

**THE USE OF INFORMERS AS A TECHNIQUE DURING CORPORATE
INVESTIGATIONS**

by

MPHIROANE ENOS NKUNA

Submitted in accordance with the requirements for the degree of

MAGISTER OF ARTS

In the subject

CRIMINAL JUSTICE SYSTEM

at the

UNIVERSITY OF SOUTH AFRICA

SUPERVISOR: DR. J.S. HORNE

JANUARY 2019

DECLARATION

“I, Mphiroane Enos Nkuna, student number 37736183, declare that **“The use of informers as a technique during corporate investigations”** 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.

I further declare that I submitted the thesis/dissertation to originality checking software and that it falls within the accepted requirements for originality.

I further declare that I have not previously submitted this work, or part of it, for examination at Unisa for another qualification or at any other higher education institution.”

Signed

2019/01/24

SIGNATURE

DATE

(ME Nkuna)

PROOF OF EDITING

TO WHOM IT MAY CONCERN

16 January 2019

I, Naómi AC Schulze, an independent language practitioner, hereby declare that I was requested to carry out the language editing in respect of a dissertation written by Mr. E Nkuna (student number 37736183).

The title of the document is **THE USE OF INFORMERS AS A TECHNIQUE DURING CORPORATE INVESTIGATIONS**, which is submitted in fulfilment of the requirements for the degree of **MASTER OF ARTS in the subject Criminal Justice System at Unisa**.

I duly completed the task and the document was returned to Mr. Nkuna via e-mail. I take no responsibility for any alterations and/or errors that were introduced to the document after I returned it to the author. The latter will arrange to have the document formatted by a professional typist

Thank you

(Mrs.) NAC Schulze

PO Box 14694

0140 LYTTELTON

Telephone: 012 664 2265

ACKNOWLEDGEMENTS

Many people contributed to the successful completion of this dissertation. I take this opportunity to convey my heartfelt gratitude to the following people:

- Dr Juanida Horne, for her continuous encouragement and guidance as my supervisor.
- Mr Mandla Zembe, newly appointed Head: Protection Services, Anglo American Platinum, for encouraging me to continue with this study.
- Ms Naomi Schulze and Elize Nagel for doing a splendid job by editing and formatting this research document.
- All participants, who willingly and eagerly assisted me with the interviews.
- Finally, a special thank you to my lovely wife Nompumelelo and our wonderful child Tsakani, who had to sacrifice so many hours of our quality family time for this study to be a success.
- Most of all, I would like to thank the ALMIGHTY GOD for having given me these wonderful people who wanted me to succeed in my studies.

ABSTRACT

The researcher discovered that most investigators at Anglo Platinum Mining and Process sites do not have real informers who can assist them during their investigation of crime. They are making use of so-called 'field workers' to supply them with information - a system that is not very effective. That might be one of the reasons why these investigators, in the experience of the researcher, do not know of the crimes that will take place in a few minutes' or hours' time at their sites. It is furthermore the researcher's experience that the field workers are more reactive than proactive, and will only know about a certain crime within the company after it has already taken place. There are no guidelines or training material available regarding informers in the company.

The researcher then conducted interviews with retired and experienced former South African Police Service (SAPS) officials who had recruited and managed informers during their employment in their respective working environments, as well as with investigators from other organisations. The two investigators from other organisations were interviewed because they conduct forensic investigations and were willing to take part in the study. Six of the interviewed persons have a vast experience regarding the use of informers. The researcher made use of the empirical research design, whereby investigators from the above-named organisations were interviewed to obtain their views on the topic. The researcher also conducted a thorough literature study to obtain relevant data for the research.

The purpose of this research was to develop proper procedures for corporate investigators that will enable them to effectively make use of informers as a technique to obtain information for their investigations. The research also revealed the relationship between the utilization of informers, crime intelligence and forensic investigation.

Key terms:

Informers, technique, corporate, investigations, crime scene

TABLE OF CONTENTS

DECLARATION	i
PROOF OF EDITING	ii
ACKNOWLEDGEMENTS	iii
ABSTRACT	iv
TABLE OF CONTENTS	v
LIST OF FIGURES	x
ABBREVIATIONS	xi
1. CHAPTER 1	1
GENERAL ORIENTATION	1
1.1 INTRODUCTION	1
1.2 PROBLEM STATEMENT	1
1.3 PROBLEMS EXPERIENCED DURING THE RESEARCH.....	3
1.4 RESEARCH AIM	3
1.5 RESEARCH PURPOSE	3
1.5.1 Exploration	4
1.5.2 Evaluation.....	4
1.5.3 Application.....	4
1.5.4 Empowerment	4
1.6 RESEARCH QUESTIONS	5
1.7 DEFINITION OF KEY CONCEPTS	5
1.7.1 Informer.....	5
1.7.2 Forensic investigation.....	5
1.7.3 Crime intelligence.....	6
1.7.4 Handler.....	6
1.7.5 Company	6
1.7.6 Corporate investigator	6
1.8 RESEARCH DESIGN AND APPROACH	6
1.9 TARGET POPULATION AND SAMPLING	8
1.10 DATA COLLECTION	10
1.10.1 Interviews	10
1.10.2 Literature study.....	12
1.10.3 Personal experience.....	13

1.11	DATA ANALYSIS	13
1.12	TRUSTWORTHINESS OF THE RESEARCH: VALIDITY AND RELIABILITY IN QUALITATIVE RESEARCH	14
1.12.1	Trustworthiness: Method to ensure validity	14
1.12.1.1	Credibility.....	15
1.12.1.2	Transferability.....	15
1.12.2	Trustworthiness: Method to ensure reliability	16
1.12.2.1	Dependability.....	16
1.12.2.2	Conformability	16
1.13	ETHICAL CONSIDERATIONS	17
1.14	CHAPTER OUTLAY	18
2.	CHAPTER 2	20
	THE RELATIONSHIP BETWEEN THE USE OF INFORMERS, CRIME INTELLIGENCE AND FORENSIC INVESTIGATION	20
2.1	INTRODUCTION	20
2.2	THE MEANING OF CRIME INTELLIGENCE	21
2.3	HISTORY OF CRIME INTELLIGENCE	23
2.4	OBJECTIVES OF CRIME INTELLIGENCE	24
2.5	MEANING OF FORENSIC INVESTIGATION.....	27
2.6	DEVELOPMENT IN THE FIELD OF INVESTIGATION	29
2.7	OBJECTIVES OF INVESTIGATION.....	30
2.8	DUTIES OF INVESTIGATORS	33
2.9	THE CHARACTERISTICS OF AN INVESTIGATOR.....	35
2.10	RELATIONSHIP BETWEEN INFORMERS, CRIME INTELLIGENCE AND FORENSIC INVESTIGATION.....	39
2.11	THE ROLE OF AN INFORMER.....	42
2.12	THE ROLE OF CRIME INTELLIGENCE IN INVESTIGATION	44
2.13	INTELLIGENCE CYCLE.....	46
2.13.1	Direction/Needs	47
2.13.2	Collation/Collection.....	48
2.13.3	Analysis	48
2.13.4	Dissemination.....	48
2.13.5	Feedback and review	49
2.14	FORENSIC INVESTIGATION AS AN INFORMATION-GATHERING PROCESS.....	50

2.15	SUMMARY	52
3.	CHAPTER 3	53
	PROCEDURES THAT MUST BE FOLLOWED WHEN CORPORATE FORENSIC INVESTIGATORS USE INFORMERS	53
3.1	INTRODUCTION	53
3.2	NEED FOR RECRUITING INFORMERS	54
3.3	PURPOSE OF INFORMERS	56
3.4	INFORMER PRIVILEGE	59
3.5	TYPES OF INFORMERS	63
3.6	UNDESIRABLE INFORMERS	66
3.7	PROCEDURES FOR RECRUITING INFORMERS	69
3.8	METHODS TO RECRUIT INFORMERS	73
3.8.1	Briefing of an informer	78
3.8.2	Debriefing of an informer	81
3.9	RELATIONSHIP BETWEEN INFORMER AND INVESTIGATOR	83
3.10	MOTIVATIONAL FACTORS	87
3.11	CHARACTERISTICS OF POTENTIAL INFORMER	90
3.12	MANAGEMENT, DEVELOPMENT AND HANDLING OF INFORMERS	93
3.13	TRAINING OF INFORMER	98
3.14	REMUNERATION	100
3.15	USE OF INFORMERS IN CORPORATE ENVIRONMENT	106
3.16	SUMMARY	109
4.	CHAPTER 4	111
	FINDINGS AND RECOMMENDATIONS	111
4.1	INTRODUCTION	111
4.2	FINDINGS	111
4.2.1	Research question 1: What is the relationship between utilising informers, crime Intelligence and forensic Investigations?	112
4.2.1.1	Meaning of crime intelligence	112
4.2.1.2	Objectives of crime intelligence	112
4.2.1.3	Meaning of forensic investigation	112
4.2.1.4	Objectives of investigations	112
4.2.1.5	Duties of investigators	113
4.2.1.6	The characteristics of an investigator	113

4.2.1.7	The relationship between informers, crime intelligence and forensic investigation	114
4.2.1.8	Role of an informer	114
4.2.1.9	Role of crime intelligence	115
4.2.1.10	Intelligence cycle	115
4.2.1.11	Forensic investigation: An information-gathering process	115
4.2.2	Research question 2: What are the procedures that must be followed when informers are used by corporate forensic investigations?	115
4.2.2.1	Need for recruiting informers	115
4.2.2.2	Purpose of informers	116
4.2.2.3	Informer privilege	116
4.2.2.4	Types of informers	116
4.2.2.5	Undesirable informers	116
4.2.2.6	Procedures to recruit informers	117
4.2.2.7	Methods to recruit informers	117
4.2.2.8	Briefing an informer	118
4.2.2.9	Debriefing of an informer	118
4.2.2.10	Relationship between informer and investigator	118
4.2.2.11	Motivational factors	118
4.2.2.12	Characteristics of potential informer	118
4.2.2.13	Management, development and handling of informers	119
4.2.2.14	Training an informer	119
4.2.2.15	Remuneration	120
4.2.2.16	Use of informers in corporate environment	120
4.3	RECOMMENDATIONS	120
4.3.1	Research question 1: What is the relationship between the use of informers, crime intelligence and forensic investigations?	120
4.3.2	Research question 2: What are the procedures that must be followed when informers are used by corporate forensic investigations?	121
4.4	CONCLUSION	121
5.	LIST OF REFERENCES	123
6.	ANNEXURES	135
6.1	ANNEXURE "A": INTERVIEW SCHEDULE	135

6.2	ANNEXURE “B”: LETTER OF PROPOSAL APPROVAL	138
6.3	ANNEXURE “C”: TURNITIN DIGITAL REPORT	139

LIST OF FIGURES

Figure 2.1: Five stages of the intelligence cycle.....	47
Figure 3.1: Conceptual framework for the use of informers in corporate environment ...	109

ABBREVIATIONS

ACFE	Association of Certified Fraud Examiners
CPF	Community Police Forum
FBI	Federal Bureau of Investigations
ICE	Immigration and Customs Enforcement
MP	Military Police
NIA	National Intelligence Agency
PFMA	Public Finance Management Act
SA	South Africa
SANDF	South African Defence Force
SAP	South African Police
SAPS	South African Police Service
UNISA	University of South Africa
US	United States

CHAPTER 1

GENERAL ORIENTATION

1.1 INTRODUCTION

South Africa is the largest producer of platinum in the world and holds a large percentage of global reserves. There are a number of mines that are producing platinum in this country. All of these mines should have a policy for their working environment that includes the development of skills of employees to maximize their performance in the workplace and motivate people to use their talents to the best advantage of the company. It is therefore imperative for each and every mining house to have a well-developed forensic investigation department that deals with crime within the mining houses. Investigators at these mining houses must have the required skills and knowledge regarding how to investigate crime and criminal activities. This can happen only if these investigators are using well-trained human sources who are able to provide the relevant information that will lead to the identification and arrest of criminals within the company.

