SOB) (Asomah, 2017: 68; Diphorn, 2016: 168). The aim of the SOA was to professionalise the PSI through regulation (Asomah, 2017: 68) and “oversight of the SOB” (Diphorn, 2016: 168).

In the post-1994 dispensation, Asomah (2017: 72) points out that the military restructuring, which included the integration of forces that culminated into downsizing, also created a fertile ground for crime – a vacuum that private security filled. These further propelled the need for private policing to “strengthen the security measures” at that time. Some former military personnel armed with security skills and knowledge reverted to PSI for their services.

The winds of change after the release of political prisoners, or even prior also necessitated the move to change the security structure of the board, SOB. The apartheid government was in the process of changing from a police state to a more democratic state. As the security board was inclusive of representatives of the police and the owners of private security companies, it was logical to do away with the police representative in order to create a sense of independence (Berg, 2003: 181-184).

Further amendments were the Security Officer Amendment Act 64 of 1996 where changes were aligned with the direction of the new government. The enactment of Security Officer Amendment Act 104 of 1997 replaced the previous act. Critical

to this development was the establishment of an Interim Board, which replaced the Security Officers Board. The Act also stipulated that the Minister of Safety and Security draft a new Bill within 18 months, which ultimately culminated to the Private Security Industry Regulation Act 2001. The Act brought major changes to the regulation of the industry. The salient objectives included the promotion of stability within the industry and trustworthiness and to strive to promote professionalism (Berg, 2003: 181-184).

Mbhele, Mphatheni, Mlamla, and Singh (2020: 1812-1813) add that other factors that compounded the growing PSI include the increased ownership in private property, which necessitated further demand for property protection. The other factor that has significant influence in the surge for the demand for private security services is the perception that the public police are inadequately capacitated to deal with crime thereby leaving citizens with no choice but to resort to private security.

Many societies across the world are experiencing the surge in the employment of private security officers (Nalla & Gurinskaya, 2020: 102). South Africa is not an exception. The continuous surge of the demand for private security services is the testimony of its necessity and relevance. There is a growing dependence on the PSI in many societies.

Bosch (2015: np) and Diphorn (2015: 7) contend that South Africa has one of the largest private security industries in the world. The industry fares much higher in terms of the size and the ratio in relation to the population (Wilkinson, 2015: 2-5). The industry is believed to have over 2 million security officers with only half a million being on active duty (Berg, 2017: np; Diphorn, 2015: 7). Diphorn (2015: 7) points that in 2013, the industry had about 9 000 registered PSCs.

In South Africa, the PSI's bullish surge over the years is also evident in an increased value of the industry. The value of the industry is estimated at 2% of the total country's GDP (Diphorn, 2015: 7). In 2017, the industry was valued at R45 billion, which is believed to be the fourth largest PSI in the world (Swingler, 2017: np).

Notwithstanding the above, there is no trickle-down effect in the image, efficiency, competency and professionalism overall of the industry. Apart from technical aspects of their work, security officers are not viewed as decision makers, analysts or investigators. They are largely seen as uneducated. They just go through the minimum training for technical aspects like handling of the firearm. Subsequent to this, they are paid very little salaries. Moreover, there are limited opportunities for security officers to acquire academic or tertiary education in South Africa.

#### 2.4 PRIVATE SECURITY AS A FACTOR IN CRIME DETERRENCE

Kole and Mashiloane (2017: 53) declare that the level of crime in South Africa is huge and SAPS are failing to place it under control. The high level of crime in the country drives the demand for private security protection, especially those who can afford to pay for the service. This factor ties up to lack of effective policing.

Houghton, Smith and Berndtsson (2020: 110) argue that in Jamaica, the society lost confidence in the public police owing to their sub-standard performance. This therefore is responsible for the growth trajectory of PSI. Asomah (2017: 73) asserts that “structural inequalities and gross disparities in wealth in South Africa drives the demand for private security services by those who can afford it”.

The surge in demand for private security services is also impacted by funds allocated to public crime prevention initiative (Kole & Mashiloane, 2017: 53). The funds are insufficient, and they thwart the police initiative of crime prevention. Kole and Mashiloane (ibid) point that the insurance companies’ insistence that the private security consumers should implement sufficient security measures to minimise loss prior to being covered fuel the demand for private security service. Likewise, Asomah (2017: 67) points that the PSI marketing strategy for clients creates a perception of “fear and insecurity” among the rich that there is an imminent threat to their lives, property and or livelihood.

Zimmermann (2014: 66) notes that private security is being used more and more in support of the public police, prisons and also exploit means in a form of devices or services to reduce the possibility of citizens’ crime victimisation. Citizens invest in the services of private security for self-protection. These may include the

installation of burglars, alarms, CCTV cameras and also employment of security guarding.

In his study, Zimmermann (2014: 66-75) discovered that the installation of private security service and or devices indeed correlates to the deterrence of crime. Similarly, Meerhan and Benson (2015: 97) argue that it has been proven that the more resources are allocated to private security, crime level goes down. However, regulations such as licencing or registration requirements limit new companies into the industry. This subsequently compromises the rate of crime – crime increases.

## 2.5 THE POWERS OF PRIVATE SECURITY OFFICERS

The Australian security officers do not have the same powers, rights and obligations (Michelle, 2017: np). This is also applicable to South Africa and many other democracies across the world. Michelle (2017: np) adds that private security officer only has powers to make citizen arrest like any other citizen. When confronted with threatening the situation beyond their power, the security officers are advised to contact the police, which renders them vulnerable to attack. They are not expected to fight back.

The South African security officer, similarly, only has equal powers as private citizen – the security officer may not “break or enter premises, conduct searches, detain, restrain, interrogate, threaten, injure or demand information unless reasonably necessary as permitted by law”. They are allowed to collaborate with the police and assist in investigations (Akoob, 2017: np).

## 2.4 THE DRIVE TOWARDS PRIVATE SECURITY REGULATION

Owing to the vagueness and the powers of private security, Klein and Hemmens (2018: 892-893) highlight that many societies have decided on private security regulation. Many countries enacted the statutes that regulate the PSI for the purpose of “professionalising and legitimising the industry and also as the government’s attempt to control the industry”, concludes Klein and Hemmens (2018: 892-893).

Asomah (2017: 63) points out that the government plays a leading role in legitimising the existence of PSI by partnering with the security actors in some

instances, and also outsourcing some of its responsibilities to the private security sector. Most importantly, they establish regulations for the industry.

As per Drahoši and Krygier (2021: 1), the prime purpose of regulation is to legally establish rules and boundaries for the intended target to control their behaviour. Regulation goes hand in glove with compliance as the envisaged goal is for the targeted group to comply. In an event where the targeted group fails to comply, the regulator make means to enforce compliance. This is the case with private security regulations.

The route to professionalise the PSI is not without challenges. Meehan and Benson (2015: 97) acknowledge that when more resources are allocated to the PSI, crime levels drop. However, it has been mentioned above that the more the stringent the licencing requirements, the harder it becomes for the new entry to the industry, and thereby increases crime level.

Berg and Hewell (2017: 6) indicate that South Africa has a sophisticated regulatory body in comparison with other African countries. This stems from old regime's (pre-democratic rule) effort to professionalise the PSI during apartheid and the continued attempt to professionalise the industry post-apartheid mainly through legislation. The building blocks are in place and a concerted effort to enforce implementation is imperative. The process should begin with preemployment checks to serve the tainted and only allow those who are found to be trustworthy into the industry.

There are myriad challenges characterising the plethora of private security regulations in different countries. The regulatory challenges experienced in one country fundamentally differ to another owing to the historical context of the particular country, political, social, economic structures and developmental agendas of the country.

Koekhoven (2018: np) points out that in order to have a legitimate PSI, security officers should be subjected to suitability checks, and test the integrity of incumbent, and conduct pre-employment screening and vetting of security officers to improve professionalism. The process should include criminal record



checks, background checks, finance checks where appropriate, and psychometric evaluations. The PSCs are, therefore, the gatekeepers.

## 2.5 THE PRIVATE SECURITY INDUSTRY REGULATORY AUTHORITY

The State regulation of the PSI in South Africa manifests in a number of ways (Diphorn, 2016). The regulations are carried out by various state bodies such as PSIRA and Department of Labour (DoL). PSIRA is the primary private security regulatory authority in South Africa. The DoL is concerned with the determination of the employment standard and wages for security companies and SASSETA monitors security training.

The Private Security Industry Regulation Act 56 of 2001 regulates the operations of private security in South Africa. The primary objective of the Act is to “regulate the private security industry and to exercise effective control over the practice of service providers in the public and national interest, thereby, among others; ensuring compliance with existing legislation through monitoring and investigation. Therefore, PSIRA conducts ongoing studies and investigation of the rendering of security services and practices of service providers and deals with evasion, abuse or violation of the procedures or principle as contained in the Act” (South Africa, 2018).

Diphorn (2016: 169) contends that the primary form of State regulation is to ensure that private security service providers registers with the regulator and failing to do so they face criminal charge. PSIRA, according to Diphorn (2016: 169), promotes “zero-tolerance policy” of compliance with the regulation and places the consumer legally in control of ensuring that they only contract with registered PSCs.

Through its law enforcement arm, PSIRA is responsible for following:

- Conducting inspection and investigations to ascertain security officers and security company exploitation;
- Use inspectors to enforce the regulation;
- Prohibits those who fails to comply with registrations to practice;
- Issue fines to those who breaks the law and bar them from re-registering;
- Publish defaulting companies; and

- Enforce the adherence to the code of conduct (South Africa, 2018).

In application of some of the issues, the Act stipulates that it is a criminal offence to render a security service without being registered (South Africa, 2018). This is an attempt to force any potential security provider to register and comply with the regulation. The aim is to control the subjects of PSI to be the law abiding thereby improving their level of professionalism. Some of PSIRA's strategic gains recently, as published in the website include compliance inspections conducted and the publication of a Draft Training Regulations in the Government Gazette to improve training standards (South Africa, 2018).

PSIRA, in its mandate to exercise control over the practise of security service, has the power to consider the application for registration as private security provider and also the renewal of registration where the applicant complies with the requirements. The Authority may suspend or withdraw any application for registration that is not in line with terms of the Act (South Africa, 2018).

The Act places an obligation to any aspiring private security service provider to register the company as security service providers. These include the executive or management of the company and its administrators. To be considered for registration, an aspirant company should not be insolvent and should also meet the infrastructure requirement sufficient render a security service (Berg & Howell, 2017: 35). The following are exclusion clauses:

- The aspirant security businessperson committed a Schedule offence in the past ten years.
- The individual is under investigation of offence under the Schedule as listed in the Act.
- Permanent employees of security service such as State Security Agency (SSA), Hawks, South African National Defence Force (SANDF), Department of Correctional Services (DCS), and SAPS.

At the end of the application process for registration of the private security company, PSIRA issues a registration certificate (South Africa, 2018).

In the event that a private security company fails to register with PSIRA, the company faces a criminal charge. It is important to note that the consumers of

private security are legally obliged to report non-complying companies (Diphorn, 2016: 169).

Diphorn (2016: 169) argues that PSIRA is still haunted by the negative image despite its well-crafted regulation with international acclaim. The authority is seen as what Diphorn (2016: 169) as “toothless bulldog”, incapable of enforcing the regulation, the allegation of corrupt, general lack of compliance and those who complies and “pay fees regularly do not feel represented”. On a positive note, Dzhingarov (2021: np) notes the active role the regulator is taking. There are more and better standards that shape the industry.

## 2.6 THE PRIVATE SECURITY COMPANIES

The primary role of the PSCs is to protect life and property of their clients and also engages in crime control (Asomah, 2017: 61). In other societies, like in Slovakia PSCs form conducts detective work as part of the security system (Dworzecki, 2018: 10).

Generally, the services offered by PSCs range from guarding services, armed response, cash management services, safeguarding embassies, close protection, electronic installations, manufacturing and distribution, locksmith, and goods protection (Kole & Mashiane, 2017: 52; Berg & Howell, 2017: 35), patrols at shopping malls, transport terminals, airports, leisure facilities, etc (Asomah, 2017: 61).

Dworzecki (2018: 10) argues that private security forms an integral part of any security formation. Although this is true in Slovakia as per Dworzecki (2018: 10) assessment, it is also true in many societies. Van Riet (2020: 1) accedes that PSCs are critical security infrastructure.

According to Berg and Howell (2017: 4), South Africa houses the largest number of PSCs and security officers in Africa in terms of numbers and also per capita. As if that is not overwhelming, Asomah (2017: 62) notes that the country has the largest private security sector in the world based on the percentage of the GDP. This confirms that PSCs contribute a significant part of the country's economy (Van Riet, 2020: 2).

It is believed that there are many PSCs operating in South Africa without following PSI's regulatory frameworks. This non-complying PSCs are known as "fly by night" companies. They are generally companies that provide services to clients without complying with the regulatory framework – not registered with the regulatory authority (Kole & Mashiane, 2017: 53). The fly by night companies strive to make "quick money" thereby skipping registering with the regulator for varied reasons. They omit registration to avoid inspections or they would hire the unregistered security officer whom they would pay less than their registered counterparts.

PSIRA is not adequately capacitated to deal with the huge PSI in South Africa, which is dubbed one of the largest in the world (Kole & Mashiane, 2017: 54; Dzhangarov, 2021: np). This point creates complex issues that threaten national security. Although the prime contribution of the PSI is to protect assets and the lives of consumers, it positively contributes to economic upliftment of the society.

An increase in the demand of the private security service means an increase in employment opportunities (Dzhangarov, 2021: np). Dzhangarov (ibid) highlights that South Africa is experiencing new entrance in the private security market owing to an increase in technology application for security solutions.

## 2.7 THE GAUTENG PROVINCE AS AN ECONOMIC HUB IN THE REPUBLIC OF SOUTH AFRICA

Gauteng Province contributes 34.64% of the total GDP of the country. It is the seventh largest economy in Africa (Africa Check 2018: 1-4). Gauteng Province is also the largest in terms of population share. The latest statistical record the Gauteng population at 15 million, which is over 25% of the country's population (Maphanga, 2019: 1-3). Gauteng accounts for a total of 41% of registered security service providers in South Africa, which is 4609 out of a total of 11367. It represents a chunk of PSCs operating in South Africa (Dzhangarov, 2021: np).

While the population growth outgrows the economic output, it creates "disproportionate burden on the economic infrastructure", (Maphanga, 2019: 1-3; and De Kadt, Parker, & Culwick, 2018: 1-4), which encourages economic competition that overburdens the State's ability to fight crime. This is evident in

the 2021 crime rate statistics, which is the highest in the country (SAPS, 2021: np).

According to Evans (2017: 1), the police are not winning the war against crime. The police resources are stretched and budgets limited. The demand for private security services is increasing. Lately, public police robe in private security to assist in crime fighting activities. Furthermore, where the society feels that the State is failing in provision of adequate security, they turn to private security who makes use of security technologies among other to beef up security (Houghton, et al., 2020: 111). Nonetheless, it is puzzling that there are still PSCs that fails to comply with the PSI regulatory framework.

## 2.8 THE THEORIES OF COMPLIANCE AND OF NON-COMPLIANCE

Suffice to say, Govender and Govender (2020: 1) pose an important question on why some PSCs fail to comply with the PSI regulations. Well, the purpose of this study is to analyse whether PSCs comply with the industry regulations.

Furthermore, Govender and Govender (2020: 1) argue that some PSCs do not comply with regulations. The researcher embarked on this research to ascertain the veracity of non-compliance if indeed it is the case. Moreover, the study attempted to answer part of what Govender, R and Govender, D's (2020: 1) ask on why PSCs do not comply.

Braithwaite (2017: 28-29) defines compliance as a deliberate action to do what the authority wants to be done. He further outlines that compliance is an outcome of a regulatory intervention. The regulator therefore expects specific behavioural responds that could be measured. The actors comply with the regulation by acting in the manner that the authority requires. If the actors fail to comply, they are therefore not in compliance but in non-compliance.

The study of private security companies' compliance to private security regulations is novel and it is not covered in literature. However, compliance has been extensively covered across spectrum of literature, in varying disciplines. The key enquiry relates to private security companies' compliance or lack of it to the regulatory framework. The salient concept here forth is compliance.

Compliance is the epitome of good governance. It is widely-used concept in governance, taxes, environmental management, safety sector, health, etc. It should be common usage in private security industry due to the nature of the industry.

There are varying theories that guides the apprehension of compliance. A few compliance theories, which are well covered in literature include the rational choice theory (Kuiper, Chabon, Bruijn, Folmer, Olthuis, Brownlee, Kooistra, Fine, Harrenveld, Lunansky, and Rooijn, 2022: np) and the bounded rationality theory of compliance (Adhitama et al, 2022: 261).

The Rational Choice Theory underpins that an individual rationally makes “favourable or feasibility choice based on preference, taking into account their constraints” in the process (Adhitama et al, 2022: 260). The PSCs rationally make a choice not to register their companies with the regulator if they believe that they would amass profit while unregistered compared to when they are registered. When the company is registered, it is subjected to the regulations that guides the operation of the business. Moreover, the fear to be caught on the wrong side of the law also forms part of rational decision making based on the Rational Choice Theory. An individual chose to break the rules when the benefits of noncompliance are higher (Kuiper, et al, 2022; np). Furthermore, people comply with rules when they fear “certainty of severe punishment” (Kuiper, et al, 2022; np).

The Bounded Theory advocates that the decision-making of an individual is influenced by the cognitive abilities he possesses, the availability of information, and the time constraints of making decisions (Adhitama et al, 2022: 261). The crux here is about the behaviour of the decision-maker as opposed to the decision of the decision maker advocated by the Rational Choice Theory (Jones, 1999: 298). For example, the PSC as a unit of analysis, with the requisite skills and capacity to comply, skilfully avoid compliance due to systems failure or capacity issues or legitimacy of the regulator.

The other theories that helps to apprehend compliance include Sharia compliance (Adhitama, Soediro, Farhan, & Kusumawardani, 2022). The phenomenon of Sharia compliance contents that the Rational Choice Theory and

Bounded Rationality Theory are frameworks of studying Sharia compliance. One of the Islamic Financial System practice, which is fundamental to Sharia compliance is the imposition of zakat on Muslims who meets a certain threshold, “to donate a certain portion of their wealth to charitable causes” (Bin-Nashwan, Abdul-Jabbar and Aziz, 2021: 788-769). Although the potential for zakat is huge, the evidence points otherwise (Yusfiarto, Setiawan, Nugraha, 2020: 15). Not everyone who qualifies complies.

Nguyen, Pham, Le, Truong, and Tran (2020: 65) point out that tax compliance theory is based on three theoretical models, deterrence, economic and psychological models, and behavioural models. They further point that behavioural models are the most significant of the more traditional models. When crafting strategy to encourage tax compliance, the government not only relies on detection and punishment but also on enforcement and positive rewards (Nguyen et al, 2020: 67). Taxpayers are constantly caught in the dilemma that involves the economic benefit of tax evasion practice and the risk of being detected and punished (da Silva, Guerreiro & Flores, 2019: np) and so are the PSCs.

## 2.9 CONCLUSION

It is evidently clear that the PSI has endured a period of exponential growth and the pattern continues. The industry is vast but it has enjoyed less academic attention than it deserves. Maybe, it because of its negative image. There has been a push towards regulations in many societies. However, it is not clear whether regulation is effective. In South Africa, PSIRA is mandated to regulate the PSI, but there is still doubt whether it is succeeding in its efforts. PSCs are better placed to affect the regulation but it is not clear whether they are compliant to the regulations themselves.

With crime level at unprecedented rate, PSI is expected to alleviate the daunting responsibility upon the SAPS' shoulders. This is done by adding visibility and protecting property and lives of those who can afford. This is more important to especially the economic hub of South Africa, Gauteng where crime is rife.

This study purports to examine the compliance or non-compliance of PSCs to PSI's regulatory framework in Gauteng South Africa. In the next chapter, the

research design, research methods and the research methodology used in in this study is discussed.



## CHAPTER 3

### THE RESEARCH DESIGN, METHODOLOGY AND METHODS

#### 3.1 INTRODUCTION

Chapter three introduce the reader to the research design, research methodology and research methods applied in this research study. The chapter details the strategy used and rationale for selecting a particular research approach. In essence, the researcher unpacks the process on how the research question was answered.

The research question for this study is establishing whether PSCs comply to the regulatory framework of the PSI. The focus of the study is limited to the Gauteng Province of South Africa. The research question is cast in a form of a problem statement (Johnson, Adkins, & Chauvin, 2020: 139) where problem statement is an expression of the researcher's rationale for conducting the study.

Once the researcher has formulated the research question or problem statement (Williamson and Johanson, 2018: 149), he/she utilises it as a guide of the inquiry (Sovacool, Axsen & Sorrell, 2018: 13; Williamson and Johanson, 2018: 149). The process is followed by drafting a framework or a blue-print, which is an action plan to deliver on the research project.

The research design is the strategy that is used to answers the research question. The strategy encompasses the philosophy, methodology and the methods of delivering in the research project (Tie, Birks, & Francis, 2019: 1).

Likewise, Williamson and Johanson (2018: 150) refer to the research design as a link between the aim, the research question, research methods and research techniques to deliver on the research outcome. It is an architectural process that researcher pens down to provide a guideline for research. It provides the who, how, what, where, and when of research.

Williamson and Johanson (2018: 129) contend that research methodology, research methods and research design are poorly understood. The concepts therefore warrant a brief description. Whereas a research design is the overarching strategy, research methodology provides the logic of conducting a

research project and research methods are specific techniques that are used to collect data. The concepts are further discussed next and they are applied in this study.

### 3.2 THE RESEARCH DESIGN

Lune and Berg (2017: 33) define the research design as a plan crafted by the researcher to deliver on a research project. It details how the study will be conducted. It infers that the researcher deliberately designs a plan to answer the research question.

The research design provides the direction on where the researcher should focus to answer the research question (Sovacool, Axsen & Sorrell, 2018: 13). Lune and Berg (2017: 33) precisely liken research design as “choreography that establishes the research dance”. They add that the research design is “imagining and visualizing” how research study would be undertaken. It involves “conceptualisation of the study project and operationalisation of data collection to a testable proposition”.

The research design encompasses the selection of the right tools to answer the research question. These include how collected data would be measured, where data are collected, and how the data analysis would unfold (Lune & Berg, 2017: 33; Sileyew, 2019: 2). The research design is therefore concerned with the selection of an appropriate methodological framework or guidelines to follow and the selection of research methods, which are tools for data collection.

Guided by the foregoing, the researcher opted on a qualitative research study to answer this complex issue of PSCs’ compliance or non-compliance to the regulatory framework. It is complex in a sense that it is not easy to adjudge the magnitude of compliance owing to the unavailability of data that point to it.

The researcher selected the phenomenological framework to guide the study in order to decode as much lived experience of actors in the PSI as possible. This leads to the understanding of the complexities and challenges that characterises the industry. The researcher collected data from industry actors through research interviews in Gauteng Province and also visited documentary sources relevant to the subject matter.

From the data collected from participants, the researcher transcribed the data into manageable information. Themes emerged which were guided by the research question and the interview questions.

In a nutshell, the researcher decided on the qualitative research method following the phenomenological methodological framework. The researcher used the research interviews and documentary sources to collect data. The targeted population were the PSI actors, especially the leaders, managers and experts.

### 3.3 RESEARCH METHODOLOGY

As pointed above, the research design is the overarching plan on how the study is conducted. It also points to the methodological framework to be applied. Research methodology is an overall logic of conducting the enquiry the way it should be. It is a set of assumptions that underpins the basis for conducting the research enquiry and the rationale of selection and application of research methods. It is a broad approach to scientific enquiry. The researcher selects a suitable research methodology in accordance with the research question (Williamson & Johanson, 2018: 129).

The research question influences on the decision for selecting the suitable research methodology (Mohajan, 2018: 7 and Liamputtong, 2020: 6), which subsequently informs the selection of research methods.

Liamputtong (2020: 6) maintains that in a qualitative research setting, the research justifies the rationale for selecting a particular research methodology. There are countless methodological frameworks advocated by many researchers. Among others, Liamputtong (2020: 4-7) identifies seven methodological frameworks. Although the list is not exhaustive, he concedes that there are more. Methodological frameworks include ethnography, phenomenology, symbolic interactionism, hermeneutics, feminists, post-modernism, and decolonising and indigenous methodology.

Similarly, Mohajan (2018: 7) recognises narrative research, phenomenology, grounded theory, action research, case study, ethnography, historical research, and content analysis. Phenomenology appears in both Liamputtong (2020) and Mohajan (2018). This is the methodological framework that guides this inquiry.

Mohajan (2018: 7) maintains that phenomenology is an approach tailor-made to explore the subjects' lived experience. Likewise, Liamputtong (2020: 6) posits that phenomenology is a "theoretical perspective that attempts to generate knowledge about how participants experience things", that is, the participants' lived experiences.

The rationale for choosing phenomenological research methodological framework is to allow the researcher to dissect the individual's perspective and the worldview and to unearth the elusive phenomenon that is perhaps "known" but not conclusively (Turhan, 2019: 125). The phenomenon is the PSCs' compliance or non-compliance to the private security regulatory framework.

Unlike with other methodological approaches, such as the grounded theory approach, which aims to generate theory that is grounded on data (Tie, et al, 2019: 2), phenomenology is in sync with the approach to this investigation because it focuses on the participants' experience in relation to compliance to the regulatory framework.

The researcher collects data through open-ended interviews to collect data that assist in understanding the challenges and complexities of ensuring that the PSCs compliance with the regulatory framework, the enforcement of compliance and the mere compliance by companies. Moreover, it is worthy to note that phenomenology is widely used research methodology framework for qualitative research studies (Liamputtong, 2020: 6). It is a methodological framework that uses research methods such as in-depth interviews as a means to data collection to harness the vast information or knowledge of the participants, which fits perfectly to this research inquiry.

The researcher conducted in-depth, semi-structure face-to-face interviews with participants to allow them to express their knowledge, lived experience and expertise as much as possible. The research questions are formatted only as a guide but allow the participants to express themselves.

### 3.4 THE RESEARCH METHODS

Research methodology and research methods are significantly different although they appear to be similar. Whereas research methodologies are the broad

framework of guiding the research study, the research methods are specific techniques used to collect data in a research process. The research methods are narrower and focused. Research methods are concerned with processes, procedures and techniques that are used to collect data (Liamputtong 2020: 6).