According to O'Hara and O'Hara (2003:189), and Osterburg and Ward (2010:183), an informer is a person who gives investigative information to the investigator about an incident that has taken place, or that is about to take place for a specific reason. Prinsloo (2010:92) believes that informers play an important role in the covert gathering of information for the investigation process. The author further points out that the handling of informants should be formulated in a policy that covers important aspects, such as the recruitment, handling and management of informers. Sennewald and Tsukayama (2006:167) are also of the view that it is important to develop and maintain good informants that will be of great value to both the private investigators, as well as their public law-enforcement counterparts.

1.2 PROBLEM STATEMENT

The first step in the scientific research process is to formulate the problem that must be investigated, and the investigation cannot be conducted systematically if problem formulation is not done properly (Cooper, 2010:12). Hofstee (2006:85) is of the view that there should be a problem that must be researched before any research can be conducted. Connaway and Powell (2012:45), Creswell (2014:114) and Salkind

(2012:40) assert that the problem should be precisely stated to prevent any discrepancy between what the researcher writes and what he or she means. Leedy and Ormrod (2012:44) pointed out that the heart of each and every research project is the problem, as it is paramount to the success of the research effort. According to Creswell (2009:98), a research study is conducted when there is an issue or problem that must be investigated.

The researcher had a discussion with investigators at the Anglo American Platinum mining and process sites regarding the use of informers at the operations, and they told him that they do not have informers who can assist them during their investigation of crime. That might be one of the reasons why these investigators, in the experience of the researcher, do not know of the crimes that will take place in a few minutes' or hours' time within their sites. It is furthermore the researcher's experience that the investigators are more reactive than proactive and will only know about a certain crime in the company after it has already taken place.

The researcher further discussed the situation with some of the investigators at various mining houses in South Africa, and they informed him that it is very difficult to recruit informers that will give information about criminal activities their mining houses. These investigators alleged that they did not have the know how to approach the potential informants for information. The investigators further stated that they did not attend any informer recruitment or handling course at their respective mining houses. Currently there is no course or guidelines on this topic available at any of the mining houses producing platinum in South Africa.

The investigators therefore do not have the necessary skills and knowledge to effectively make use of informers as an aid to obtain information for their investigations. In order to solve this problem of the investigators who do not know how to make use of informers, the researcher decided to conduct research to determine the correct procedures that should be followed with regard to the use of informers during the investigation process in a corporate environment. It further enabled the researcher to make recommendations that may address the problem.

1.3 PROBLEMS EXPERIENCED DURING THE RESEARCH

After the interviews had been analysed and the research report was compiled, the permission to interview Anglo American Platinum mine forensic investigators was withdrawn by the then Head: Protection Services of Anglo American Platinum. The information gathered was then destroyed and a new strategy to find empirical evidence had to be followed. The researcher attempted to involve the ACFE and he got no response because of the clandestine nature of the research. The researcher subsequently conducted interviews with retired and experienced former SAPS officials who had recruited and managed informers during their employment in their respective working environments, as well as two investigators from other organisations. The two investigators were interviewed because they were conducting forensic investigations and were willing to take part in the study and to address the use of informers as far as their companies are concerned. The researcher made use of the retired officials to gather information on using informers. The researcher could not make use of permanent members because of the clandestine nature of the research. In-depth information was gathered from these former officials because they were not afraid to express themselves and could freely speak their mind and to give information strictly as far as their experience in their work place.

1.4 RESEARCH AIM

According to Flick (2011:89), a research aim is the anticipation to acquire new knowledge and create new theories. Gray (2014:53) and Mills and Birks (2014:204) agreed that aims are a statement of the intent, and what you plan to achieve, and they are of the opinion that this is the most important aspect of any research because it reveals your intention to the readers of your study. The aim of this research was to determine the correct procedures that should be followed when informers are used by corporate investigators during the investigation process.

1.5 RESEARCH PURPOSE

The purpose of research is to describe how things are, to explain why things are, the way they are, and to predict a phenomenon such as human behaviour in the workplace (Welman & Kruger, 2001:2).

According to Babbie (2010:92), Babbie (2013:90), Creswell (2013:124) and Dane (2011:6), a research effort serves many purposes, which include exploration, description, explanation, application and empowerment. For the sake of this research, the researcher decided to explore the following four purposes;

1.5.1 Exploration

The reason for this research was to explore further and determine the correct procedures that should be followed when informers are used by corporate investigators during the investigation process (Dane, 2011:7). The research was carried out to further explore means and ways that can be used to ensure a safe working relationship between the handler and the informer when the handler collects information that will be used to solve criminal activities. This was done by studying national and international literature, as well as conducting interviews with participants, in order to explore the subject matter.

1.5.2 Evaluation

The researcher investigated the steps taken by investigators in order to collect information by means of informers, and discovered that there were loopholes in the sense that the investigators did not follow a standard procedure when using informers to assist in collecting court-related information.

1.5.3 Application

The researcher's intention was to apply new knowledge to develop good practice that will provide new guidelines and procedures that can be used by investigators who are involved in handling informers during investigations in the corporate environment.

1.5.4 Empowerment

Another purpose of this research was empowerment, i.e. to empower those who were being researched, namely the forensic investigators in the corporate environment. The findings and recommendations made, as based on the research, could be provided to the corporate investigation industry as a guideline that might be used by investigators who are involved in handling informers during investigations in the corporate environment.

1.6 RESEARCH QUESTIONS

According to Denscombe (2002:31), “research questions specify things that are to be observed, measured, and interrogated in order to shed light on the broader topic.” Du Plooy-Cilliers, Davis and Bezuidenhout (2014:69) and Mouton (2001:53) are of the opinion that research questions are the expression of interest and intent. Leedy and Ormrod (2012:38) and Rule and John (2011:28) opine that research questions are useful for gathering new facts and methods to be used. This research endeavours to answer the following questions:

- What is the relationship between the use of informers, crime intelligence and forensic investigations?
- What are the procedures that should be followed when informers are used by corporate forensic investigators?

1.7 DEFINITION OF KEY CONCEPTS

According to Berg (2004:29) certain concepts should be defined so that they will be understood correctly, based on the research that is being conducted. Key concepts should be defined to give them a meaning, as used in the research project (Leedy & Ormrod, 2012:44-45). The researcher defined the concepts in the research to avoid misunderstanding, as follows:

1.7.1 Informer

An informer “is a person who gives information to the investigator on an incident that has taken place or that is about to take place for a specific motive” (Osterburg & Ward, 2010:183).

1.7.2 Forensic investigation

According to Benson, Horne and Jones (2015:19), forensic investigation is an in-depth, meticulous investigation, searching for the truth by using specialised skills and expert knowledge, and the application of scientific investigation methods and techniques, in order to lawfully discover, collect, prepare, identify and present evidence that can be presented to a court of law, disciplinary council, instructing client or company.

1.7.3 Crime intelligence

Crime intelligence is defined in Section 1(vii) of the National Strategic Intelligence Act, Act 39 of 1994, “as intelligence used in the prevention of crime or to conduct investigations and to prepare evidence for the purposes of law enforcement, including investigators from company environment, and the prosecution of offenders.”

1.7.4 Handler

Handler refers to “any person within the policing environment who has been given the task of establishing and managing an information network to address a specific intelligence requirement” (South African Police Service, 2004:4). This definition will also be used for the purpose of this study, when referring to a handler in a company environment.

1.7.5 Company

Company refers to “any formal business entity for profit which may be a corporation, a partnership, association or individual proprietorship” (Bing, 2018).

1.7.6 Corporate investigator

Corporate investigator refers to “any person authorized by Private Security Industry Regulatory Authority to investigate and furnish information about any request or company” (Van Rooyen, 2001:14).

1.8 RESEARCH DESIGN AND APPROACH

According to Morgan (2014:3), different methods of research have different strengths. Research projects that use multiple methods are not automatically preferable to studies that use just one method (Morgan, 2014:4). Flick (2011:89), and Msweli (2011:58), agree with Mouton (2001:175) that a research design is a plan or strategy of how you intend to conduct the research. Richie, Lewis, Nichollis and Ormston (2014:48-70) agree and further add that the research design will help to address both the research questions and the research aim.

Creswell (2009:3) and Franklin (2012:54-57) are of the view that a research design provides an overall structure and serves as a guideline as to how to collect and

analyse data. Shuttleworth and Wilson (2008:473.2K) argue that qualitative research design is a research method used extensively by scientists and researchers studying human behaviour, opinions, themes and motivations.

According to Shuttleworth and Wilson (2008:473.2K), qualitative methods are often associated with interviews, surveys design techniques, focus groups and individual case studies, whereas quantitative methods are associated with experiments with control groups and carefully controlled dependent and independent variables. A quantitative research approach will include variable analysis and experimental or statistical control (Babbie & Mouton, 2005:49,270). There are advantages and disadvantages in both research approaches, which is why some researchers often use both of them at the same time (Bless & Higson-Smith, 2000:38).

Shuttleworth and Wilson (2008:473.2K) consider qualitative research as the most flexible of the various experimental techniques, with accepted methods and structures. The researcher agrees with this notion, which is why he opted to follow a qualitative approach for this study.

According to Maxfield and Babbie (1995:4), “empirical research is one way of knowing things about crime and criminal justice.” According to Denscombe (1998:6), empirical research is about seeking the necessary information. According to Denscombe (1998:6), Maxfield and Babbie (1995:4) and Punch (2014:4), an empirical research is about developing new ideas and collecting data by way of interviews.