Savacool et al. (2018: 18) spot two “classes” of research methods, namely quantitative and qualitative. The methods are categorised according to their characteristics, e.g. quantitative research methods use surveys, statistics, and modelling, etc to collect data, while qualitative methods are exploratory and in search of in-depth information. Therefore, exploratory data collection methods such as interviews are suitable for this type of research methods.

The research in this study uses in-depth and open-ended interviews as an instrument to collect data. Although, other techniques, such as documentary studies are also part of data collection, the researcher heavily relied on the lived experiences or the participants.

The researcher opted for the interview to allow participants, particularly as they are directly involved in the industry, to provide rich and detailed experience as it unfolds in their lives. Other methods, especially quantitative would not provide comprehensive and detailed picture of the challenges of compliance as experienced by industry stakeholders. Furthermore, the selected research methods are in line with the methodological framework as discussed earlier.

Once the methodological framework and the methods were identified, the researcher identified a sample of participants where data were collected.

### 3.5 POPULATION SAMPLING

According to Williamson and Johanson (2018: 360), it is impractical for the researcher to cover the whole population for a research project. The researcher selected a sample, which represents a whole (population). A population is a group sharing common set of traits (Gray, 2018: 208 & Williamson & Johanson, 2018: 361).

The owners of PSCs, employee unions, employer unions, inspectors, researchers all share the same interest in the PSI. These actors were carefully

selected based on their knowledge, expertise and experience to share their lived experience in relation to the research topic.

The owners of PSCs are key stakeholders in ensuring regulatory compliance to the private security regulatory framework. When companies comply with the regulations, their subjects are likely to comply. The rationale of selecting the PSCs owners enables an account on the lived experience and the challenges and opportunities of complying with the regulations.

Similarly, the PSIRA inspectors provides an in-depth account of the challenges they encounter when conducting audits and enforcing regulatory compliance. They are therefore central to enforcing compliance. The rationale for selecting industry expert is an attempt to uncover, confirm or refute the assumption that the PSCs do not comply with the PSI regulatory framework.

The respondents are selected to generate robust, rich and deep level understanding of the phenomenon being studied (Gray, 2018: 208), which is PSCs' compliance or non-compliance to the PSI regulatory framework. The participants are purposefully selected to yield "in-depth understanding of specific cases" (Williamson & Johanson, 2018: 374), whether in enforcing or complying to the regulatory framework.

Sampling is done through non-random (non-probable), purposeful selection of participants (Teherdoost, 2016: 200). For clarity sake, random sampling is where every item in the sample has a chance of being selected as a sample, while in non-random sampling a conscious decision of the item to include in a sample is taken; hence purposive sampling (Teherdoost, 2016: 22). The researcher purposefully selected the participants rather than random.

Gray (2018: 208) implores that for quantitative methods, random sampling is ideal as it strives to a truly representative sample of the group under investigation. In qualitative research, particularly in this project, a non-random and purposive technique of sampling is preferred. The rationale for selecting non-random technique is to allow the researcher to collect a vast amount of data from carefully selected samples based on their expertise and knowledge.

### 3.6 DATA COLLECTION

In the process of unearthing the lived experience of the targeted population, which are PSCs bosses, PSI experts, the regulatory enforcers and private security unionists, the researcher collected data through research interviews and documentary sources. The participants are sourced to express the complexity of their experiences in the expedition of their duties in encouraging and enforcing compliance with the private security regulatory framework. Therefore, data are collected from the participants in a form of in-depth semi-structured one-on-one interviews and documentary sources.

The semi-structured and in-depth interviewing method was preferred in order to syphon expertise of lived experiences of the participants (Sileyew, 2019: 5). Other data sources such as documents in the form of PSIRA's annual reports, crime statistics and institutional websites were also visited to collect recent trends characterising the PSI.

#### 3.6.1 Research interviews

According to Gray (2018: 378), an interview is a “verbal exchange of information” where one person asks the questions to another in an attempt to acquire information about another’s understanding of their lived experiences in accordance with phenomenology framework. The researcher or the interviewer asks questions to participants that are in line with pre-planned questions but also allow the participant to substantiate or the interviewer probe further where necessary to solicit in-depth information.

While COVID-19 pandemic has changed the landscape of social human interaction, it has certainly affected the way research interviews are conducted. It has among others, limited face-to-face inter-actions thereby hampering or reducing data collection by means of face-to-face interviews.

Data collection has since moved to other form of data collection, which include telephonic interviews, video conferencing and other internet-based methods. Online video platforms are becoming a norm in many countries (Lobe, Morgan, & Hoffman, 2020: 1-2). This was the case with some of the interviews. Online platforms and written responses were accommodated where possible.

It is important to note that the interview methods of data collection manifests in three forms, structured, semi-structured and unstructured interviews. The structured interview refers to the interview type where questions are pre-determined before the start of the interview. All participants are asked the same questions with similar wording. This type of interviewing method is predominantly used in a quantitative setting (Gray, 2018: 380-383).

The semi-structured interview questions are used in a predominantly qualitative setting where the researcher could ask for clarity or add unscheduled questions to obtain further clarity from the participant. The intention of the semi-structured interviewing method is to understand the lived experiences of the participant (Gray, 2018: 380-383).

The researcher used the one-on-one semi-structured interview, which created an enabling environment where the researcher could solicit deep understanding of the lived experiences and also to ask follow-up on the answers as the interviews unfold.

The researcher prepares questions before hand and pose them to the participants. The researcher obtains consent prior to the scheduled interview and confirm that the interviewee's words are treated as "on the record and for the record", and the agenda is set by the interviewer (Gray, 2018: 378).

The researcher asks the participants the questions in relations with their lived experiences. The framing of the questions is tailored to solicit rich data in accordance with the participant experience and exposure. The PSIRA inspectors are asked about challenges they face when conducting compliance inspection or audits and enforcing regulatory compliance. The participants are probed and encouraged to detail their lived experiences.

### 3.6.2 Documentary study

The documentary study is another method of data collection in qualitative research. This research method is particularly adequate where observation and interviewing are impossible. Documentary source may be in a form of government publications, official statistics, newspaper and magazines, records of meetings letter, memos and diaries are all documentary source sources of



data. PSIRA's annual reports and the activity reports securely stored in their website serves as documents that complements the data collected during interviews. Furthermore, governmental statistical reports from Statistics South Africa (Stats SA), crime reports from SAPS and relevant sources from the library and through internet is solicited (De Andrade, Schmitt, Storck, Piccoli, & Ruoff. 2018: np).

The documentary study in this study is used as a technique of collecting information to broaden the scope of the investigation and provide the richness that comes with the documents as a primary source of information. It is a primary source of data because it contains material that have not gone through analysis as opposed to literature, which has gone through analysis (De Andrade et al, 2018: np). De Andrade et al. (ibid) caution that the researcher should take a conscious approach to ensure the authenticity and the trustworthiness of the documents as a source.

Although Lowe, Norris, Farris and Babbage (2018: 192) acknowledge the importance of data saturation in qualitative research, this is not the case in this study. Data saturation implies that once the researcher no longer discovers new data to answer the research question, data saturation is achieved. However, in this phenomenology approach, achieving data saturation is not a prerequisite. Rather, the researcher conducts a few in-depth interviews with participants who provide a rich and deep understanding of the phenomena in question. This also applies to documentary sources.

### 3.7 DATA ANALYSIS, DATA INTERPRETATION, AND REPORTING

Once data are collected, the researcher embarks on data analysis to make sense of the vast amount of data. The analysis of data is the process following data collection where the researcher sorts and categorise field notes and interview transcripts into a meaningful way (Williamson, Given, & Scifleet, 2018: 453).

#### 3.7.1 Data Analysis

The process involves transforming a volume of data into a clear, understandable insightful, trustworthy and original analysis through reading and rereading of data. It is widely accepted by many researchers that data analysis does not only

commence when the process of data collection is completed – it is continuous (Williamson et al., 2018: 454-454; Liamputtong, 2020: 251-252).

Liamputtong (2020: 251) identified five approaches to data analysis, namely content analysis, thematic analysis, narrative analysis, discourse analysis and semiotic analysis. The thematic analysis is applicable to this enquiry. It is a method of data analysis that is used to identify, analyse and interpret patterns of meanings in qualitative data. The researcher reads the interview transcript to make sense of the data (Liamputtong, 2020: 26). Following the reading, categorising and classification of data, themes that forms the basis narration emerge.

### 3.7.2 Data interpretation

The researcher interprets the results of the study and provides recommendations in the last Chapter of the study. The researcher came with a rigorous examination and explanation of how the dots connects. The researcher explains how the study answers the research question (Johnson, et al. 2020: 143).

### 3.7.3 Reporting

Johnson, et al. (2020: 144) assert that the key to quality reporting of qualitative research results are clarity, organisation, completeness, accuracy, and concise in communicating results to the reader. These elements are essential in this study. Furthermore, the quality of this research should be adjudged by its trustworthiness and rigour.

## 3.8 EVALUATION OF QUALITY

Mandal (2018: 591) notes that although the traditional criteria of evaluating quantitative research are reliability, validity and generalisation, these are not always applicable to qualitative research, which is interpretative. He points out that although the qualitative researcher has different views on evaluation criteria, he highlights that there is a general sense among researchers that the work of the researcher should be trustworthy and demonstrate rigour and relevance.

### 3.8.1 Trustworthiness

The researcher is adamant to prove the quality of this research inquiry. It is therefore unequivocally essential to prove trustworthiness of the study. To

achieve quality, the researcher adopted criterion advocated by Lincoln and Guba, which is used to adjudge the trustworthiness of the research. The elements of this yardstick for trustworthiness, which equates to validity in quantitative study, are credibility, transferability, dependability, and confirmability of the finding (Johnson, et al., 2020: 141, Korstjens & Moser, 2019: 121 & Mandal, 2018: 591).

a) Credibility

The researcher makes certain that the findings of this study are accurate and are supported by evidence (Johnson, et al. 2020: 141). The reader should be able to make sense of the outcome and believe it. The findings should reflect the outcome of the research process (Mandal, 2018: 591-596).

A further yardstick applicable to fortify the credibility of the findings is through the application of research technique such as triangulation and member checking, which are commonly used in qualitative research to establish rigour and trustworthiness. The other yardstick for credibility is achieved through the techniques such as member checking, triangulation and committing to longer interview sessions (Korstjens & Moser, 2019: 121).

In addition to using multiple data sources, such as interviews and documentary sources, which fits with triangulation, the researcher affords the participants the opportunity to verify the content of the interview – whether they are the true reflection of what transpired and member checking (Johnson, et al., 2020: 141-143). It is important to note that the longer interview session assists in getting in-depth information from the participants (Korstjens & Moser, 2019: 121).

b) Dependability

Another yardstick for trustworthiness of the research project is adjudging dependability. This is whether the aspects of research in a form of analysis, methodology are consistent with accepted standards or not (Korstjens & Moser, 2019: 121).

The researcher strives to achieve the research dependability by detailing the study process adequately to the point that if the same processes are applied over

again they possibly would achieve similar results (Johnson, et al., 2020: 141). Dependability is further fortified by proper documentation of data, selecting proper research methods, and taking proper decisions about the research methodology and research design (Mandal, 2018: 591-596).

c) Confirmability

The researcher ensures confirmability through supporting and substantiating information gathered through data sources and not the researcher “interpretation or biases” (Johnson, et al., 2020: 141). The researcher allows the data to speak not in accordance with the researcher’s subjective viewpoint (Korstjens & Moser, 2019: 121)

d) Transferability

To achieve transferability, the researcher provides a detailed context about the mode of data collection to allow the reader to adjudge whether the findings are applicability to other research settings (Johnson, et al., 2020: 141).

### 3.8.2 Rigour

As rigour is also crucial in the determination of research quality. Mandal (2018: 592) asserts that rigour represents the process of arriving at the results. The researcher ought to detail the process and the rationale of selecting methods and methodologies to meet rigour as evaluation criteria.

The researcher here applies peer review and triangulation to critique the research methods and validate the conclusion drawn (Johnson, 2020: 143). Rette, Prett, Spichiger, Freii, and Spichiger (2018: 492) argue that transparency in research methods is critical to allow the reader to establish how rigour was complied with.

### 3.5.3 Reflexivity

Another means of fortifying the credibility of research study is for the researcher to apply a reflexivity throughout the research process. According to Korstjens and Moser (2019: 121) and Rette et al (2018: 491), it is imperative for the researcher to be “self-aware to avoid biases” in conducting research. The

researcher should acknowledge his/her pre-conceived assumption during data collection, analysis and interpretation.

To assure the reader of efforts to avoid bias, the researcher supplements every step with reflexive note, e.g. about interview settings, rapport, etc. to avoid what Rette et al. (2018: 490-491) dub as “observer’s paradox”. This allows the researcher to be conscious of his/her biases and helps to improve the quality of the research findings.

### 3.9 ETHICAL CONSIDERATIONS

This study applies interviewing research method and the use of documentary sources as the means to collect data. In the process, the researcher conducts one-on-one interviews with participants. Qualitative researchers use individual or group experiences through interviews, documentary analysis, observation, etc. to understand the social reality (Haradhan, 2018: 2; Liamputtong, 2020: xi) of participants.

The researcher therefore embarks on research with heightened consciousness to ethical considerations. Ethical considerations in research are important because they strive to ensure that the human participants are protected against any harm. Furthermore, ethical considerations are concerned with ensuring that the reporting of data is honest, of high integrity, takes active responsibility and also takes the professional conduct of the researcher into consideration (Arifin, 2018: 30 & Rette, et al, R. 2018: 490-491).

Among factors that requires ethical considerations are informed consent, anonymity and confidentiality, and ethical approval and access to participants. (Arifin, 2018: 30).

#### 3.9.1 Informed consent

The research sample is composed by mainly competent participants who have the ability to adjudge what is right and wrong. The research affords the participants an opportunity to participate in the study by providing the detailed purpose of the research and allow them to choose whether to participate or not. The participants provide a written consent to continue participation in the

research study. The participants are also informed about the freedom to withdraw at any stage of the process (Arifin, 2018: 30; Lune & Berg, 2017: 46-48).

### 3.9.2 Anonymity and Confidentiality

The participants need to confide in the researcher that their identity would be protected. The researcher assures the participants that their identity would not be revealed in the process of collecting data, analysing data and during reporting of the study findings. This ensures that the participants take the researcher into confidence that they would not harm them in anyway. This means that their names would not be revealed at any stage of research (Arifin, 2018: 30; Lune & Berg, 2017: 46-48). The researcher further ensures that the suitability of venue for interviews prior interviews to ensure that privacy is maintained. This also assists in building the integrity and the credibility of the research process (Arifin, 2018: 30).

### 3.9.3 Ethical approval and access to participants

As part of this research study, the researcher is required to obtain ethical clearance from the University of South Africa's (Unisa) Research Ethics Committee. This ethical clearance gives permission to the researcher to proceed with soliciting participants owing to the promise of acceptable ethical considerations (Arifin, 2018: 31).

### 3.9.4 Data Protection

The protection of collected data also adds to ethical considerations. The researcher stored the interview transcripts in a password protected computer. The researcher, through a password, is the only person who has access to the transcripts. The written data are stored for at least five years and disposed thereafter if there is no longer a need to keep them. The final product would be submitted to Unisa via supervisor for safekeeping and dissemination (Arifin, 2018: 30).

## 3.10 CONCLUSION

It is evident from this chapter that the scientific process of qualitative research requires calculated and well-informed research design to arrive at the accurate and believable findings. The research design encompasses the totality of the plan to follow in researching a specific phenomenon. This includes the selection

of suitable research methodology and research methods. This implies that the tools for data collection should be carefully selected in order to arrive at accurate findings.

This study followed a phenomenology methodological framework, which strives to unearth the lived experience of the targeted population. The researcher opted for one-on-one interviews with participants and also documentary analysis of data in relations to the subject matter. Private security industry experts, private security company owners, and PSIRA officials as the targeted population of this research.

Furthermore, the collected data is scrutinised and interpreted to make sense of it. This process is extensive and circumscribes the categorisation and thematization. The researcher uses the tools for adjudging quality in a form of whether the study meets trustworthiness, rigour and reflexivity. Most importantly, data collection should meet the approved ethical standards as they deal with direct human interaction.

## CHAPTER 4

### PRESENTATION OF RESEARCH FINDINGS AND THE ANALYSIS OF COLLECTED DATA

#### 4.1 INTRODUCTION

This chapter deals with the presentation of findings and the analysis of collected data. The researcher collected data through in-depth, semi-structured interviews with research participants and the consultation of documentary sources. The purpose of this chapter therefore is to bring forth the collected data to the audience and make sense of what it means.

The researcher collected data via face-to-face and semi-structured interviews with carefully selected participants. Furthermore, the researcher consulted documentary sources to pitch the context and provide supporting data in the form of statistical data, annual reports and policy documents to augment the collected data. Therefore, the researcher purposefully selected participant who have expertise, experience and knowledge of the field of study to impart lived experience, which could share a light of the status quo of the industry's compliance or non-compliance to the industry's regulatory framework particularly in Gauteng, South Africa.

It is imperative to highlight henceforth that the study was conducted in the era of COVID-19 pandemic where face-to-face contacts were restricted. However, as COVID-19 restrictions were reduced, face-to-face contact with participant grew exponentially.

Moreover, the sensitivity of the topic also presented a challenge to the researcher because the envisaged participants turned down the invitation for obvious fear of exposing their companies' compliance status (for fear of retribution) or subsequent victimisation although they were informed beforehand of the confidentiality of their identity once they participate. So, not many targeted participants consented to participate.

In keeping in mind with the prime purpose of the research, which is to either confirm or refute the assumption that PSCs do not comply to the industry's regulatory framework, the interviews were conducted at the venues selected or



preferred by the participants. The compliance yardstick for private security business includes the following:

- To register a security business with PSIRA; and
- To comply with all the regulations as stipulated in the Private Security Regulations Act.

The COVID-19 restrictions largely influenced the mode of conducting research interviews. The interviews were either face-to-face (physical presence) or through virtual platforms such as Teams, Jitsi, or Zoom. The interviews were recorded either through a voice-recorder, handwritten notes or participants answering or responding to written questions.

The researcher opted for phenomenological approach to the study in order to impart as much lived experience as possible. This research's methodological paradigm advocates for an in-depth interview that seeks to explore the subjects' lived experience. The researcher's purposeful selection of participants informed the sample of research. Furthermore, relevant documentary sources were consulted.

The findings are presented in five sections. Section A presents the biographical data of research participants. Section B details the documentary sources. Section C provides the profile of the research site, Gauteng. Section D assists in structuring the presentation of the findings. Section D provides in-depth analysis of collected data.

#### 4.2 SECTION A: BIOGRAPHICAL DATA

Section A presents the biographic data of all participants. These data assist in determination of the relevance of the research participant. Table 4.1 illustrates the details of participants biographic data.

Table 4.1: Biographical data of participants

Participants	Qualification	Experience	Job Title	Gender	Age
a	b	c	d	e	f
P1	Matric	30 years	National Administrator	Male	73
P2	B Tech (Forensic Investigation)	11 years	Provincial Manager	Male	49
P3	Bachelor of Commerce	15 years	Senior Inspector	Female	40
P4	BSc (Geology)	6 years	Director	Male	32
P5	LLB	26 years	Lead Protection Officer	Male	46
P6	Matric	32 years	Supervisor: Physical Security	Male	56
P7	National Diploma: Security Management	30 years	Manager: Physical Security	Male	53
P8	LLB & Hon in BA Criminology	10years	Researcher	Male	38

Table 4.1 presents the biographical data of all participants, which is composed of participants, qualification, years of service, gender, and age. Participants are owners/managers/supervisors of PSCs, PSIRA inspectors/investigators/researchers/legal officers, and other stakeholders in PSI such as employer unions (SASA) in Gauteng.

The participants' qualifications, years of service, and age provide an indication of experience, skills, expertise and maturity. The genders of participants are reflected although only one female participant could be sourced and rest are males. It is evident that the industry continues to be dominated by the male gender.

The total composition of participants consists of eight participants from various targeted institutions or companies. Participants were carefully selected based on their expertise, knowledge and experience. The participants composition includes an Administrator (national), Manager (provincial), Senior Inspector, Director, Lead Protection Officer, Supervisor, Physical Security Manager and a Researcher.

The response rate was satisfactory considering the scepticism that characterises the industry. Many prospective participants did not respond to invitation to participant to research interviews. Others did not think that they are in position to participate. Those who participated where open-minded and dished out invaluable contribution to the study.

Invitation to participate in the research interviews were send via emails, telephonic or physically at their place of work. Some prospective participants were recruited from the sample. The participants were selected because of their intimate knowledge and experience in the subject matter.

The researcher targeted 20 participants for interviews. Of the 20 invitations which were send out, only eight responded to the invitation.

#### 4.3 SECTION B: DOCUMENTARY SOURCES

The researcher visited documentary sources, which are mainly policy documents, PSIRA's annual reports, SAPS statistics, SARS reports and other activity reports that complements and substantiate data collected during interviews.

#### 4.4 SECTION C: GAUTENG PROVINCE

This research is constricted to Gauteng Province in South Africa. Gauteng is the economic hub (province) of South Africa. It also has the highest crime rate. The province amasses 34.64% of the total GDP compared to other eight provinces of South Africa. Comparatively, the Gauteng economy is the seventh largest economy in Africa.

Gauteng Province has the largest population share but it is the smallest in spatial diameter, 18182 kilometres square. It houses a population of approximately 15,9 million inhabitants, which is as a quarter of the country's total population share (Document 6). The rest of the three quarter of the population is divided among the eight other provinces in South Africa.

According to Quarter 2 of Quarterly Labour Force Survey, Gauteng Province unemployment stands at 42,7% inclusive of expanded unemployment rate (those

who gave-up looking for employment). The high level of unemployment compounds the already high crime rate in the province (Document 4).

SAPS concede that the crime rate in Gauteng is uncontrollably high. According to the latest crime statistics, contact crime is rife in the province compared to other provinces. Figure 4.1 illustrates crime rate in Gauteng in comparison to the rest of the country.

Figure 4.1: Gauteng Province crime statistics vs South Africa crime statistics

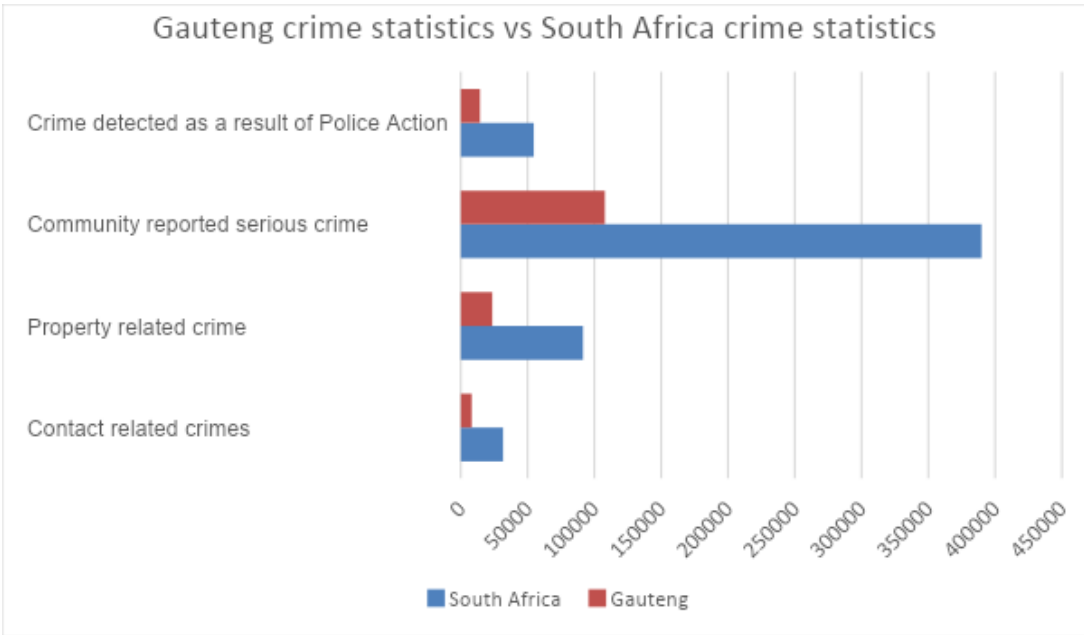


Figure 4.1: Crime statistics: Gauteng vs South Africa (Document 5)

Figure 4.1 delineates Gauteng as the crime capital of South Africa. The contact related crimes, which refers to crime that occurs to the closest proximity of the victim, is high in Gauteng. These crimes include crime such as arson, malicious damage to property, etc. These types of crimes cannot be easily dealt with by SAPS but private security provides protection.

Similar type of crime such as burglary, theft of motor vehicles, stock-theft are rife country-wide. Gauteng' share is visible in these crimes. Crime rate creates a breeding ground for mushrooming private security company.

In competing for clients with well-established and compliant PSCs, unscrupulous private security businesses operating illegally circumvent regulations to maximise profit. These therefore puts the consumers of private security at risk.

Non-complying security business also poses risk to national security. It is the mandate of PSIRA to ensure that security service providers are kept under control, and they comply to the industry's regulations.

#### 4.5 DATA ANALYSIS: THEMATIC ANALYSIS

Once data has been collected. The researcher embarks on data analysis to make sense of the collected data. The researcher reads the interview transcript to make sense of the data (Liamputtong, 2020: 26). The researcher opted for thematic analysis method of data analysis, which is used to identify, analyse and interpret patterns of meanings in qualitative data. Braun and Clarke (2020: 5) emphasises that the analytic process involves the “immersion of the researcher in data, reading, reflecting, reflecting, questioning, imagining, wondering, writing, retreating and returning”. Following the reading, categorising and classification of data, themes are formed. Themes are “patterns of shared meaning, which captures multiple observations” (Braun & Clarke, 2020: 13-14).

Xu and Zammit (2020: 2) point that there are different approaches to thematic analysis. Braun and Clarke (2020: 6) identifies coding reliability, codebook, and reflexive variation as some of the approaches to thematic analysis. They point out that it is paramount for the researcher to clearly demarcate the approach that they are following (Braun & Clarke, 2020: 8). The approach followed in this study is reflexive variation.

In Reflexive Thematic Analysis, the researcher brings the subjectivity skills to the process. The process is not rigid and it embraces the qualitative values. Coding is not rigid unlike coding reliability, which usually uses inter-rater for reliability and codebook, which make use of a structured coding framework for analysis. The research interacts with data (Braun & Clarke, 2020: 6-7). Reflexive thematic analysis is not linear, it does not follow pre-determined steps, but the researcher engages with data and the process (Trainor & Bundon, 2021: 712).