Creswell (2013:4) emphasises that qualitative research is an approach to exploring and understanding the meaning that individuals or groups ascribe to a social or human problem. Creswell (2013:4) further adds that the process of research involves emerging questions and procedures, data typically collected in the participant’s setting, data analysis inductively building from particulars to general themes, and the researcher interpreting the meaning of the data.

The focus of this research study is on human behaviour, which is why the researcher made use of an empirical design (Mouton, 2001:55). The researcher attempted to involve the ACFE and he got no response because of the clandestine nature of the

research. The researcher subsequently conducted interviews with retired and experienced former SAPS officials who had recruited and managed informers during their employment in their respective working environments, as well as two investigators from other organisations. The two investigators were interviewed because they were conducting forensic investigations and were willing to take part in the study. The researcher made use of the retired officials to gather information on using informers. The researcher could not make use of permanent members because of the clandestine nature of the research. In-depth information was gathered from these former officials because they were not afraid to express themselves and could freely speak their mind and to give information strictly as far as their experience in their work place.

1.9 TARGET POPULATION AND SAMPLING

According to Welman and Kruger (2001:46), population can be defined as that full set of cases where a sample should be taken from. Population, according to Bachman and Schutt (2011:110), Hair, Celsi, Money, Samouel and Page (2011:165) and Msweli (2011:63) is the study of objects such as groups, individuals, human products, events, organisations, and the conditions they are exposed to. The ideal population for this research would be all investigators in the corporate environment who make use of informers during the investigation process. The researcher limited the population to participants outside of Anglo American Platinum. The researcher attempted to involve the ACFE and he got no response because of the clandestine nature of the research. The researcher subsequently conducted interviews with retired and experienced former SAPS officials who had recruited and managed informers during their employment in their respective working environments, as well as two investigators from other organisations. The two investigators were interviewed because they were conducting forensic investigations and were willing to take part in the study. The researcher made use of the retired officials to gather information on using informers. The researcher could not make use of permanent members because of the clandestine nature of the research. In-depth information was gathered from these former officials because they were not afraid to express themselves and could freely speak their mind and to give information strictly as far as their experience in their work place. This small group is called the target population in this study.

Leedy and Ormrod (2012:97) agree with Maxfield and Babbie (2011:112) that one will not be able to study all the members of the population that are of interest to the researcher. There are constraints that could influence the research such as limited time, lack of enough participants, and financial problems. Leedy and Ormrod (2012:97) agree with Burns (2000:83) that there are no hard and fast rules that determine how big the population should be. The most important fact that should be understood is the quality of the participants. According to Leedy and Ormrod, (2012:97) qualitative research allows the researcher to explore, and there are no rules regarding to the appropriate sample size.

Mason (2001:83) defined sampling as a principle and procedure that can be used to identify and choose, and to gain access to relevant units that will be used for data generation by any method. Matthews and Ross (2010:153) define sampling as the selection of some cases from a larger group of potential cases. Matthews and Ross (2010:154) consider probability sample, purposive sample, theoretical sample and population sample as the sampling techniques that a researcher may make use of.

Matthews and Ross (2010:154) define purposive sampling as selected cases that will best enable the researcher to explore the research question in depth. Purposive sampling, according to Matthews and Ross (2010:167), is associated with small, in-depth studies, with research designs that are based on the gathering of qualitative data and focused on the exploration and interpretation of experiences and perceptions. The researcher then conducted interviews with retired and experienced former SAPS officials, who had recruited and managed informers during their employment in their respective working environments, as well as investigators from other organisations.

In response to questions regarding historical information, participants gave detailed answers that were condensed by the researcher as follows: all the participants are male, ranging in age between 39 years to 63 years. All the participants have tertiary qualifications, ranging from a higher certificate to an LLD. One participant was working at the mine (Impala Platinum) and another at the Road Accident Fund. The six participants are ex-SAPS employees who were working at organised crime, dealing with commercial crime cases, and others worked at crime intelligence gathering. Participants share years of experience in dealing with commercial crime,

ranging from ten to twenty-five years. Participants underwent different type of courses, including the detective course, organised crime, money laundering and auditing. One was a public prosecutor specializing in commercial crime cases. Most of the participants specialised in commercial crimes. Six participants received training in dealing with informants, while four did not receive any formal training.

1.10 DATA COLLECTION

Creswell (2013:185-186) and Mouton (2001:104) explain that data may be gathered by a variety of data collection methods. Dantzker and Hunter (2012:16) consider data collection as the key component in a research process. According to Ragin and Amorosa (2011:131), data collection is a technique that can be used to collect evidence in a research project. Leedy and Ormrod (2005:99) suggest that more than one data collection method used will ensure that problems associated with one strategy may be compensated for by the strength of another. The researcher made use of interviews, a literature study, and personal experience to collect data for this research, and these aspects are explained below:

1.10.1 Interviews

Lichtman (2014:248) and Mills and Birks (2014:188) agree with Mark (1996:241) that an interview is a face-to-face situation in which one or more people are being questioned regarding specific issues of which they have knowledge. The interview may be structured, semi-structured or unstructured. According to Kidder and Judd (1986:225), the interviewer has the following advantages in face-to-face interviews:

- Notice and correct the participant's misunderstandings.
- Probe inadequate or vague responses.
- Can control the order in which the participant's receives the questions.
- Attain the highest response rate of any survey technique.

Interviewing, according to Sarantakos (2013:277), is one of the most common methods of data collection. Matthews and Ross (2010:219) and Parker (2011:42) state that interviews are a universal way of collecting data throughout the social sciences, providing the opportunity for direct interaction between the researcher and

the research participant. Matthews and Ross (2010:219) define an interview as a particular type of conversation between two or more people.

The researcher made use of semi-structured interviews to collect data. Semi-structured interviews are associated with the collection of qualitative social data when the researcher is interested in people's experiences, as explained by Matthews and Ross (2010:221). Sarantakos (2013:278) is of the view that a semi-structured interview lies between the structured and unstructured types and contains elements of both.

A standard practice for qualitative research has become accepted, in which interviews are conducted, the data coded, and the results reported in the form of summaries written in formal language (Parker, 2011:42). The researcher also studied the guidelines to conducting interviews, offered by Mouton (2001:102) and Parker (2011:42), and adhered to the guidelines for the development of the questions. The questions in the interview schedule were based on the problem identified, the research questions and aims of the research, to ensure that the research questions measure the relevant aspects. All participants were asked the same questions and their answers were recorded in the interview schedule. The interviews were conducted in private and the answers given by the participants provided a complete picture as to how informers can be used as a technique during investigation.

During the semi-structured, one-on-one interviews with participants, identical questions, in terms of the interview schedule, were put to all the participants and they were not influenced in any way. At some point, additional or follow-up questions were put to other participants for clarity purposes. A copy of the interview schedule is attached as Attachment A.

The researcher forwarded the interview schedule to the supervisor (Dr Horne) for review and comment, before it was used. The researcher also conducted a pilot or pre-test interview schedule, involving two of the managers (Investigation Managers at Anglo American Platinum), who were not part of the study, to ensure that the questions were correct, as explained by Leedy and Ormrod (2015:128). The interview schedule was piloted in order to refine and assess the phrasing of the

questions, and to re-check the suitability of the questions asked. The purpose of the pilot study is to detect possible imperfections in the measuring procedure and to identify and clear up dubiously formulated items.

1.10.2 Literature study

According to Singleton (1988:475), a literature review explains the investigation and how it was conducted. According to Fink (2010:196) and Leedy and Ormrod (2010:146) literature refers to all the available research on a subject or topic. Creswell (2009:25) and Jesson, Matheson and Lacey (2011:9-10) opine that to search for literature that contains information about the steps other researchers have taken to resolve the problems found in respect of the research questions will guide the researcher, and he will gain understanding of what is required to address the research questions pertaining to his own study. According to Mouton (2011:88), the purpose of a literature study is to establish what has already been done in the researcher's field of study.

Denscombe (2002:63) explains that the reader of the literature should ask himself/herself the following questions before believing what is written in the research:

- Are the claims made by the author validated?
- Do the authors provide enough information about the methodology they used to collect and analyse their data?
- Do the authors remain partial and objective?
- How recently was the work done?
- Is a generalization of the findings possible?

Rubin and Babbie (2011:143) highlight that it is important to collect information from literature, because it is a technique for defining the variables and concepts used in the research. In this case, the researcher gathered literature from available libraries and the Internet, guided by the problem statement, research questions and aims of the study. The sources that the researcher consulted are of national and international origin. The researcher searched and accessed the Internet, books, articles, journals, research dissertations, as well as newspaper clippings to obtain relevant information on the topic.

1.10.3 Personal experience

The researcher has twenty-two years' experience in the investigation of crime in the SAPS, of which ten years were spent National Crime Intelligence, undercover operations. The researcher was tasked to gather intelligence at the National Key Points of the Republic of South Africa. He was involved in gathering information and intelligence by means of informers and also in a number of project-related investigations. The researcher presented classes as a trainer at Hammanskraal Crime Intelligence and Detective Academy for two years.

At present, the researcher is engaged in investigation duties for Sibanye Stillwater Platinum, and it is his tenth year now. Previously he was at Anglo American Platinum. The researcher deals with all the cases that involve corruption and theft of any form at the mine. He obtained a National Diploma in Policing from the UNISA during 2006, a B.Tech Degree in Policing from Tshwane University of Technology in 2005, and a certificate in fraud investigation from the University of Pretoria in 2011. He also obtained external and internal training in the SAPS, and completed the following courses: Detective Learning Programme, Organised Crime, Intelligence Tradecraft, Strategic Analysis, Operational Analysis, and Crime Intelligence Gathering.

1.11 DATA ANALYSIS

De Vos, Strydom, Fouché and Delport (2011:397) believe that data analysis is the process of bringing order, structure and meaning to the volume of collected data. De Vos et al. (2011:336) refer to strategies for data analysis and pointed out that analysis, synthesis induction and deduction are approaches that are of importance to effective data analysis. According to Maxfield and Babbie (1995:107), content analysis by means of decoding is the most suitable technique for qualitative research.

The data from the interviews and documentary sources were compared, analysed, and coded to establish what the degree of comparison was between the participants' different versions. The data obtained was compared to the literature to point out differences and to establish trends and patterns. A combination of the above approaches ensured that the data was analysed comprehensively and

efficiently. The researcher made use of the data analysis spiral, as explained by Creswell (2014:197-199) and Leedy and Ormrod (2005:150-151). The steps are outlined as follows:

- Organised the data by using index cards, folders or a computer database. The researcher broke down large bodies of text into smaller units in the form of stories, sentences and individual words.
- Perused the entire data set several times to get a sense of what it contained as a whole.
- Identified general categories and classified each piece of data accordingly.

1.12 TRUSTWORTHINESS OF THE RESEARCH: VALIDITY AND RELIABILITY IN QUALITATIVE RESEARCH

The researcher used a qualitative approach in this study, and to achieve or get the required results, he ensured that the data collection was done in such a way that the results were both valid and reliable. The difference between qualitative and quantitative research, according to Kumar (2011:184), is the importance given to the concept of validity and reliability. Trustworthiness and authenticity are basic concepts that define validity and reliability in a qualitative research. Trustworthiness in qualitative research is determined by four basic indicators, namely: credibility, transferability, dependability, and conformity. The researcher will, therefore, give an explanation regarding the four indicators in the subsequent subsections.

1.12.1 Trustworthiness: Method to ensure validity

Validity is about the accuracy of the questions asked, coupled with the data collected and the explanations given. Validity, according to Creswell (2014:201), is considered a pillar of qualitative research, as it is used to determine whether the findings are accurate. Leedy and Ormrod (2005:28) argue that the validity of an instrument is tested when it is able to measure accurately.

According to the Concise Oxford Dictionary (2009:1298), 'valid' as a derivative of 'validity' is defined as "actually supporting the intended point or claim, executed in compliance with the law." Validity, according to Richards and Morse (2013:94), "is

a term too often avoided in qualitative research because it is mistakenly seen as an indicator of attitudes toward analysis or interpretation that do not fit with qualitative methods.” It is imperative to make sure that you design a project whose outcome will be appropriate and justifiable (Richards & Morse, 2013:95).

Denscombe (2002:100), however, argues that validity concerns the accuracy of the questions asked, the data that was collected and the explanation provided. Silverman (2005:223) argues that for a research effort to be genuine, the researcher has to demonstrate that the procedure that was followed ensured that the methods used are valid and reliable.

According to Wagner, Kawulich and Garner (2012:137), the term ‘trustworthy’ is used for validity and reliability in qualitative research. The researcher followed a qualitative approach in this study. To ensure that the results are trustworthy, the researcher decided to expand by explaining the following:

1.12.1.1 Credibility

‘Credible’, according to the Concise Oxford Dictionary (2009:271), means ‘to be able to be believed.’ Trochim and Donnelley (in Kumar 2011:185) explain credibility as the process whereby the results of qualitative research are proven to be genuine.

The researcher consulted work from seasoned, reputable authors with a high level of experience and a credible history of research projects, and their work made the researcher believe that it is credible in all material respects.

1.12.1.2 Transferability

Trochim and Donnelley (in Kumar, 2011:185) define transferability as the degree to which the results of a qualitative research can be transferred to another context. The researcher concurs with the arguments of De Vos et al. (2011:420) that the theoretical knowledge obtained from this qualitative research can be applied to other, similar situations, and that another researcher will come to the same conclusion if he/she conducts research based on the same topic as this research.

1.12.2 Trustworthiness: Method to ensure reliability

Dane (2011:134) argues that it is imperative to know what level of measuring process was used in a research effort, and understanding how reliable or consistent the measurement is, is equally important. Gray (2014:184) argues that reliability means that the method used to measure results in a qualitative research must be stable and consistent in all material respects. According to Richie et al. (2014:354-355), reliability must remain relevant in a qualitative research. The researcher explained dependability and conformability below in order to emphasise the fact that methods used to collect data for this research are most reliable, and if a similar approach is taken, the same outcome as that of this researcher will be reached.

1.12.2.1 Dependability

The researcher ensured that he followed a research process that is was logical and could be traced, and made sure that all the data obtained was documented accordingly. This was done to follow the guidelines of De Vos et al. (2011:420). According to these authors, the researcher must ask whether the research process is presented logically and documented accordingly. Dependability is similar to the concept of reliability in a qualitative research, whereby the researcher attempts to give an account of changing conditions in the phenomenon chosen for the research to be conducted on.

The researcher ensured the dependability of this research by ensuring that the research interview schedule questions were consistent in meaning for all members of the targeted group, and that the questions were delivered objectively. A detailed explanation of the researcher's choice of research methodology in this study was provided. The researcher did not make his own suggestions of the results, or try to influence the outcome of the results of the research, or to influence or direct the opinions of the participants to fit a particular outcome.

1.12.2.2 Conformability

Liamputton (2013:26) explains that for the findings to be genuine, they must be linked to the data collected during the research project. The researcher achieved confirmability by means of peer review and triangulation of the sources used in the

literature review. Data received was reported and recorded in order to eradicate biases, thus ensuring confirmability in the research.

Creswell (2013:251) is of the view that to achieve confirmability, the researcher must employ the member-checking strategy. The researcher read back the answers provided by participants at the end of the face-to-face interviews in order to ensure that the answers or responses provided were a true reflection of what was said. This was done solely to determine inaccuracies and maintain objectivity.

1.13 ETHICAL CONSIDERATIONS

The guidelines for ethics in research were adhered to, as described in the Policy on Research Ethics of the University of South Africa. The policy states that research involving participants must be conducted in an ethical manner and in accordance with university and Government guidelines and policies on human research, in order to protect the researcher, the research participants and the University (Unisa, 2007:7).

The researcher made a study of the guidelines by Mouton (2001:238) and those of Flick (2011:215), where students are sensitised to adhere to the principles and rules of ethics during research. The authors stress the importance of maintaining morally accepted norms and values in scientific research and dealt with aspects such as objectivity, integrity, fabrication of data, recording of own data, rejection of any form of plagiarism, right to privacy, anonymity and confidentiality, and protection from harm. The researcher recognised all these requirements and adhered to them at all times.

On 22nd February 2011, the researcher was granted approval of the topic by Unisa to proceed with this research. The approval letter is attached as Annexure “B”. The researcher submitted this research to Turnitin for the required originality comparison. The digital receipt as proof of this submission is attached as Annexure “C”.

De Vos, et al. (2011:115), Creswell (2014:98), Hennink, Hutter and Bailey (2011:64), Leedy and Ormrod (2013:104-105) and Salkind (2012:85) concur with

Babbie and Wagenaar (1992:282) that social scientists generally agree on five basic principles for handling ethical concerns, and they are discussed as follows:

- Voluntary participation: Participants were told that they were participating of their own free will and if, during the interview, they decided not to continue, they just had to mention it and the interview would be terminated.
- Injury of participants: Participants were protected from physical and psychological harm and were not subjected to unusual stress or discomfort.
- Protecting the anonymity and confidentiality of research subjects: The researcher ensured that he did not link the given response to a given participant; no names were recorded on the interview schedule, only code numbers.
- Concealment of identity of the participants: The researcher ensured that he concealed the identity of the participants on the interview schedule or and in the research report by allocating code numbers instead of using the participants' names to safeguard their right to privacy.
- Ethical principles: The researcher ensured that he observed adherence to ethics and explained to the participants that they could withdraw from participation in the research at any given time, if they so preferred.

The participants were given a choice not to answer questions that they perceived to be derogatory in nature. Identities of participants were not disclosed in any way. The participants were allowed to decline to reply to some of the researcher's questions, if in their opinion, those answers could compromise confidentiality.

1.14 CHAPTER OUTLAY

This research is divided into four chapters that commence after the chapter layout below. The researcher addresses the research topic, research aims and research questions in the following chapters.

Chapter 1: General orientation

In this chapter, the problem statement, research aims, research purpose, and research questions under investigation are introduced. This chapter also defines the key theoretical concepts and includes the research design and approach, the target population and sampling, and the data collection process. The trustworthiness of the research, including methods to ensure both validity and

reliability, as well as the ethical considerations, is addressed in the final part of this chapter.

Chapter 2: The relationship between utilizing informers, crime intelligence and forensic investigation

The following important aspects are discussed in this chapter: the meaning of crime intelligence, and the history and objectives of crime intelligence. The meaning of forensic investigation, development in the field of investigations, objectives of investigation, the duties and characteristics of an investigator, the relationship between informers, crime intelligence and forensic investigation are also discussed.

Chapter 3: The procedures that must be followed when informers are used by corporate forensic investigators

This chapter focused on the need for recruiting informers, purpose of informers, informer privilege, types of informers, recruitment procedures of informers, methods to recruit informers, briefing and debriefing sessions, briefing of an informer, and debriefing of an informer. The chapter deals with the relationship between an informer and the investigator, motivational factors, characteristics of potential informers, and developing and managing informers. The chapter further explored the training and remuneration of an informer. The types of informers are outlined in detail.

Chapter 4: Findings and recommendations

This chapter summarizes the findings of the researcher, based on the research questions and aims of the study. The recommendations could be helpful to forensic investigators to understand the procedures that must be followed when they use informers. Suggestions for further research are also included in this chapter.

CHAPTER 2

THE RELATIONSHIP BETWEEN THE USE OF INFORMERS, CRIME INTELLIGENCE AND FORENSIC INVESTIGATION

2.1 INTRODUCTION

According to Metscher (2005:3), intelligence is a product created by the process whereby information is collected, collated, analysed and disseminated to the end-user as usable information. Every agency and textbook defines intelligence in its own way; however, in all the definitions provided by various authors consulted, they all agree that information should be analysed before it can be used as intelligence (Metscher, 2005:3). The International Association of Chiefs of Police (1985:52) views intelligence as raw information, which is processed to inform decision-making. Grau (1993:301) points out that intelligence gathering is a necessary tool for the law enforcement agency to counter criminal activities in the communities.

According to Kruger (2006:20), forensic investigation is an enquiry aimed at ascertaining the facts, which will lead to the reconstruction of a crime. Van der Merwe (2008:97) points out that a forensic investigation is a court-driven investigation for the purpose of legal proceedings. Becker and Dutelle (2013:17) and Orthmann and Hess (2013:11) opine that investigation takes place with definite objectives that describe a commitment that has to be achieved within an appointed time and keeping a specified standard in mind. Becker and Dutelle (2013:17) and Orthmann and Hess (2013:11) further explain that the identification, gathering of evidence, individualization of the crime, arrest of the suspect, and the recovery of stolen goods and/or cash are the main objectives of investigation.

Informing has been going on for a long time. According to the Holy Bible, even Jesus Christ said to His disciple Judas; “betrayed thou the Son of man with a kiss” (Luke, 22:48). Becker and Dutelle (2013:162) argue that the word ‘informant’ has taken on negative connotations, although any citizen providing information to police, including witnesses and victims, is an informant. In policing, according to Eterno and Roberson (2015:194), the use of informants in criminal investigations is seen as a cost-effective means of detection, especially in dealing with serious and

organised crime, with police officers encouraged to exploit the full potential of informants and to cultivate such contacts.

Eterno and Roberson (2015:194) emphasize that although the importance of informants to detective work has been globally accepted by both practitioners and researchers, their use has also been seen to create conflict in agencies within the criminal justice system, as well as creating major tensions and conflict within the police organisation itself.