Once the data has been collected, the researcher followed Braun and Clarke’s approach as depicted by Xu and Zammit (2020: 2). The researcher generated initial codes, searched for themes, reviewed themes, defined and named themes, and put the report in writing. The researcher came up with the following themes:

- The elements that constitute private security business;
- PSIRA’s ability to effect control over the PSI;
- PSIRA’s capabilities or lack of it;
- The magnitude of non-compliance; and
- How does the future of PSI look-like.

Nonetheless, the steps were not followed religiously as the researcher had to engage with the data back and forth (Trainor & Bundon, 2021: 712). The researcher conducted research interviews with PSCs’ managers, supervisors, PSIRA Inspectors, management and policy officers to ascertain whether PSCs comply with the PSI regulatory framework in Gauteng, South Africa. The researchers pitted research questions with research objectives and research interviews to decipher the data as provided by the research participant. The outcome of analysis are the themes depicted above. The following section illustrate data analysis and the themes that emerged.

4.6 SECTION D: PRIVATE SECURITY COMPANIES’ COMPLIANCE TO THE PRIVATE SECURITY INDUSTRY’S REGULATORY FRAMEWORK

Table 4.2 illustrates the research questions of this research study, the research objective and the research questions posed to the participants to solicit answers that would provide answers to the research questions.

Table 4.2: Research questions, objectives and interview questions

Research questions	Research objectives	Research interview questions
What are the requirements for PSCs to comply with the private security regulatory framework and are they in compliance?	To establish whether the current private security service providers are registered with PSIRA.	What constitute a private security company according to you? What do PSCs do?

		<p>What do you think are reasons for one to establish a private security company?</p> <p>Who qualifies to open and own a private security company?</p> <p>What is the procedure to be followed to establish a private security company?</p>
What are the negative impacts of PSCs non-compliance?	To determine whether PSIRA conducts inspections on all current private security service providers to ascertain compliance.	<p>How are non-complying PSCs policed?</p> <p>How does PSIRA ensure that the PSCs comply to the regulatory framework?</p> <p>How is Security Association of South Africa (SASA) assisting in ensuring/encouraging that its members (companies) comply to the regulatory framework.</p>
What are the measures taken by the Regulator to enforce compliance?	To determine whether PSIRA enforces compliance as per regulatory framework.	What is the role of Private Security Industry Regulatory Authority (PSIRA)?
What are the sanctions for non-complying PSC?	To establish the action taken on non-complying private security service providers.	<p>Are the measures crafted to sanction the non-complying PSCs effective?</p> <p>How does PSIRA ensure that the PSCs continue to comply with the private security regulatory framework and the other labour relations legislations?</p>
How prevalent is non-compliance to PSI's regulations by PSCs in Gauteng, South Africa?	To ascertain the magnitude of non-compliance in Gauteng	<p>What is the magnitude of non-compliance?</p> <p>How is PSIRA doing in its responsibilities - Is PSIRA effectively equipped to deliver on its mandate – performance?</p> <p>Is PSIRA adequately capacitated to deal with non-compliance?</p> <p>What could be done to improve PSIRA's performance?</p> <p>How does the future look like for professionalising the PSI?</p>

The following research questions are the basis of this research study:

- What are the requirements of the PSCs to comply with the private security regulatory framework and are they in compliance?

- What are the negative impacts of PSCs non-compliance?
- What are the measures taken by the Regulator to enforce compliance?
- What are the sanctions for non-complying PSC?
- How prevalent is non-compliance to PSI's regulations by PSCs in Gauteng, South Africa?

In answering the above research questions, the following research objectives will be achieved:

- To establish whether the current private security service providers are registered with PSIRA.
- To determine whether PSIRA conducts inspections on all current private security service providers to ascertain compliance.
- To determine whether PSIRA enforces compliance as per regulatory framework.
- To establish the action taken on non-complying private security service providers.
- To ascertain the magnitude of non-compliance in Gauteng.

The researcher posed the following interview questions to the participants to solicit their lived experience in respect of the question asked. The participants response assists in answering the research question subsequently achieving research objectives:

- What constitutes a private security company according to you?
- What do PSCs do?
- What do you think are reasons for one to establish a private security company?
- Who qualifies to open and own a private security company?



- What is the procedure to be followed to establish a private security company?
- How are non-complying PSCs policed?
- How does PSIRA ensure that the PSCs comply to the regulatory framework?
- How is Security Association of South Africa (SASA) assisting in ensuring/encouraging that its members (companies) comply to the regulatory framework?
- What is the role of Private Security Industry Regulatory Authority (PSIRA)?
- Are the measures crafted to sanction the non-complying PSCs effective?
- How does PSIRA ensure that the PSCs continue to comply with the private security regulatory framework and the other labour relations legislations?
- What is the magnitude of non-compliance?
- How is PSIRA doing in its responsibilities – Is PSIRA effectively equipped to deliver on its mandate – performance?
- Is PSIRA adequately capacitated to deal with non-compliance?
- What could be done to improve PSIRA's performance?
- What do the future looks like for professionalising the PSI?

To achieve the research objectives, the researcher solicited participants' lived experience by posing interview question. The first question posed to participants was to explain their understanding of what constitutes a PSC. To understand the requirements PSC needs to meet to comply with the regulatory framework, the interview question aims to establish an understanding of the elements that compose a PSC. Therefore, the research objectives are links to the research

question of determining the requirement for PSCs to comply with the private security regulatory framework.

The next interview question is an extension of the first question with the similar research objective that is ties to the same research question. The question posed to the participant what does the PSCs do? The purpose of the question was to obtain clarity on what the role of PSCs are.

Further interview questions that was posed to the participants, which also ties to the same research question and the expected research objective, was to find out the rationale for one to open/establish a PSC, and who qualifies to establish one, and the procedures that one follows to establish a PSC.

The second research objective is to determine whether PSIRA conducts inspection on all current PSCs to determine compliance to the regulatory framework. Non-compliance to the PSI regulatory framework could have some repercussions. The research objective ties to the research question on whether there are negative impact deriving for non-compliance to the regulatory framework. The interview questions posed to the participants to address the research question were to determine how the authority polices the non-complying companies, ensures that they are compliant and how other institutions such as SASA assist in influencing compliance.

The next research question was to ascertain the measures that the Regulator applies to enforce compliance. These measures are important to arrive at the research objectives of determining whether PSIRA enforces compliance as per the regulatory framework. The interview question posed to the participants was to explain the role of PSIRA.

The fourth research question points the sanction for non-complying PSCs. These is to establish the research objective of pointing at sanctions on non-complying PSCs. The interview question that ties to this research question to arrive at the research objective is to gauge whether the measures crafted to sanction non-complying PSCs are effective or not, and if they are, how does PSIRA ensure that the PSCs continue to comply with the regulations.

The last research question is to determine how non-compliance is prevalent in Gauteng, South Africa. The research objective that ties to this research question is the determination of the magnitude of non-compliance to the regulatory framework in Gauteng.

The research question is addressed by posing interview questions to participants on what is the magnitude of non-compliance, the effectiveness of PSIRA in its mandate, whether the Regulator is capacitated to deal with non-compliance. Further interview questions were posed to determine if PSIRA is struggling with enforcing compliance, what can be done to assist and also to ascertain whether the prospect of the future of professionalising the PSI is on track.

#### 4.7 THE ELEMENTS OF PRIVATE SECURITY BUSINESS

Table 4.3 is the reflection of the participants response to the question on what constitute a PSC, what they do, the motive behind one establishing a PSC, and how to go about establishing it.

Table 4.3: The business of private security

Research interview question	Participants response
What constitute a private security company according to you?	It's a business venture rendering private security business for remuneration or profit Could either be registered or unregistered
What does PSCs do?	Protect person or property Deploys security risk mitigating measures
What do you think are reasons for one to establish a private security company?	It's a business venture. Business opportunity – tendering. It's lucrative. There is high crime level. Public mistrust to the public police. It is not SAPS mandate to protect citizens in their homes. SAPS ill-equipped. Contribute to large scale employment. Filling an identified gap or a need. Mischievous motive to acquire firearm to commit crimes. A calling or are passionate about the role of security.

	<p>Crime busting, prevention and stopping crime.</p> <p>Transfer of skills, experience and knowledge – police and military officers opting to join the PSI.</p>
Who qualifies to open and own a private security company?	<p>RSA citizen or permanent resident.</p> <p>18 years and older.</p> <p>No criminal record.</p> <p>At least Grade B (Supervisory level), academic qualification can also be considered.</p> <p>Directors need to register with PSIRA.</p> <p>Company registration with CIPC.</p> <p>Fit and proper person, and mentally sound.</p> <p>Not a member of national security service such as SAPS, SANDF, SSA, etc.</p> <p>Obtain letter of good standing.</p> <p>Capacity to run a security business.</p> <p>Proven experience.</p>
What is the procedure to be followed to establish a private security company?	<p>PSC need to register with PSIRA.</p> <p>PSIRA conducts an assessment on Quality Management System (QMS) for skills development</p> <p>PSIRA conducts infrastructure audit.</p> <p>In case of security training provision, the fire-department conducts inspection to confirm the safety of fire hindrance.</p>

Interview question: What constitutes a private security company?

Participants response: All the participants aver that a PSC is a business venture that renders a private security business for remuneration or profit. One participant pointed out that a PSC is either registered with PSIRA or it might be unregistered. As long as the private security business provides a security service to the consumer, it constitutes a PSC. The qualifying criteria is for a PSC is an entity selling security service to the consumer for remuneration or profit. Participant 3 simply describe a PSC as a “*service provider of security service*”.

Interview question: What does PSCs do?

Participants response: Participants are all in agreement that the PSC exists primarily to protect life and property. One participant adds that PSCs deploys security risk mitigating measures in execution of their duties. Participant 7 further

clarifies that the risk mitigating factor encompasses varying security measure, which may include *“the deployment of armed or unarmed guards, technical security systems, implementation of policies and procedures to safeguard documents”*.

In a nutshell, the majority of participants concur that the PSCs are responsible for all sorts of roles, but they manifest in a form of guarding, access control, patrols, armed responds, cash in transit, close protection, installation and maintenance of alarm system. Whereas Participant 1 highlights the addition of game rangers and anti-poaching into the PSCs fold, Participant 3 points to the usage of animals (horses, dogs, etc), vehicle tracking and electronic security providers as important addition to the PSC fold. The PSI is growing and it continues to grow.

Interview question: What do you think are reasons for one to establish a private security company?

Participants response: Besides the obvious motive for generating profit from a business venture as all participants alluded to, Participants 1 and 3 pointed to the gap left by the failing police force in keeping safety and security to the communities. As Participant 1 alludes, *“there is a societal mistrust to the police due to their failure to take control of the high crime level”*.

The participant further points that those who can afford hires PSCs to provide protection in their homes and their business. Participant 3 is quoted saying that *“the police are ill-equipped and failing to secure the citizens”*. One participant alludes that the PSI identified and filled the gap left by the public police. All participants concur that the PSCs provide security service in exchange for remuneration, reward fee or a benefit.

Participant 4 concedes that the private security business is lucrative, and it is liked by politically connected businesspeople. The participant points that this is the case because the politically connected do not struggle to secure security contracts. There are many opportunities for tendering in the government. Those that are connected have bigger chances of profiting from this lucrative business.

Participant 8 points out that the influx of unscrupulous PSCs into the private security market has saturated the industry and it is no longer lucrative. This

assertion is supported by Participant 1 who also pointed that the business is no longer lucrative.

Nevertheless, all participants acknowledge that the PSI is vast and it continues to grow. Participant 8 avers that the industry is riddled with “fly-by-night” companies who take their chances of operating without complying with the industry regulations. Participant 1 is quoted saying “*these companies operate illegally and flouts all the rules to maximise profit*”. As Participant 2 is quoted, “some individuals establish PSCs for mischievous motives of acquiring firearms to commit crimes, which may give rise to organised crime”.

Although the PSI is seen as lowly by society, Participant 8 believes that it is actually characterised by skilled personnel. Many retired or former police and military join the PSI, which in turn benefit the PSI in terms of skills transfer from the experienced and knowledgeable personnel. All participants concur that the PSI contributes to a large-scale employment. Participant 5 alluded that some people join the PSI to combat, prevent and help in stopping crime. To some, as Participant 7 views it, it is a passion, and to others it is a calling, conclude Participant 3.

Interview question: Who qualifies to open and own a PSC?

Participants response: Participants advanced a list of qualifying credentials for one to be allowed to open and run a private security business as reflected in Table 4.1. The following are the requirements for one to open and operate a private security business:

- Over 18 years of age;
- Fit and proper (mentally sound);
- Qualification – Grade B (Supervisory level) or academic qualification or recognition of prior learning (RPL) to avoid grades;
- RSA citizen or permanent residents;
- No criminal record;
- All company directors must be registered with PSIRA;

- Have a letter of Good Standing from PSIRA, which specifies the commodity the business is trading in (P7); and
- Not actively employed by the services such as the State Security Agency (SSA), SAPS, Department of Correctional Services (DCS) and the South African Defence Force (SANDF). In case the applicant is a former member of the service as stated above, they need to submit a clearance certificate from their former employer.

Interview question: What is the procedure to be followed to establish a PSC?