Osterburg and Ward (2010:183) explain that an informer is any person who discloses information. The experience the researcher had acquired during all these years had made him aware that the traditional shortcut to the solution of a crime or to the location of a wanted person is the informant. This chapter endeavours to answer the research question, namely: "What is the relationship between utilizing informers, crime intelligence and forensic investigations?" as reflected in paragraph 2.10 of chapter 2.

2.2 THE MEANING OF CRIME INTELLIGENCE

Criminal intelligence, according to Lyman (2013:117-118), is defined as "knowledge of past, present, or future criminal activity that results from the collection of information that, when evaluated, provides the user with a basis for rational decision making." Lasley, Guskos and Seymour (2014:196) define criminal intelligence as the collection of crime-related information by means of investigative efforts. Lushbaugh and Weston (2012:127) consider intelligence as the secret or clandestine collection and evaluation of information about crime and criminals not normally available to investigators via overt sources.

Crime intelligence was defined in paragraph 1.7.3 of the previous chapter of this dissertation. The definition revealed that crime intelligence can be used in efforts to prevent crime, during investigations of crime by law enforcement agencies as well as investigators from corporate companies (Ratcliffe, 2004:18). Ratcliffe (2004:18) further explains that crime intelligence has been a development of the investigatory arm of the law enforcement. According to Brown (2007:338), intelligence consists of pieces of raw information that, when collected, evaluated, collated and analysed, form meaningful and useful findings that are both accurate and timely.

Brown (2007:338) emphasises that taking this raw material into intelligence requires a sequential process.

Intelligence-led policing was developed as an operational strategy of law enforcement to reduce crime by combining both crime analysis and criminal intelligence (Ratcliffe, 2008:6). The author further explains that it emphasises information sharing at both the local and regional levels. Intelligence-led policing is a process whereby data is analysed to advise management in order to be able to come up with effective strategies to address crime. The intelligence-led policing strategy was not derived in response to ineffectiveness of patrol but from the positive evolution of street tactics. Ratcliffe (2004:27) is also of the view that the techniques and methods used by modern offenders are far more sophisticated and require an equally intelligent approach, otherwise the crime rate will continue to rise. According to Prenzler (2012:75), modern intelligence could work successfully in solving crime or disrupting criminal enterprises and recovering proceeds of crime.

In response to the first question: “How will you define crime intelligence?” Participants answered as follows:

- Crime intelligence is the gathering of information from reliable sources with the aim to link the information received from the sources for further investigation. Criminal intelligence is developed by using surveillance, information, interrogation, and research, or may just be picked up on the ‘street’ by an individual police official (two participants).
- ‘Crime Intelligence’ with capital letters refers to a unit that deals with crime intelligence. The ‘crime intelligence’ in small letters refers to the information relating to crime that has been analysed and found to be of substance (two participants).
- Crime intelligence is the collection, compilation and analysis of information for purposes of preventing or monitoring criminal activities (one participant).
- The crime intelligence refers to the information relating to crime that has been analysed and found to contain information that can be used as evidence in a court of law (one participant).
- It is the collection, analysis and dissemination of information (one participant).

- Information that is helpful to the investigation and decision-making (one participant).

While it is clear that the majority of the participants understood the meaning of crime intelligence, it is significant that one participant mentioned that Crime Intelligence with capital letters refers to a unit that deals with crime intelligence. This response clearly shows that the participant does understand and could differentiate between the two. In addition, the majority of the responses are consistent with the opinions of Lasley, Guskos and Seymour (2014:196), Lyman (2013:117-118) and Lushbaugh and Weston (2012:127). In the following discussion, the researcher reviews the history of crime intelligence.

2.3 HISTORY OF CRIME INTELLIGENCE

The collection of information for intelligence purposes has a long history. For hundreds of years, governments and their military forces have engaged in various activities to obtain intelligence about individuals and groups viewed as threatening (Lowenthal, 2018:1). Although the origin of intelligence gathering by the police in the United States is difficult to determine, it appears that the intelligence function was first carried out by large city police departments, when immigrants first concentrated in urban centres of this country (IACP National Law Enforcement Policy Centre, 1998:1).

Democracy in South Africa was preceded by decades of political domination by a white minority whose rule was bolstered by their security forces. The leading sections of the apartheid security forces in the implementation of repression during this period were from both the military and the police arms. Within the military, the Civil Cooperation Bureau, which has both intelligence and operational capabilities, and the Security Branch of the South African Police was entrusted to spearhead violent repression within the country (Africa & Mlombile, 2011:3).

According to O'Malley [s.a], before the democratically elected government in South Africa, the South African Police was tasked with internal security in the country. This was done by making use of the defunct Security Branch, which was also known as the Special Branch. It had a high profile and operated with cold-blooded efficiency.

This unit was tasked to make use of intelligence to track down, detain and torture suspected activists and opponents of the apartheid system.

The Division Crime Intelligence only came into formal existence in the year 1999 as part of the SAPS. It is dedicated to the gathering of crime-related intelligence with the purpose of ensuring public safety and security. From 1994 to 1999, the Crime Intelligence Division of the SAPS was known as Internal Security. This name change came about as a result of the amalgamation of various police agencies that operated in the country prior to 1994. The Division Crime Intelligence is divided into subdivisions that give operational support, analyse data, and conduct counter-intelligence gathering, the collection of covert intelligence and crime intelligence (South African Police Service, 2011:4).

Crime intelligence, as explained by Lasley, Guskos and Seymour (2014:196), derives from the military and national security models. It has been in the process of being implemented slowly into police agencies since the 1940s. To place more emphasis on the history of crime intelligence, its objectives will be described explicitly in this section. In the following discussion, the researcher examines the objectives of crime intelligence.

2.4 OBJECTIVES OF CRIME INTELLIGENCE

The objectives of crime intelligence are illustrated in its definition – refer to Chapter 1, paragraph 1.7.3 of this dissertation for a complete definition. The objectives, according to the definition, are the following: (a) to assist in the prevention of crime, (b) to investigate crime and (c) to be used in the preparation of evidence for prosecution purposes. Crime Intelligence can also be used in a company environment responsible for the prevention and investigation of crime (National Strategic Intelligence Act, Act 39 of 1994).

According to Lyman (2013:117), covert information collection is a clandestine process of data collection regarding criminal acts that have not yet occurred. The detection and investigation of crime and the pursuit and apprehension of criminals require reliable intelligence to address them, as asserted by Lushbaugh and Weston (2012:127). Sennewald and Tsukayama (2006:41) describe undercover investigations as intelligence operations within any given area or unit of a

corporation. Sennewald and Tsukayama (2006:42) consider the following as the objectives of constructive or undercover investigations in the private sector:

- To discover internal dishonesty.
- To identify all parties involved in the dishonest activity.
- To identify the organisational, operational or physical failure that contributes to or permits the dishonesty to occur.
- To purge the organization of all crooked/dishonest employees.
- To correct a deficiency identified as a result of organizational, operational or physical failures that contributed to or permitted the dishonesty to occur.

Schneider (1995:403) explains that the purpose of the intelligence function is to increase knowledge and understanding of the particular problem under consideration in order that logical decisions may be reached. Ratcliffe (2008:7) is of the opinion that the use of intelligence is perceived as having a negative connotation, since it is associated with secrecy, subversion and sometimes with illegal activities that are used to protect the police force or security company.

Crime intelligence, according to Ratcliffe (2008:3), should address the following aspects:

- The demand gap and the failure of traditional policing methods.
- Improvements in information technology.
- Pressure for greater managerial professionalism.
- The growth of serious and organised crime.

According to Palmiotto (2004:79), crime intelligence is important in the sense that criminal activities are detected before they can take place. Lasley, Guskos and Seymour (2014:196) outline the following as the areas where criminal intelligence was designed to address:

- Narcotics manufacture and/or trafficking.
- Unlawful gambling.
- Extortion.
- Vice and pornography.

- Infiltration of business for illegal purposes.
- Bribery.
- Major crime, including homicide, burglary, auto theft, kidnapping, destruction of property, robbery, fraud, forgery, fencing of stolen property, and arson.
- Manufacture, use, or possession of explosive devices for fraud, intimidation, or political reasons.
- Organized crime.
- Corruption of public officials.
- Threats to public officials and private citizens.
- Travelling criminals.
- Gang activities.
- Other multi-jurisdictional activities.

In response to the question: *“What do you think the objective of crime intelligence is?”* Participants answered as follows:

- It is to gather intelligence in order to enhance the capacity of investigators to stay ahead of criminals (two participants).
- Manage crime intelligence, analyse crime information and provide technical support for investigations (two participants).
- Manage crime intelligence, analyse crime information and provide technical support for investigations and crime prevention operations (one participant).
- It is to develop a strategy on how to counteract criminal intentions, as well as to ensure that the organization is not exposed to risks (one participant).
- The objective of crime intelligence is to give authorities advantage over crime and criminal activities (one participant).
- Information provider (one participant).

Although the participants do not explain the objectives of crime intelligence in the same way, the idea is the same and this corresponds to the literature of Palmiotto (2004:79) and Ronczkowski (2004:71). It is the opinion of the researcher that intelligence plays an important role in solving cases, especially in organised crime.

If it is applied to the practice of investigation, criminals and criminal activities could be minimized in the country; better still, in the whole world. In the following discussion, the researcher examines the meaning of forensic investigation.

2.5 MEANING OF FORENSIC INVESTIGATION

Hardley, and Fereday (2008:1) define “forensic science” as any information, document, or evidence that has been collected to resolve a legal dispute. Monckton-Smith, Adams, Hart, and Webb (2013:5) define forensic as the scientific process or technology used in the context of the legal system.

Birzer and Roberson (2012:83) are of the view that forensic science involves the application of professional and scientific disciplines in the examination and analysis of physical evidence. Swanson, Chamelin, Territo and Taylor (2012:2) are of the opinion that forensic science is drawn from diverse disciplines, such as geology, physics, chemistry, biology and mathematics to study physical evidence related to crime. Becker and Dutelle (2013:7), Davia (2000:121), Dintwe (2014:196), Saferstein (2013:2) and Van Rooyen (2004:7) define forensic science as the application of science to the criminal and civil laws that are enforced by police agencies in a criminal justice system. Houck and Siegel (2010:4) and Jackson and Jackson (2011:1) describe forensic science as the science of associating people, places, and things involved in criminal activities, and these scientific disciplines assist in investigating and adjudicating criminal and civil cases. Jackson and Jackson (2011:1) define forensic science “as any science that is used in the services of the justice system.”

Saferstein (2013:4) argues that “forensic science owes its origin to the individuals who developed the principles and techniques needed to identify or compare physical evidence, and to those who recognised the need to merge these principles into coherent disciplines that could be practically applied to a criminal justice system.” Forensic science, according to Saferstein (2013:2), is the application of science to the criminal and civil laws that are enforced by police agencies in a criminal justice system.

Robert and Zuckerman (2004:3) define forensic investigation as the analysis of samples by the forensic science laboratory and the evidence that derives from it. Bertino (2012:5), Fisher, Tilstone and Woytowicz (2009:3), Lambrechts (2002:83), Saferstein (2009:2) and Shaler (2012:15) are of the opinion that forensic investigation is the application of scientific knowledge to a legal problem.

Coupled within the fields of policing and forensic science is the area of forensic investigation (Becker & Dutelle, 2013:7). Pyrek (2007:16), Stelfox (2009:132) and White (2010:2) assert that forensic investigation is when science is applied in criminal as well as civil matters. According to Benson, Horne and Jones (2015:19), forensic investigation is the in-depth, meticulous investigation, searching for the truth by using specialised skills and expert knowledge, and the application of scientific investigation methods and techniques in order to lawfully discover, collect, prepare, identify and present evidence that can be presented to a court of law, disciplinary council, instructing client or company.

Corporate investigation, according to Corporate Investigations-PInow.com (2019) is the thorough investigation of a corporation or business in order to uncover wrongdoing committed by management, employees, or third parties. Both public and private institutions can conduct forensic investigation, whereas, corporate investigation can only be undertaken in a corporate environment. They are both aimed at revealing the truth regarding illegal incidents in private and public environments.

In response to the question: *“How would you define forensic investigation?”* Participants answered as follows:

- This is the process of legally gathering evidence for purposes of prosecution or conducting a disciplinary hearing (two participants).
- Investigation that appears to require specific skills (one participant).
- The application of scientific knowledge and methodology to legal problems and criminal investigations. A forensic investigation is the practice of lawfully establishing evidence and facts to be presented in a court (two participants).

- It is the practice of lawfully establishing evidence and facts that are to be presented in a court of law (one participant).
- The collection of facts in order to present at the appropriate forum (one participant).
- The application of scientific knowledge and methods to legal problems and criminal investigations (one participant).

Participants have more or less the same understanding of the term “forensic investigation,” as stated in the literature of Benson, et al. (2015:19), Bertino (2012:5), Lambrechts (2002:83), Fisher, et al. (2009:3), Robert and Zuckerman (2004:3), Saferstein (2009:2) and Shaler (2012:15) when they opine that forensic investigation is the application of scientific knowledge to a legal problem. It is the view of the researcher that forensic investigation is about providing court-related evidence. The researcher explored this topic further by explaining the development in the field of investigation in the next section.

2.6 DEVELOPMENT IN THE FIELD OF INVESTIGATION

According to Khan (2007:6), Newburn, Williamson and Wright (2011:11) and Swanson, Chamelin, Territo and Taylor (2012:2), criminal investigation originated a very long time ago. These authors further explain that criminal investigation was used during the dark days when the tribal system existed, and criminal investigation was assigned to an individual or family to investigate the suspected individual or family. Khan (2007:7) states that during the middle Ages, criminal detection shifted from government to group responsibility, whereby the community was divided into smaller groups and tasked to detect and control abnormal behaviour within their areas of responsibility.

Khan (2007:12) explained that Gross introduced the bloodstain removal and glass breakage technique and wrote a book that was published in Germany in 1893. Fisher et al. (2009:3) are of the opinion that the term *criminalistics* is the application of forensic science to criminal matters. According to Saferstein (1995:3), it was Holmes who first applied the newly developing principles of serology, fingerprinting, firearm identification, and questionable-document examination long before their value was first recognised and accepted by real-life criminal investigators.

The researcher agrees with the notion that investigation does not exist in isolation, since it could involve many other fields and is not static. For example, the influence of computers has also brought about many changes in this field. Criminal investigation, according to Newburn, Williamson and Wright (2011:426), is:

... the process undertaken to establish whether an act, intention to act or omission may be labelled a crime and, if it is so labelled, the collection of evidence to determine those responsible and how they will be dealt with in the criminal justice system.

In the following discussion, the researcher looks at the objectives of an investigation.

2.7 OBJECTIVES OF INVESTIGATION

According to Mc Devitt (2005:3-5), it is important to devote attention to the objectives of investigations, as it will direct investigators to concentrate and pay sufficient attention to the relevant and important aspects of investigation of crime. Becker and Dutelle (2013:17), Giacalone (2011:5-7), Hess and Orthmann (2010:33), Lyman (2013:7) and Osterburg and Ward (2014:5) consider the following as the main objectives of a criminal investigation:

- Make a decision on whether a crime has been committed or not;
- Deal with emergencies;
- Identify the crime that was committed. It is important to identify the type of crime. It may influence the immediate and follow-up investigations, as decisions must be taken regarding specific methods and/or techniques to be applied to clear up the crime scene;
- Establish crime scene priorities;
- Gather evidence. The crime scene is a reliable source of information; therefore, it is important to comprehensively gather evidence from this important source;
- Gather intelligence. Investigators must be cognisant of the fact that intelligence is the product of information that was processed, verified and evaluated to a usable product. Intelligence is not evidence per se but can be valuable in the investigation process;
- Trace and recover stolen goods;
- Prevent further crime because perpetrators are arrested;

- Individualize the perpetrators;
- Arrest the suspect;
- Connect the suspect to an offence;
- Involvement during the litigation process, for example to attend court, support the state prosecutor, and assist during the prosecution process; and
- Preparing for trial, including completing accurate documentation.

Palmetto (2013:65) argues that the success of any investigation depends upon information, and informants are important sources of that information. According to Gilbert (2010:133), information is absolutely essential to the investigative process. Human beings, as the most frequent sources of information have always been the structural framework upon which the investigation is built (Gilbert, 2010:132). Authors mentioned in paragraph 2.4.3 of this study, quoted gathering of intelligence/information and evidence as some of the objectives of an investigation. According to Minnaar (2011:85), an informer is a person who provides an investigator with information about criminals, criminal activities or planned criminal activities for remuneration purposes.

Sennewald and Tsukayama (2015:9) repeat the statement they made in Sennewald and Tsukayama (2001:11), namely that the fundamental difference between the investigative processes in the public and the private sectors is the objective. Sennewald and Tsukayama (2015:9) agree with Gilbert (2010:45) that the primary objective of criminal investigation in the public sector is to serve the interests of society, whereas the primary objective of investigation in the private sector is to serve the interest of the organisation.

Brandl (2014:3-4) defines criminal investigation as the process of collecting crime-related information in order to reach specific goals. From this definition, Brandl (2014:4) explains that to solve crime, to provide court-directed evidence, and to provide good service to the victims of crime are goals associated with the process of criminal investigation. According to Brandl (2014:4), the main objective of criminal investigation is to solve crime, and it is the responsibility of crime investigators to achieve this objective. During the process of solving crime, investigators should be

able to determine the nature of the crime that was committed, who committed that crime, and thereafter arrest the perpetrator (Brandl, 2014:4).

According to Ferraro (2012:77), the objective of an investigation defines the foundation on which the investigation rests, and for an investigation to succeed, its objectives should be clearly defined. Properly-crafted objectives, according to Ferraro (2012:79), steer the investigation and those who conduct it. Ferraro (2012:79) further outlines the objectives of workplace investigations, as follows:

- Identify the true nature and scope of the problem;
- Identify the offender and his reason for committing the offence;
- Gather information that can be used at the disciplinary hearing;
- Conduct the investigation without bringing the organisation into disrepute; and
- Achieve the best possible return in investment.

In response to the question: “*What would you say are the objectives of investigation?*” Participants answered as follows:

- The gathering of evidence for purposes of prosecution or conducting a disciplinary hearing (two participants).
- The gathering of court-directed evidence (two participants).
- To gather information from the crime scene with the aim of prosecuting (one participant).
- Prevent potential corrupt activities by demonstrating a holistic approach to fighting corruption in the workplace (one participant).
- To collect facts in order to address the allegations (one participant).
- To investigate an irregularity when it is reported, and to gather information from the crime scene with the aim of prosecuting criminals (one participant).

While it is clear that all the participants understood the objectives of an investigation, it is significant that the majority of the participants mentioned the word “gathering” in their responses, while it was not found in the literature consulted by the researcher. The majority of the responses are consistent with the opinions of Becker and Dutelle (2013:17), Ferraro (2012:79) and Lyman (2013:7). In the following discussion, the researcher looks at the duties of an investigator.

2.8 DUTIES OF INVESTIGATORS

Before one may outline the duties of an investigator, it is most appropriate to define what the term 'criminal investigator' means. 'Criminal investigator' is a broad term that covers several professions in law enforcement. Criminal investigators include street detectives, crime-scene investigators and laboratory specialists (Boyd, 2011:3). Benson et al. (2015:17) define a private investigator as a person who, in a private capacity and for the benefit of a third party, investigates the identity, actions, character, background or property of another person, without the consent of that person. Benson et al. (2015:17) further explain that certain investigation activities are not covered by legislation, in other words such investigations do not fall within the exclusive functions of the State, and these include the following:

- Conducting internal investigations into employee's misconduct in a company or organisation.
- Conducting investigations that a business, other than an investigation business, may understand in the course and scope of its normal and reasonable endeavours to safeguard its security, strategic, operational or business interests.

According to Palmiotto (2013:6), investigators have a responsibility, besides solving a crime, that when breaking a case it should be based on personal and organizational ethics, legal guidelines, accuracy, and a sincere search for the truth, without being biased. Swanson et al. (2012:2) define an investigator as someone who gathers documents, and evaluates evidence and information.

The term 'criminal investigator' could also be relevant in the private and corporate industries that are responsible for the investigation of criminal matters. However, according to the researcher's knowledge, the term 'forensic investigator' is currently used by the private and corporate entities because it could include a criminal as well as a civil investigation. Khan (2007:18), Osterburg and Ward (2010:5), McMahon (2014:176-179) and Palmiotto (2013:11) consider the following as the duties to be performed by the investigator:

- Identify the suspect.
- Locate the suspect.

- Effect an arrest.
- Recover stolen property.
- Establish motive, knowledge and means.
- Analyse and interpret results of the final observations and he must experiment and test the validity of the information before using it as evidence.
- Determine whether a crime has been committed.
- Decide if the crime was committed within the investigator's jurisdiction.
- Aid in the prosecution of the offender by providing evidence of guilt that is admissible in court.
- Testify effectively as a witness in court.
- Photograph and sketch the crime scene.
- Maintain surveillance of suspects and known criminals.
- Maintain field notes and write preliminary, follow-up, supplementary, and arrest reports.

Diggs (2011:3) asserts that crime investigators probe into suspected violations of law. Their primary duty is to examine evidence, and help the prosecutor decide whether to bring a criminal case before a court of law. Diggs (2011:3) further points out that the criminal investigator is duty-bound to gather evidence, conduct interviews with both suspect and offender, perform surveillance, give evidence in court, prepare an investigation report and direct the investigation process.