Participants response: Participant 2 and 7 state that Section 21 of the PSIRA Act requires that all security providers, either business or individuals rendering security service should register with PSIRA. Registering with PSIRA can be exhaustive for some, like Participant 4 details the process of establishing a PSC and others see it as a painless exercise, such as Participant 1 and 5.

One participant sees establishing a PSC as easy exercise because one just mere register with PSIRA and boom the company is in business. However, as one participant concedes, “it is easy only on paper”. Participant 1 points that “*PSIRA conducts thorough checks on the Director/(s) for criminal history, identity documents verification with Department of Home Affairs (DoH), check infrastructure premises for telephone lines, lockable cabinets, etc*”.

Part of the application process to register a security business as with PSIRA, the participants state that the aspirant businessperson tenders an application to the Regulator. The application should be accompanied by an applicants' fingerprints, either of the Director, partners, and the administrators of the business, application fee, and other documents as specified by the Authority.

One participant points that in case of security training provision, the fire department conducts inspection to confirm the safety of the fire hindrance before a clearance is issued. PSIRA should be satisfied with the Quality Management System (QMS) for skills development.

## 4.8 PSIRA ABILITY TO EFFECT CONTROL OVER THE PRIVATE SECURITY INDUSTRY

Table 4.4 How PSIRA effect control

Research interview questions	Participants response
How are non-complying PSCs policed?	<p>PSIRA conducts random inspection to identify unregistered companies</p> <p>PSIRA has a law enforcement division for inspections and enforcement</p> <p>PSIRA imposes sanctions to non-complying companies</p> <p>PSIRA response to complaints</p> <p>PSIRA relies on tip-offs, from security officers and competitors</p> <p>Labour related conflict – issue of non-payments of employees</p>
How does PSIRA ensure that the PSCs comply to the regulatory framework?	<p>PSIRA investigate, analyse and compare info of the security business with existing info</p> <p>PSIRA conducts compliance inspection</p> <p>Some government department makes it mandatory for PSCs to be registered with PSIRA prior to be awarded tenders.</p>

Interview question: How are non-complying PSCs policed?

Participants response: Many of the participants assert that PSIRA conducts random inspection to identify unregistered PSCs. PSIRA’s law enforcement division conducts inspections and they enforce compliance in a form of sanctions towards non-complying PSCs. Participants point that PSIRA relies on tip-offs from disgruntled Security Officers and PSCs’ competitors.

Participant 1 avers that *“labour related issues are in most cases the triggers. When an employer fails to pay an employee, an employee reports the employer to PSIRA or through other avenues and that is when the PSC is exposed that they are not registered”*.

Three participants said that informants are primary sources of identifying non-complying companies. One participant clarifies that the *“Security Officers phone-in, to indicate that they are under-paid”*. The participant points therefore that the complaint is then referred to the Regulator.



The participant further mentions that he “*scans social media, follow chat groups, and check the if the companies on social media or chat groups are registered*”. The participant further points that he “*conducts checks with the Regulator not only for registration/licencing, but also for medical aid membership and pension fund membership*”.

Another participant points that in training environment, the trainees discover when they attempt to register their certificate with PSIRA that their service providers were/are not registered. Some service providers issue fraudulent certificates that the consumers pick up when they are vetting prospective employees for contracts.

One participant concurs that with guarding components, it is difficult for PSIRA to easily find unscrupulous businesses, but Participant 1 points out that what sometimes makes it easier to identify a non-complying company is when “*they under-quote and under-pay their guards*”. The guards might start reporting their employer to PSIRA. PSIRA would subsequently investigate the company.

Another sign that a company is non-compliant is that its staff component remains fixed over an extended period (without increase or decrease in officers), as one participant confirmed. This is an indication that the company is probably flouting regulations. Participant asserts that compliance should not be compromised. A company is either compliant or non-compliant. SASA launched a mentorship programme on “*how to start a private security company*”.

Participant 1 says that PSIRA has no capacity to uncover non-complying PSCs. PSIRA relies mainly on complaints. One participant indicates that SASA is one of the sources of information of non-compliant companies. SASA receives complaints from the consumers and other rival security companies, etc. The participant further points that PSIRA has no power of restitutions. Once they find that a company is paying its employees less, they can only impose a fine but they cannot request the shortfall from that company.

Interview questions: How does PSIRA ensure that the PSCs comply to the regulatory framework?

Participants response: One participant indicates that PSIRA investigates, analyses and compares the information it has in its possession of the security business to ensure that the information that the PSC declared is accurate. Two more participants add that PSIRA conducts compliance inspections.

Participant 6 is quoted saying that the other measure of ensuring that that PSCs comply to the regulatory framework is through “*enforcing government department to contract only PSCs that registered with PSIRA*”.

Most of the participants agree that PSIRA makes a concerted effort to ensure that those who have the knowledge and the capacity are allowed to open and operate a security business. The consumers on the other hand, are obliged to ensure that they hire only PSCs who comply to the regulatory framework – those who are registered with PSIRA and have track record.

One participant cautions that this creates a disproportionate advantage that favour big security companies who have all the infrastructure compared to the up and coming or emerging security businesses.

One participant indicated that PSIRA actually has teeth. PSIRA has a Code of Conduct, which the PSI is required to abide by. If they fail to adhere to it, they could be disqualified, fined, or they could be suspended as the companies/directors.

It is noteworthy that PSIRA inspectors do not require warrants for surprise inspections. Notwithstanding these, PSCs continue eluding the wrath of PSIRA inspectors. When consumer struggles to afford private security, PSCs reduce their prices, which leads to officers being paid less. These in turn put the lives of the consumers in danger because Security Officers gets intimidated and end up allowing criminals to do as they wish, that is, conclude on participant.

All participants acknowledge that there are sanctions crafted for non-complying companies. Should a PSC be found guilty during the improper code of conduct enquiry, the presiding officer can impose a warning, a fine, suspension, withdrawal, suspended sentence, etc.

Two participants emphasise that an investigation may result in the findings that warrant criminal investigations. This needs further assistance of the National Prosecuting Authority (NPA) as well as Department of Justice (DoJ).

Table 4.5 The role of PSIRA

Research interview question	Participants response
What is the role of Private Security Industry Regulatory Authority (PSIRA)?	To regulate the PSI and exercise effective control over the practice of private security provision.

Interview question: What is the role of Private Security Industry Regulatory Authority (PSIRA)?

Participant response: The genesis of PSIRA is well documented and it is discussed in Chapter 3. PSIRA is mandated to exercise control over the PSI through legislation. PSIRA has the powers to regulate the PSI in the form of provisioning of licensing (registrations), conduct inspections/audit, enforce compliance and to facilitate prosecution whenever it is deemed necessary.

In exercising control over the PSI, PSIRA compels everyone or every business providing security service to register with the Regulator. In the process PSIRA vet all unwanted or criminal elements from participating in the security business. The Regulator needs to know every security operator and business in the country.

Section 38(3) (a) of the PSIRA Act stipulates that if a person fails to register a security business with PSIRA, or whom his/her registration is suspended, withdrawn or lapsed, cannot continue to operate a security business; otherwise he/she is guilty of an offence. The sanction is fine or imprisonment or both fine and imprisonment (Document 1 & 3).

One participant summarises the role of PSIRA inspection/investigation arm as follows:

- inspection / investigation of the PSCs;
- taking steps against non-compliant PSCs;
- attend to complaints;

- interviews and collaboration with stakeholders;
- joint operations with the SAPS / Immigrations;
- arrests of unregistered security personnel as unregistered security businesses;
- awareness programmes, stakeholder management, issuing of fines and penalties, suspending / withdrawing businesses; and
- and media briefings, etc.

One may ask whether PSIRA is succeeding in its endeavour to professionalise the industry. Although PSIRA is established by legislation and reports to the Minister of Police, the organisation is self-funded. PSIRA does not receive any budget from the Minister of Police. PSIRA's source of income is what the security companies pay the regulator as annual fees and the security operator contributes monthly levies. Their source of income is limited and they are not getting any budget slice from the government. Given the reality of self-funding, which places limitations on resources, staff, equipment, half of participants believe that PSIRA is doing its best under the circumstances.

All participants believe that PSIRA requires more resources to be adequately capacitated to achieve its mandate. One participant pointed that PSIRA needs to increase its inspectorate from 80 to 200 inspectors. Nonetheless, another participant believes that although more inspectors are needed, PSIRA achieves its objectives and sometimes exceed it. One participant believes that PSIRA can do better with more capital and financial injection.

One participant points that PSIRA has a law enforcement division with approximately 80 inspectors composed of two groups. The first group handles minor routine inspections and the second group deals with enforcement. The inspectors visit client, the PSCs premises, to check compliance. The participant further acknowledges that PSIRA had a great success in the past two years in this regard. Many companies that do not comply ended up closing down and some being deregistered.

Many participants believe that PSIRA is strict in respect of enforcing compliance. Some participants say they have never seen a PSIRA inspector in their career. They argue that if PSIRA was serious about inspections, they could surely have visited their premises.

One participant avers that although PSIRA can appear to be strict to non-complying PSCs, unscrupulous PSCs would always find a way to circumvent the regulations or continuously elude the Regulator. One participant confessed that there are many non-compliant security businesses out there.

Table 4.6 PSIRA’s capabilities

Research interview questions	Participants responses
How is PSIRA doing in its responsibilities - Is PSIRA adequately equipped to deliver on its mandate – performance?	<p>PSIRA has less than 100 inspectors and they require more</p> <p>PSIRA footprints has grown – it is present in many provinces</p> <p>There are still PSCs who fails with comply to the regulations.</p> <p>Employment of foreign nationals continues to a challenge</p>

As the PSI continues to grow, more security officers and new security businesses are registered. The high level of crime drives the demand for private security. This phenomenon is further exacerbated by advancing technology and an increase in the usage of cyber space. Many businesses operate in the cyberspace but they find a way to circumvent the registration and compliance process (Document 2).

According to PSIRA records, the PSI in South Africa consists of over 2,5 million registered officers, with only half a million actively employed. There are over 10 000 actively registered security businesses. The number of security businesses increased by 45% since 2010 (Document 2).

COVID-19 has necessitated the Authority to find new ways of doing things. During the COVID-19 restrictions, bulk renewal of licences was instituted, online

bookings became the order of the day – reducing queuing, and mobile platforms that increased interaction with clients were created (Document 2).

Amid all the negatives, the PSI has grown tremendously. One participant points that PSIRA has increased its footprint across the country compared to the early days of SOB. Security business and practitioners have grown exponentially. While the growth of PSI is commendable in terms of creating many job opportunities among others, there are still those who tarnish the image of the industry.

Participant 8 asserts that there are instances where PSCs hired foreign nationals in contravention of the provision in the PSIRA Act. The participant recalls:

*“In the past few years, where peculiar incidents that have been occurring at client’s premises whereby security officers are deployed by PSCs to safeguard assets and facilities (buildings), an investigation revealed that some of these were committed by foreign nationals within the PSI who fraudulently attained South African documents”.*

It is obvious that PSIRA does not have total count of security businesses and practitioners operating out there. Forty percent (40%) of participants concede that many security actors do not know of the existence of PSIRA. They only come to know about it when they want to start a company or they are interested in becoming security officers.

Participant 1 points that there are about 10 400 new companies entering the PSI market monthly nationwide of which 20% follow the rule of the law in every respect and the rest are non-compliant to the PSI in the country. The participant says that companies underpay their staff using disguised employment contracts – to pay less.

#### 4.9 THE MEASURES CRAFTED TO EFFECT CONTROL OVER THE PRIVATE SECURITY INDUSTRY

Table 4.7 Measures to sanction non-compliance

Research interview questions	Participants' responses
Are the measures crafted to sanction the non-complying PSCs effective?	There is a need to capacitate the compliance component of PSIRA.

Participants were asked to identify measures and sanctions that PSIRA applies to enforce compliance. This ties with the research questions of what are the measures taken by the regulator to enforce compliance and also what are the sanctions directed to non-complying PSCs. This ties to the research objective to determine whether PSIRA enforces compliance as per the regulatory framework and also to establish the actions that are taken on non-complying private security service providers.

Interview question: Are the measures crafted to sanction the non-complying PSCs effective?

Participants response: Some participants believe that the measures are adequate; however, some of the participants believe that the Regulator is not adequately capacitated. One participant suggests that *“the compliance component within PSIRA should intensify efforts aimed at enforcing the compliance culture and the timeous imposition of penalties as stipulated in the Act”*.

PSIRA has the Law Enforcement arm responsible for ensuring that the industry players comply with the regulations and if they fail, the Authority takes appropriate actions where violation occurred. The arm is constituted by the compliance and enforcement, which ensures that the players comply with the regulations, and the prosecution side, which prepares evidence about improper conduct by industry participants (Document 2).

The other mechanism in place to ensure that security companies comply with regulations include letter of good standing, which is valid for 90 days. The certificate is an assurance that the holder has valid registration, payments are in

order, monthly returns are in order, complies with the regulations, up to date with CIPC, and physical address and infrastructure has been assessed and are complying (Document 3). Furthermore, consumers or prospective consumers, including government departments, are urged to examine potential security service providers especially in their supply chain processes. This aspect has also caught the eyes of Participant 6.