Schindly (2011) is of the opinion that investigators work to collect information, clues and evidence to help the public, and they are assigned to conduct the following duties:

- Crime scene: An investigator scrutinises evidence at the scene of crime, ensures that evidence so collected is not contaminated, and establishes a chain of evidence.
- Collaboration: The investigator has to collaborate with other law-enforcement agencies to share information regarding criminal activities.
- Findings: The investigator applies his mind to determine the findings of his investigation. These should be contained in an investigation report.

The researcher agrees with all the various duties of an investigator, as mentioned above. He, however, believes that investigators perform so many duties that it is not even possible to mention them all. Further examples are, supporting victims, testifying in court; communicating with victims, witnesses, perpetrators and informers. The researcher is of the view that the most important role an investigator could play is to recruit informers who will provide him/her with relevant information that could be used to solve unresolved crimes within his/her operations. Eterno and Roberson (2015:194) also stated the fact that in policing, the use of informants in criminal investigations is seen as a cost-effective means of crime detection. Fitzgerald (2015:69) concurs with Eterno and Roberson (2015:194) that informants are valuable sources of information in the successful conviction of the offender. In the following discussion, the researcher studies the characteristics of an investigator.

2.9 THE CHARACTERISTICS OF AN INVESTIGATOR

Orthmann and Hess (2013:12) are of the view that a good investigator is knowledgeable, creative, patient and persistent. "Investigative officers are more effective when they possess specific intellectual, psychological and physical characteristics" (Orthmann & Hess, 2013:12). Becker and Dutelle (2013:19), Davies (1986:28), Osterburg and Ward (2010:9-10) and Swanson, Chamelin, Territo and Taylor (2012:38) are of the opinion that an investigator should possess the following characteristics:

- He must obligate himself to maintain professional competency by means of the existing programmes of continuing education.
- He must render technically correct statements in all written and verbal reports, testimony, public addresses and publications.
- He must avoid any misleading or inaccurate claims.
- He must act in an impartial manner and do nothing to imply partnership or any interest in the case, except with regard to the proven facts and their correct interpretation.
- He must have the ability, both physically and mentally, to conduct an inquiry.
- He must have the knowledge and training necessary to handle complex investigations.

- He must have the skills necessary to achieve the intended objectives.
- He must have a strong degree of self-discipline.
- He must use legally approved methods that are highly ethical.
- He must have the ability to win the confidence of people with whom he interacts.
- He must be able to use both inductive and deductive reasoning.

The researcher agrees with Buckwalter (1984:27), Lyman (2013:10), and Osterburg and Ward (2010:10-11) that a successful investigator should possess the following characteristics:

- Prudence.
- Secrecy.
- Inventiveness.
- Persistency.
- Personal courage.
- Honesty.
- Skill to obtain information from others.
- Ability to adapt to persons and circumstances.
- Intelligence.
- Resourcefulness.
- Motivation to serve others.
- Integrity.
- Dedication.
- Reliability.

According to Gilbert (2010:34), the ability to analyse logically a multitude of facts and determine how they interrelate, is basic to the investigative characteristics. This will ensure that the investigator is able to gather information by means of human source recruitment, as guided by Lyman (2013:11). Buckwalter (1984:67) further describes the skills of an investigator as those of an actor, analyser, communicator, controller, describer, detector, discerner, examiner explorer, filer, finder-gatherer, inspector, interrogator, interviewer, listener, measurer, noter (recorder) and observer. McMahon (2014:3) describes an investigator as “a professional researcher who

uses observation, inquiry, examination, and experimentation to obtain evidence and factual formation upon which sound decisions can be made.”

Dempsey (2003:30), McMahon (2014:4-7), Sennewald and Tsukayama (2006:17-18) and Sennewald and Tsukayama (2015:17) concur with Horgan (1974:3) that a successful investigator should have the following personal qualities or characteristics:

- Suspicious: He must demand verification whenever possible in order to resolve all doubts.
- Curiosity: Habitual inquisitiveness and a desire to learn the truth often disclose true and important facts that would go unnoticed.
- Observation: The use of the five senses plays an important part in the prevention and detection of crime.
- Memory: The ability to recall facts and past occurrences is useful.
- Ordinary intelligence and common sense: Cases are solved by using good judgement, common sense, and discretion augmented by perseverance and the ability to apply proven investigative techniques.
- Unbiased and unprejudiced mind: A biased or prejudiced mind implies prejudgement and results in poor investigations, incorrect conclusions, and unfairness toward complainants, witnesses, and suspects.
- Avoidance of inaccurate conclusions: Investigators should not form conclusions based on their experience with similar cases.
- Observant.
- Resourceful.
- Patient.
- People-oriented.
- Understanding of human behaviour.
- Knowledgeable about legal implications of the work.
- Skilled communicator.
- Receptive.

Benson et al. (2015:29), state the following as the specific characteristics an investigator should have:

- Intellectual and emotional intelligence.
- Sound moral and ethical character.
- The ability to operate independently and as part of a team.
- The ability to improvise and adapt to challenging situations.
- The ability to interact effectively with other people.
- Being an analytical and critical thinker.
- Following an organised and systematic approach.
- Being well versed in new technology.
- Perseverance.

In response to the question: *“Name the characteristics that you think are needed to be a successful investigator?”* Participants answered as follows:

- Impartiality; analytical ability; emotional intelligence; perseverance; courage; flexibility and ability to make quick decisions; trustworthiness and fairness (three participants).
- Strong communication skill, sense of integrity and analytical mind-set (two participants).
- Listening skills, ability to analyse, application of intelligence in accordance with the law (one participant).
- Objective, independent, logical, focus on detail, out-of-the-box thinking, good interviewing skills, good report writing skills (one participant).
- Strong communication skills (one participant).

The majority of the participants stated that an investigator should be objective, have listening and strong communication skills. It is clear that the majority of the participants understood the characteristics an investigator should have. Their responses are consistent with the literature (Becker & Dutelle, 2013:19; Osterburg & Ward, 2010:9-10 and Swanson, Chamelin, Territo & Taylor, 2012:38). In the following discussion, the researcher examines the relationship between informers, crime intelligence and forensic investigation.

2.10 RELATIONSHIP BETWEEN INFORMERS, CRIME INTELLIGENCE AND FORENSIC INVESTIGATION

Orthmann and Hess (2013:180) emphasise that in addition to physical evidence, reports, records and databases, including those found on the Internet, (i) people who are not suspects in a crime but who know something about the crime or (ii) those involved and (iii) suspects in the crime, are the three primary sources of information available to assist in the investigation of crime. Sennewald and Tsukayama (2015:167) explain that informants can be used in both private and public sectors.

The researcher, however, will discuss an informer as the main source of information in this study, as argued by Newburn et al. (2011:431) and that most successful investigations depend on information provided by informers. Sennewald and Tsukayama (2015:167) relate to the high success rate enjoyed by informers in the San Francisco area, where 20 000 arrests in a year occurred, mostly in narcotics offenses. Palmiotto (2013:76) and Lushbaugh and Weston (2012:117) hold the view that informants have long been sources of information and that they are essential in the successful investigation and detection of many violent and financial crimes.

According to McDevitt (2012:112), an investigator's investigative work is the ability to recognise, recruit, cultivate and utilise confidential sources of information. Palmiotto (2013:65) concurs with Becker (2009:156) that the success of an investigation depends on the information an informant provides. McMahon (2014:15) and Orthmann and Hess (2013:183) opine that the following persons may not be classified as informants: victims, witnesses, or suspects.

Intelligence about criminal activities derives from information provided or sourced from various sources, including human sources. Human sources as sources of information provide information to become informants with different motives. Lushbaugh and Weston (2012:127) define intelligence as the secret or clandestine collection and evaluation of information about crime and criminals not normally available to investigators through overt sources. Lushbaugh and Weston (2012:127) further emphasise that reliable intelligence is required to detect and investigate crime and for the pursuit and apprehension of criminals.

Criminal intelligence, according to Lyman (2013:117) and Lasley, Guskos and Seymour (2014:182), is defined as “knowledge of past, present, or future criminal activity that results from the collection of information that, when evaluated, provides the user with a basis for rational decision making.” Brown (2007:340) defines intelligence as information that is significant or potentially significant for an enquiry or potential enquiry.

Section 1(vi) of the National Strategic Intelligence Act (1994) defines crime intelligence as an intelligence used in the prevention of crime, or to conduct investigations and to prepare evidence for the purpose of law enforcement and the prosecution of offenders (South Africa, 1994). Crime intelligence as a process requires information provided by informants before it can be processed for dissemination purposes to criminal investigators for further investigation/action. Lushbaugh and Weston (2012:127) further emphasise that reliable intelligence is required to detect and investigate crime, and results in the pursuit and apprehension of criminals. Lyman (2013:116) warns “without good intelligence to point the way and weigh the options, law enforcement executives are at a serious disadvantage”.

Suffice is to say that forensic investigators need intelligence that was supplied by informants in the form of information, to provide court-directed evidence in order to prove the case in a court of law or at any tribunal. Becker and Dutelle (2013:18) explain that the expansion of science and technology as the responsibility of the forensic scientist does not replace the role played by the criminal investigator; instead, it increases the chances of solving the crime because forensic scientists need criminal investigators to provide them with physical evidence that must be processed to solve a criminal matter under investigation.

The researcher is of the view that there is a link between the use of informants, crime intelligence and forensic investigation. As mentioned by Sennewald and Tsukayama (2013:220), investigations often rely upon a combination of interviews, physical evidence, observation, informants, decisiveness, and luck to conclude their investigations. According to Becker and Dutelle (2013:14), the scientific method usually is employed only in a criminal investigation. Two variables dictate the determination of which parts can be used: the type of crime being investigated and the type of information available.

Becker and Dutelle (2013:15) maintain that investigators should apply the scientific method intentionally and systematically, rather than unconsciously or haphazardly, in order to benefit from their reconstruction of the past. Miller (2014:81) explains that information and intelligence are closely related concepts. Miller (2014:81) defines intelligence as “information that is utilized, actually or potentially, to facilitate the outcome of specific criminal investigations in the day-to-day tasking and deployment of an organization’s subunits in response to crimes of particular types in particular locations.”

In response to the question: *“What do you understand by the relationship between the utilizing of informers, crime intelligence and forensic investigations?”*

Participants answered as follows:

- The purpose of informers is to gather information that could be relevant to the purpose of the investigation and prosecution. Information is compiled, analysed, and/or disseminated in an effort to anticipate, prevent, or monitor activity (two participants).
- Informers provide information about crime to crime intelligence operators, and the latter provide analysed information to the forensic investigator (two participants).
- Informers are very important, as they provide information relating to crime to be committed or already committed and they assist with identification of the perpetrators, as well as the modus operandi used by the criminals. Crime intelligence will then analyse, by means of the intelligence cycle, the information provided by an informer and formulate the strategy for how to approach such an act. Forensic investigators will then be able to analyse and determine what type of crime has been committed (one participant).
- It is a very useful relationship. Information and intelligence are obtained that will be of benefit to the investigation (one participant).
- Informers provide information, crime intelligence analyses the information, and forensic investigation provides court-related evidence for prosecutions (one participant).
- In a nutshell, using informers means the use of external or internal person/s for the gathering of information for investigation purposes; crime intelligence means

evidence collection, and forensic investigation can be loosely described as the legal collection of data/information for use in prosecution or a disciplinary hearing (one participant).