PSIRA (Document 3) advises that another verification tool that should be consideration is the contract price structure. TABLE 4.8 depicts the costs requirements the security business should factor into contract price:



Table 4.8 Contract cost structure

	<b>Condition of employment</b>	<b>Statutory payments</b>	<b>Overheads costs</b>
a	b	c	d
1	Basic salary/wages in accordance with the Grade E-A depending on magistrate district	Unemployment Insurance Fund (UIF)	Liability & insurance
2	Sunday premium payment	Compensation for Occupational Injuries and Diseases (COID)	Management and supervision
3	Possible holiday payment	Training – skill development levy	Payroll and administration
4	Annual leave	Uniform – to be provided free by the business	Control centre
5	Sick leave	Cleaning allowance	Transport – vehicles, maintenance, and fuel
6	Family responsibility leave		Fixed infrastructure
7	Provident fund		Rates & taxes
8	Annual bonuses		Registers
9	Night shift allowance		Security aids, occupational health and

The consumers are obliged to ensure that all the above factors are filtered in the pricing structure. This shapes the cost of contracting. If the service provider does not factor the costs as per the guideline, they are probably non-compliant with labour legislation and effectively not compliant with PSIRA's regulations. The condition of employment, statutory costs and overheads costs are unavoidable; therefore, the prospective security service provider should comply with (Document 3).

The consumers are also instrumental in ensuring that the prospective security service provider is compliant with the Firearms Control Act, 2000. The verification can be done with the SAPS Central Firearm Registry (Document 3).

Table 4.9 Magnitude of compliance

Research interview questions	Participants responses
What is the magnitude of non-compliance?	Response is varied – from 2-3% up to 80%.
What could be done to improve PSIRA's performance?	<p>Increase/capacitate compliance component from 80 to 200</p> <p>Request operating cost from the government, not capital expenditure – increase the budget</p> <p>Review its technological capacity</p> <p>Makes it mandatory to report bad behaviour by officers and competitors</p> <p>“National Security Day”</p> <p>Device other revenue sources</p>
How are PSCs assisting in ensuring that PSIRA delivers on its mandate?	<p>SASA encourages its members to comply with the regulatory framework.</p> <p>SASA is a source of information (Informant) of non-complying companies.</p> <p>SASA scans social media, follows security related groups, and chat with those groups – check if the companies are registered.</p> <p>SASA receive calls related to labour issues and SASA assist by taking the issues with the Authority.</p>

Participants were asked about their estimation of the magnitude of PSCs' non-compliance to PSI regulatory framework. This interview question ties with the research of determining how prevalent non-compliance is to private security regulations by PSCs in Gauteng, South Africa. The research objective linked to this research question is to determine whether PSIRA conducts inspection on all current private security services to ascertain compliance.

Table 4.10 Breakdown of participants estimates: magnitude of non-compliance

Participants	Estimates of non-compliance percentage
2 x participants	80%
1 x participant	66%
1 x participant	20%
1 x participant	10%
1 x participant	2-3%
2 x participants	Non-committal

There are conflicting viewpoints in respect of the magnitude of non-compliance with the PSI regulatory framework, particularly the percentage of registration/licencing of security businesses in Gauteng. Of the total number of participants, which is eight, three estimates that the PSCs non-compliance to the regulations is up to 80% and higher. Another participant estimates non-compliance to be at 66%. The other participant estimates non-compliance as low as 20% and some less. Two participants are non-committal.

It is clear as day light that there is no accurate estimation of the level of non-compliance. Although PSIRA has an estimated number of registered PSCs, many are dormant, others cannot keep up with the annual fees and are therefore de-registered, others are not known – have never registered with PSIRA, and others operate under fictitious names.

Some participants attest that the annual fees are but one of the driving forces behind PSCs keeping up with registration status. The companies are required to pay annual fees, and levies for all their employees over a term, even though some would be active for only a short period, for example working under a three months contract.

PSIRA conducts “audits or investigations on the conducts of rendering security services dealing with evasion, abuse or violation of the procedures and the principle as contained in the Act” (Document 1). The regulator then enforces the regulations by issuing fines, publishing defaulting companies, and initiating criminal prosecutions against the perpetrators (Document 1).

One participant points that although PSIRA conducts compliance inspections to ensure that PSCs adhere to the legislative prescripts. Some government departments make it mandatory for the security service providers to be registered with PSIRA prior to being awarded tenders to safeguard their premises, which enhances the compliance culture within the PSI.

Participant 1 asserts that PSIRA proactively assist prospective business owners to comply. Some inspectors assist newcomers go through a checklist of the requirement and a step-by-step “how to” establishing a security business.

According to PSIRA's recent annual report, the Compliance and Enforcement arm of PSIRA inspected 6 725 PSCs in 2020-21 financial years in comparison with 7 155 in the 2019-20 financial year. The fewer inspection might have been influenced by the restriction related to COVID-19. This has created an opportunity for the onset of compliance self-assessment, which resulted in 40% of private security business utilising the tool (Document 2).

It is important to note that 1 500 security businesses licenced for firearms were inspected in 2020-21. Of many complaints lodged against non-compliant security businesses, 90% cases were investigated and finalised. Of the 95% criminal cases opened against security businesses, 92% were successfully prosecuted (Document 2).

Above the PSIRA's Law Enforcement branch's responsibility to enforce compliance, the consumers are also obliged to exercise reasonable care when consuming security businesses. According to Section 38(3)(g) of the Act, it is an offence when consumer knowingly or without exercise or reasonable care contracts for rendering of security service contrary to the provision of the Act, which implies that the consumer contract with non-compliant security company (Document 3).

One participant sums it up that inspections, investigations, operations with critical stakeholders such as the SAPS, Department of Employment and Labour, immigrations, education, awareness, prosecuting non-compliant security service providers, etc are mechanisms of effecting compliance.

#### 4.9 THE PROGRAMME DESIGNED TO IMPROVE PSIRA PERFORMANCE

Generally, all participants are in consensus that PSIRA's law enforcement arm requires improved financial support to improve inspection capacity to cover more ground in terms of random inspections. One participant was particular with the capacity indicating that the compliant component should be increase from 80 to 200.

Participant 7 highlighted that PSIRA needs to review its technological capacity to consider integrating their online system with for example Afswitch fingerprints

scanning, which could assist in identifying red flags in terms of criminal records, credit records, etc.

Participant 1 alluded that PSIRA should request its operational cost from the government. The government should direct part of its budget at assist PSIRA in its endeavour to professionalise the PSI. PSIRA cannot rely on single source of revenue.

Participant 7 suggested a “National Security Day”, which may assist in highlighting the plight of actors in the PSI.

4.10 THE FUTURE PROSPECT OF THE PRIVATE SECURITY INDUSTRY

Table 4.11 The future of PSI

Research interview questions	Participants responses
How does the future look like for professionalising the PSI?	<p>Good – the Act empowers the Authority with necessary tools to enforce compliance without fear and favour.</p> <p>PSI in South Africa has the best regulatory legislation in the world – few countries had adopted the legislation.</p> <p>PSIRA is the leader in the continent</p> <p>The industry is learning from other countries; for example, in India the PSI has direct access from the Minister.</p> <p>A digital service to service clientele is now in place.</p> <p>Subject matter experts are invited to address various sectors within the PSI.</p> <p>A new standard of training is envisaged.</p> <p>Constant improvement of regulations.</p>

While some participants believe that PSIRA is failing to effect control over the PSI, others see the Regulator as a model. PSIRA is a leader in the African continent, and it is instrumental in shaping the future of the industry. South Africa has one of the best regulatory legislation in the world. Some countries have decided to adopt its blueprint.

Participant 3 said that the future looks bright and promising. The digital platform for servicing its clientele has improved efficiency. There are subject matter experts called on to address various sectors within the PSI. A new standard for training with liaising with other institutions is established. The regulations have

been improved upon. Yes, these are some of what the future may speak to, conclude participant.

Another participant chants positive future outlook for the PSI. Participant 8 acknowledged that PSIRA is improving its efficiency and this bode well for the industry for the future. However, technology would lead to job losses, but the industry cannot remain stagnant. The industry remains the highest employer in the country and it appears that the odds would be the same for many years to come.

The Regulator has improved their efficiency with the adoption of Digital Transformation Strategy of 2020-2025. The aim of the strategy is to digitally transform PSIRA to enable it to provide effective and efficient customer service in line with the 4IR era. The strategy envisaged that the Authority would replace the manual process by digital, digitise customer processes, digitise internal services, and find alternative means of revenue generation (Document 2). Furthermore, emergence of new technology in the PSI is changing the profile of the industry, which in-turn overcomes the negative perception that characterises the industry.

The continued non-compliance to the regulations by some security businesses affects the image and professional reputation of the Authority and the industry at large. Therefore, the Law Enforcement Strategy of PSIRA has initiated industry compliant self-assessment to encourage security companies' compliance to the regulations (Document 2).

One participant accedes that the future is looking good for the PSI because the Act has empowered the authority with the necessary tool to enforce compliance without fear or favour. However, there is room for improvement pertaining to technological revolution, developing a compliance culture through awareness and regulatory enforcement and regular engagement with role players within the PSI.

As one participant vow, the PSI has grown and it continues to grow. There are many innovative ideas implemented. Lately, there are online applications for registrations, academic qualifications offered at institutions of higher learning.

Service providers can now do self-assessment before inspectors arrive, and the industry is being noticed through awareness initiative/campaigns. The research unit at PSIRA is contributing in a great deal.

#### 4.11 CONCLUSION

The researcher conducted an in-depth, semi-structured research interviews with the PSI experts to dissect their lived experience and knowledge on whether PSCs comply with the industry regulations. PSIRA is mandated to effect control in the form of regulating the industry and ensuring that compliance is met. To get to the findings, the researcher asked the participants interview questions that allow for elaboration, which helps to dissect the deeper experience and knowledge of the participant. Furthermore, the researcher visited documentary sources such as PSIRA's annual reports, policies, etc to get the deeper understanding of fact in respect of the subject matter.

The researcher pitched the character of Gauteng Province to bring clearer picture of the research focus area. Dubbed the crime capital, Gauteng Province is smaller in size compared to other South African provinces but it is the economic hub of the country. With high crime rate, it raises the demand for private security in the province.

PSIRA is tasked/mandated to exercise control over the industry. Although the Regulator is seen as a model structure to regulate private security, it falls short on its implementation owing to the fiscal challenges as highlighted by participants. A well-resourced PSIRA could easily meets its mandatory role.

Nonetheless, not all is gloomy. The future appears to be bright. The advent of technology has presented the industry with the challenge of seeking new ways of doing things. COVID-19 has assisted in fast-tracking the implementation of digitisation of some of the process and services provided by PSIRA.

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## CHAPTER 5

### CONCLUSION AND RECOMMENDATIONS

#### 5.1 INTRODUCTION

This chapter concludes the research and offer recommendations to the PSCs, PSIRA and the State on what to do to improve PSI's compliance to the regulatory framework. The chapter further presence the limitation of the research and the possible future studies on this topic.

The province of Gauteng, which is an economic hub of the South Africa, has high crime level and the police force is not adequately capacitated to deal with it. The violent nature of crime has created fear amongst the citizens who resorts to the PSI for protection. However, the PSI is seen as a tainted industry characterised by poorly equipped PSCs, which flouts the rules and lacking of professionalism. This further exacerbates the already vulnerable security situation in the country.

In an attempt to professionalise the industry, the State has created the regulatory body to in a form of PSIRA to exercise control over the PSI. The Regulator has its own share of challenges, including the capacity to conduct inspections and enforce compliance. The failures of the Regulator create a vacuum for the industry that is a force unto itself, characterise by employee exploitations, and it poses a danger to the citizens.

The research problem for this study is whether PSIRA is failing in its mandate of exercising effective control over the PSI through regulating and enforcing compliance to the regulations. The researcher followed a qualitative research to answer following research questions:

- What are the requirements of the PSCs to comply with the private security regulatory framework and are they in compliance?
- What are the negative impacts of PSCs non-compliance?
- What are the measures taken by the regulator to enforce compliance?
- What are the sanctions for non-complying PSCs?
- How prevalent is non-compliance to private security regulations by PSCs in Gauteng, South Africa?

It is evident from the study that the primary motive for one to establish and operate a PSC is to make profit. To maximise profit, PSCs flout the regulations and avoid compliance. Complying companies pay levies for operating. The consequences of having non-complying companies is the breeding of fertile ground for unscrupulous companies to operate.

PSIRA conducts random inspection to identify unregistered companies. Once identified, the non-compliant companies are imposed with sanctions or charged criminally. Apart from random inspections, PSIRA relies on tip-offs, from security officers and competitors to report non-complying companies.

The magnitude of non-compliance continues to be puzzling. There are divergent views in this regard. However, the difficulty of failing to adjudicate non-compliance magnitude emanates from an industry that is huge and not all companies are accounted for. PSIRA has begun with the efforts to professionalise the industry but it is poorly capacitated to meet its huge mandate.

## 5.2 RECOMMENDATIONS

The professionalisation of the PSI in South Africa is well documented. However, the ever-surging growth of the industry has always outgrown the development of the regulations. The three major players that are crucial to deliver on a professional, highly compliant regulator are the PSCs, PSIRA and the State. The researcher recommends the following from these players:

### 5.2.1 Recommendation to the Private Security Companies

- It is recommended that the PSCs should join employer unions. Apart from benefitting from being represented by their unions, the PSCs benefit in earning credibility and legitimacy. Employer unions encourage their members to comply with the regulatory and labour related legislations.
- Sharing of information with peers. Sharing information among PSCs could assist in whistle blowing and assisting where necessary with issues of compliance.
- Ensure that all employees, including security officers, comply with all regulations, labour legislations and other State instituted legislations.

### 5.2.2 Recommendations to the Regulator (Private Security Industry Regulatory Authority)

- Increase the capacity of PSIRA's inspectorate. This should include the number of inspectors and the budget thereof. The administrative component of the Regulator should also be increased in order to complement the bigger inspectorate component.
- Source additional means of generating revenue. This Regulator could source some budget from the State, the Ministry of Police.
- Improve collaboration with other security service such as the intelligence, police, etc.
- The Regulator should increase the intensity of their awareness campaign. When the Regulator is well known, there is a better chance that the new entrance in the security business would be aware of what is expected of them.

### 5.2.3 Recommendation to the State (South Africa)

- Assist the Regulator to improve their efficiency and effectiveness through allocation of a portion of Ministry of Police budget.
- Continuously oversee the operations of the industry through the Minister of Police.

## 5.3 RESEARCH CONCLUSION

The PSI in South Africa is well known and is seen as a model industry. With its high reputation, the industry still struggles with its responsibilities. The Regulator is a model structure expected to effect control over the industry. However, there are elements that taint the image of the industry. There are still unscrupulous companies operating within the industry.

Although it is clear as day light that there are still bad apples within the industry, there is no conclusive answer on the magnitude of non-compliance. The participants provided divergent views, which itself paints a confusing picture of the industry.

With the teeth it possesses, the Regulator should be adequately capacitated with to achieve its intended purpose/mandate – to effect effective control over the industry. The digitisation of PSIRA services bodes well for the future of

professionalisation and would bring improved compliance owing to accessibility of services.

#### 5.4 LIMITATION OF THE RESEARCH

This study was conducted when COVID-19 pandemic ravaged the world over. The restriction on face-to-face contact became an impediment for face-to-face interviews. Alternative means of collecting data were therefore instituted to allow the continuation of the research.

Further limitation has been a struggle to secure participants or their inaccessibility. It is not clear why some prospective participants turned down the invitation. Nonetheless, one may suspect some may not be compliant themselves and they probably fear incriminating themselves.

Lack of reliable data related to the numbers of unregistered PSCs. There is no statistics conducted by either Statistic South Africa with an interest in the welfare and challenges experienced by the industry. There is not much research on this topic.

#### 5.5 RECOMMENDATIONS FOR FUTURE RESEARCH

The topic explored this study is under-researched and creates opportunity for further research projects. The research may be narrowed to the PSIRA inspector's role in enforcing compliance or even focusing on how unscrupulous companies survive in a highly regulated industry. There is also a vast number of security officers who are non-compliant or operating under the umbrella of non-complying companies. Further studies on professionalisation of the PSI may include looking into the entrance complexity to the industry, screening, vetting and the importance of academic qualification.

#### 5.6 CONCLUSION

The research has proven that although the PSI has institution such as PSIRA, which is mandated to effect control over the PSI, it is adequately capacitated to deliver on its mandate. It is recommended in this paper that for the Regulator to be effective, there should be a concerted effort to increase its inspectorate. The State has the role to play in supporting the Regulator in its endeavours. The PSCs also are the enablers of security officers' compliance.

The research highlighted the limitation of the study and further stated the prospects of further research in-line with the research topic.



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## APPENDIX A: INTERVIEWS SCHEDULE

### APPENDIX A: INTERVIEW SCHEDULE

#### TOPIC:

#### AN ANALYSIS OF PRIVATE SECURITY COMPANIES COMPLIANCE TO THE PRIVATE SECURITY INDUSTRY'S REGULATORY FRAMEWORK IN GAUTENG, SOUTH AFRICA

Time:	Date:	Venue:

The interviewee details:

Age: \_\_\_\_\_

Gender: \_\_\_\_\_

Position: \_\_\_\_\_

Length of Service: \_\_\_\_\_

Educational Qualifications: \_\_\_\_\_

Name of the Company: \_\_\_\_\_

#### Interview questions

1. What constitute a private security company according to you?
2. What do private security companies do?
3. What do you think are reasons for one to establish a private security company?
4. Who qualifies to open and own a private security company?
5. What is the procedure to be followed to establish a private security company?
6. What is the role of Private Security Industry Regulatory Authority (PSIRA)?
7. How is PSIRA doing in its responsibilities - Is PSIRA effectively equipped to deliver on its mandate – performance?
8. How does PSIRA ensure that the private security companies comply to the regulatory framework?
9. How are non-complying private security companies policed?
10. Are the measures crafted to sanction the non-complying private security companies effective?

## **APPENDIX B: PERMISSION LETTER**

To: Security Manager

From: LSJ Ngulube

Date: 12 July 2022

TO WHOM IT MAY CONCERN

### **RE: REQUEST FOR PERMISSION TO UNDERTAKE RESEARCH: LESIBA SEWINI JOHANNES NGULUBE**

I, Mr Lesiba Sewini Johannes Ngulube, a Student for Master of Art Student: Department of Criminology and Security Science, Security Management, School of Criminal Justice, College of Law at the University of South Africa, request a permission to undertake research at your organisation for the purpose of completing a Master's degree studies titled:

*“ANALYSIS OF PRIVATE SECURITY COMPANIES’ COMPLIANCE TO THE PRIVATE SECURITY INDUSTRY’S REGULATORY FRAMEWORK IN GAUTENG, SOUTH AFRICA”*

#### **THE AIM OF THIS RESEARCH PROJECT**

The aim of this study is to analyse whether PSCs comply with the private security regulatory framework as in South Africa in the Gauteng Province.

#### **THE PURPOSE OF THE RESEARCH**

This study purports to analyse the private security companies' compliance to the regulatory framework as stipulated in the PSI Regulation Act 56 of 2001. The focus is area of the study is Gauteng Province, which is the economic hub of South Africa. In order to achieve the aim of this study, the researcher will pursue the following objectives:

- To establish whether the current private security service providers are register with PSIRA.
- To determine whether PSIRA conducts inspections on all current private security service providers.
- To determine whether PSIRA enforces compliance as per the regulatory framework.
- To establish the action taken on non-complying private security service providers.

#### **RESEARCH METHODS THAT WILL BE USED TO COLLECT INFORMATION**

This study follows a qualitative research method. The purpose is to answer whether private security companies comply with the private security sector regulatory framework. The researcher will conduct face to face semi-structured interviews with private security companies' owners, the Security Association of South Africa, Private Security Regulatory Authority (PSIRA) researchers, PSIRA inspectors, and PSIRA legal divisions officials.

Furthermore, documentary analysis of the PSIRA's annual reports, Statistics South Africa's reports on private security, and other sources pertaining to the private security industry in South Africa, particularly Gauteng Province. The idea is to get the lived experiences, the challenges and the complexities of ensuring complete compliant to the industry regulations.



## THE BENEFITS OF THE STUDY

The following people or organisations will benefit from this study:

- UNISA: The research data will be incorporated in their study guide during their curriculum review
- PSIRA: Recommendations can be used to strengthen their regulations and to refute the notion that the PSIRA is effective or ineffective in its regulatory mandate.
- COMMUNITY: Recommendations can be used by the community that depend on the private security for safety and security.

Permission is hereby requested for the applicant Mr Ngulube to conduct his studies at your institution. The permission will allow the applicant to collect the research data through interviews and documentary study.

Kind Regards



Date: 05/07/2021

**Sewine Lesiba Johannes Ngulube**  
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Date: 05/07/2021

**M.J. Nkwana**  
Supervisor  
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School of Criminal Justice, College of Law  
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## APPENDIX C: CONSENT FORM

### AGREEMENT:

1. I hereby consent to be interviewed on the topic  
“ANALYSIS OF PRIVATE SECURITY COMPANIES’ COMPLIANCE TO THE PRIVATE SECURITY INDUSTRY’S REGULATORY FRAMEWORK IN GAUTENG, SOUTH AFRICA”
2. And I understand that there would be follow-up interviews if necessary;
3. The interviews being recorded in writing or by using a tape recorder;
4. The use of data derived from these interviews by the interviewer in a research report as he deems appropriate.
5. I also understand that I am free to end my involvement or to cancel my consent to participate in the research at any time should I want to;
6. I will suffer no loss or penalty for non-participation;
7. Information rendered up to the point of my termination of participation could, however, still be used by the researcher;
8. Anonymity is guaranteed by the researcher and data will under no circumstances be reported in such a way as to reveal my identity;
9. I am free to determine that specific information that I reveal should not be recorded in writing;
10. No reimbursement will be made by the researcher for information rendered or for my participation in this project;
11. I will in no way derive any personal benefit whilst participating in this project;
12. By signing this agreement, I will commence to give honest answers to reasonable questions and not to deceive the researcher;
13. I will receive the copy of the original of this agreement upon signing it.

14. I hereby acknowledge that the researcher/ interviewer discussed with me the aim and objectives of this research;
15. Informed me about the contents of the agreement;
16. Explained the implications of my signing this agreement; and
17. In co-signing this agreement, the researcher assumes to:
  - maintain confidentiality, anonymity and privacy in relation to the subject and information provided by the interviewee.

\_\_\_\_\_  
Interviewee signature  
signature

\_\_\_\_\_  
Interviewer

Date:

Date:

I, Lesiba Sewini Johannes Ngulube certify that I explained the contents of the above document.

# APPENDIX D: UNISA ETHICAL CLEARANCE



## UNISA 2021 ETHICS REVIEW COMMITTEE

Date: 2021:08:23

ERC Reference No.: ST53  
Name: LSJ Ngulube

Dear Mr Lesiba Sewini Johannes Ngulube

**Decision: Ethics Approval from  
2021:08:23 to 2024:08:23**

**Researcher:** Mr Lesiba Sewini Johannes Ngulube

**Supervisor:** Mr MJ Nkwana

*An analysis of private security companies' compliance to the private security industry's regulatory framework in Gauteng Province, South Africa*

**Qualification:** MA in Criminal Justice

Thank you for the application for research ethics clearance by the Unisa 2021 Ethics Review Committee for the above mentioned research. Ethics approval is granted for 3 years.

*The low risk application was reviewed by the CLAW Ethics Review Committee on 23 August 2021 in compliance with the Unisa Policy on Research Ethics and the Standard Operating Procedure on Research Ethics Risk Assessment.*

The proposed research may now commence with the provisions that:

- 1. The researcher will ensure that the research project adheres to the relevant guidelines set out in the Unisa Covid-19 position statement on research ethics attached.**
2. The researcher(s) will ensure that the research project adheres to the values and principles expressed in the UNISA Policy on Research Ethics.



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3. Any adverse circumstance arising in the undertaking of the research project that is relevant to the ethicality of the study should be communicated in writing to the CLAW Committee.
4. The researcher(s) will conduct the study according to the methods and procedures set out in the approved application.
5. Any changes that can affect the study-related risks for the research participants, particularly in terms of assurances made with regards to the protection of participants' privacy and the confidentiality of the data, should be reported to the Committee in writing, accompanied by a progress report.
6. The researcher will ensure that the research project adheres to any applicable national legislation, professional codes of conduct, institutional guidelines and scientific standards relevant to the specific field of study. Adherence to the following South African legislation is important, if applicable: Protection of Personal Information Act, no 4 of 2013; Children's act no 38 of 2005 and the National Health Act, no 61 of 2003.
7. Only de-identified research data may be used for secondary research purposes in future on condition that the research objectives are similar to those of the original research. Secondary use of identifiable human research data requires additional ethics clearance.
8. No field work activities may continue after the expiry date **2024:08:23**. Submission of a completed research ethics progress report will constitute an application for renewal of Ethics Research Committee approval.

**Note:**

*The reference number ST53-2021 should be clearly indicated on all forms of communication with the intended research participants, as well as with the Committee.*

Yours sincerely,

Prof N Mollema  
Acting Chair of CLAW ERC  
E-mail: [mollen@unisa.ac.za](mailto:mollen@unisa.ac.za)  
Tel: (012) 429-8384

Prof OJ Kole  
Acting Executive Dean: CLAW  
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URERC 16.04.29 - Decision template (V2) - Approve

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## APPENDIX E: LANGUAGE EDITING CERTIFICATE

### **EDITING AND PROOFREADING CERTIFICATE**

7542 Galangal Street

Lotus Gardens

Pretoria

0008

27 October 2022

#### TO WHOM IT MAY CONCERN

This certificate serves to confirm that I have language edited LSJ Ngulube's dissertation entitled, "ANALYSIS OF PRIVATE SECURITY COMPANIES COMPLIANCE TO THE PRIVATE SECURITY INDUSTRY'S REGULATORY FRAMEWORK IN GAUTENG, SOUTH AFRICA."

I found the work easy and intriguing to read. Much of my editing basically dealt with obstructionist technical aspects of language, which could have otherwise compromised smooth reading as well as the sense of the information being conveyed. I hope that the work will be found to be of an acceptable standard. I am a member of Professional Editors' Guild.

Hereunder are my contact details:



Dr Jack Chokwe (PhD)

Contact numbers: 072 214 5489

[jackchokwe@gmail.com](mailto:jackchokwe@gmail.com)

Professional  
**EDITORS**  
Guild

**Jack Chokwe**  
Associate Member

Membership number: CH0001  
Membership year: March 2022 to February 2023

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## APPENDIX F: TURNITIN DIGITAL RECEIPT



### Digital Receipt

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