All the participants clearly understood the relationship between the use of informers, crime intelligence and forensic investigation. They all understood that informers, crime intelligence and forensic investigation complement each other. The participants' responses are consistent with the literature of Lyman (2013:117), Miller (2014:81), Orthmann, and Hess (2013:180). In the following discussion, the researcher looks at the role of an informer.

2.11 THE ROLE OF AN INFORMER

The researcher has realised that informants are essential to the successful investigation and detection of many violent and financial crimes. As sources of information, informers are classified as concerned or annoyed citizens, demented persons, law enforcement officers, law violators, or juvenile. An informer is defined by Orthmann and Hess (2013:183) as anyone who can provide information about a case but who is not a complainant, witness, victim or suspect. An informer was defined in Chapter 1, paragraph 1.7.1 of this dissertation by O'Hara and O'Hara (2003:189) and from the definition, it is clear that an informer provides information that can assist investigators with their investigations.

Madinger (2000:7) and Palmiotto (2013:65) define an informer as the person who has access to information about crime. South African Police Service (2004:2) defines an informer "as a person who provides information regarding criminals and criminal activities to an investigator for a specific motive." Gilbert (2010:133) is of the view that people are the most frequent sources of information, although they are the most unreliable sources of information.

They vary considerably in their motivation, accuracy, and willingness to reveal their knowledge to the authorities.

According to Lyman (2013:138) and Osterburg and Ward (2010:183) an informer is anyone who can disclose information that requires investigation but excludes victims of crime. Osterburg and Ward (2010:194) agree with Van der Westhuizen (1996:92) that not all people who provide information on crime to the State are

classified as informants. In order for them to qualify as informants, they must meet the following criteria:

- They must disclose information that can be injurious to other people and whose enmity could be incurred by this action;
- The information must result in criminal prosecutions; and
- The information must be supplied to an officer of the law, and this includes the private investigator.

According to Osterburg and Ward (2014:177), an informant, regardless of the reason, furnishes intelligence that could lead to the following:

- Prevent a crime that is planned but may not yet have been committed;
- Uncover a crime that has been committed but has not been discovered or reported;
- Identify the perpetrator of crime or help to locate stolen property;
- Exonerate a suspect; and
- Lower the morale among criminals through apprehension.

Madinger (2000:7) opines that there are three attributes an informer must possess, namely: motivation, access and control. He further explains that without these three attributes, that person is not classified as an informer. According to Madinger (2000:20) and Sennewald and Tsukayama (2015:167), the primary duty of an informer is to supply information about criminal activities to the investigator. According to Billingsley, Nemiz and Bean (2001:5), about one third of all crimes around the world are cleared up because of information received from informers. Schmallenger (2005:300) concurs with Billingsley et al. (2001:5), and further explains that the use of informers forms part of a complex information-gathering process. Benson et al. (2015:28) are of the view that informers are widely utilised by police and private investigators, as they provide an investigator with direct information about the target they are investigating. Woods Jr. (2013:244) is of the opinion that informants play a role in both the practice and perception of investigations. They can access information and interact with individuals who are unavailable to investigators.

In response to the question: *“There are those who criticize the use of informers; what in your opinion is the role of an informer in your work environment?”*

Participants responded as follows:

- Use of an informer is a necessity. If people are aware that there is the possibility of an informer among them, they refrain from committing crime. This helps in the prevention of crime in society. An informer enables you to plan properly with regard to counteracting the criminal’s intentions. They provide accurate, useful information (six participants).
- Most of our investigations can easily be completed without the use of informers, therefore the use of informers is minimal. We also receive tip-offs via an anonymous line where people can give information about criminal activities without being informers (two participants).

The majority of the participants stated that the use of informers is a necessity in the investigation of crime. In contrast to that, two participants are of the view that investigations can be completed without the use of an informer. The majority of the responses, however, are consistent with the literature of Lyman (2013:138), Osterburg, and Ward (2010:183). In the following discussion, the researcher peruses the role of crime intelligence in an investigation.

2.12 THE ROLE OF CRIME INTELLIGENCE IN INVESTIGATION

Before crime intelligence can be explored, the researcher will explain the meaning of intelligence. According to Abadinsky (2010:399), ‘intelligence refers’ to the process by which information is managed that will hopefully increase our knowledge of a particular problem, resulting in preventive and/or informed public policy. According to Zinn (2007:29), crime intelligence is “the product of information that has been taken from its raw state and processed, refined, verified and evaluated.” Lyman (2013:116) and Metscher (2005:3) add that “intelligence is a product created through the process of collecting, collating, and analysing data, for dissemination as usable information that typically assesses events, locations or adversaries, to allow the appropriate deployment of resources to reach a desired outcome.” Lyman (2013:116) opines that criminal intelligence operations can also be misused, but

when regulated and carried out properly, they can prove to be an indispensable tool for law enforcement.

To emphasise the role of crime intelligence in investigation of crime, the researcher has to introduce the concept of Intelligence-led policing to the reader. According to Harfield and Harfield (2008:5), intelligence-led policing may be regarded as the process whereby policing activities are informed and directed. Intelligence-led policing is emerging because of the new way of managing intelligence worldwide. Some consider intelligence-led policing as a means of meeting performance targets.

Ratcliffe (2008:63) explains that intelligence-led policing is a business model and managerial philosophy, where data analysis and crime intelligence are pivotal to an objective, decision-making framework that facilitates crime- and problem-reduction, disruption and prevention through both strategic management and effective enforcement strategies that target prolific and serious offenders.

Van Rooyen (2001:163) is of the view that crime information is raw data that has to be analysed to produce crime intelligence. He further states that there are three groups of sources of information, that is: human sources of information (informers), technical intelligence (electronic tracking) and data intelligence (information managed by both public and private institutions). According to Tonry and Morris (1997:364), crime intelligence has three forms, and they are prospective, retrospective and applied intelligence, and they are further explained as follows:

- Prospective refers to crime intelligence, which is available before an offence can be committed and describes the role-players during the set-up. This happens when problems are first identified and then policed accordingly.
- Retrospective refers to the crime intelligence obtained during the event. This happens when a suspect who has previous and pending criminal cases, is arrested. The previous record and pending case will alert the investigator about the suspect.
- Applied refers to crime intelligence that is actively used to trace a suspect. In this case, there should be readily available analysed data, which will be used to link the suspect to an event (crime). For example: forensic evidentiary material to link the suspect by means of time, place and motive.

In response to the question: “*What is the role of crime intelligence in investigation?*”

Participants answered as follows:

- The criminal intelligence function is an effective tool for deterring/preventing criminals, and protecting the public from serious crime (three participants).
- It is to provide detailed information provided by an informer as well as identifying the perpetrators. It also indicates the methods that criminals use to commit certain type of crimes (two participants).
- Crime intelligence gives investigators advantage over the prevalence or possible escalation of particular criminal activities before they actually take place (one participant).
- It is to provide intelligence that may help in solving the identified crime (one participant).
- Provides information and gives direction (one participant).

All the participants stated that the role of crime intelligence in an investigation is to provide information in order to prevent crime before it is committed. It is clear that the participants understood the importance and relevance of intelligence in solving unresolved crime. The responses are consistent with the literature of Abadinsky (2010:399), Harfield and Harfield (2008:5), Lyman (2013:116) and Ratcliffe (2008:63). In the following discussion, the researcher explores the intelligence cycle.

2.13 INTELLIGENCE CYCLE

According to Ratcliffe (2009:6-7), the intelligence cycle is a repetitive set of actions that has been used in defence and military cycles prior to its adoption by the law enforcement agencies. Lushbaugh and Weston (2012:127) agree with Ratcliffe (2004:5) that the police intelligence process is cyclical, and consists of direction, collation, analysis, dissemination, feedback and review. Lyman (2013:119) argues that the intelligence collection process should be thought of as a process of connecting a series of interrelated components of information. Investigators should ensure that they adequately connect the components accordingly, since failure to do so will jeopardise the success of the investigation. Lyman (2013:119) and Ratcliffe (2004:5) believe that the procedure for intelligence gathering will not be

complete without direction, collation, analysis, dissemination, feedback, and review (refer to Figure 2.1 below).

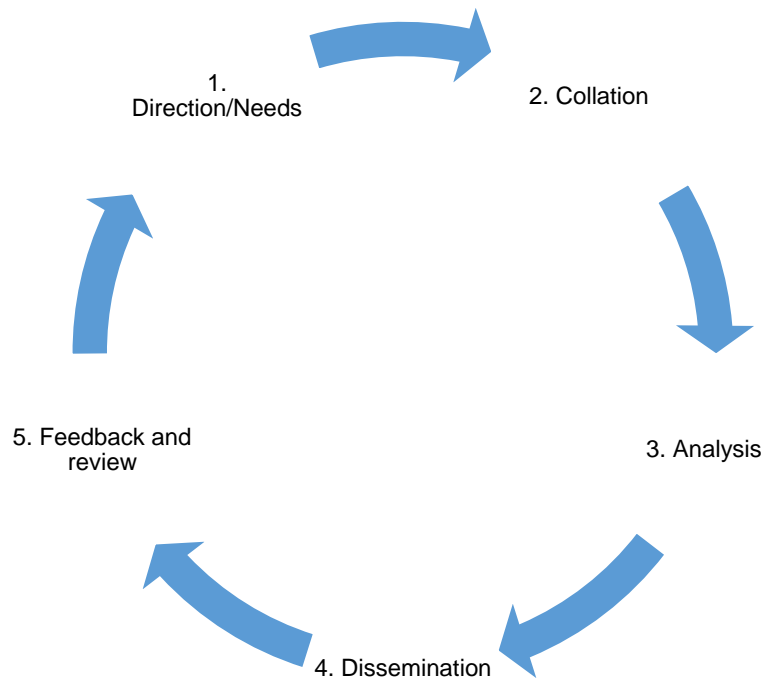


Figure 2.1: Five stages of the intelligence cycle

(Source: Ratcliffe, 2004:6 & Ronczkowski, 2012:105)

2.13.1 Direction/Needs

This is the stage when the direction of the project is established. This is where the real task should be defined and be understood by everyone concerned. It will determine whether the intelligence product will succeed or fail. An important task in this stage is task definition. It will help to identify what it is that the client wants and what applicable planning is in place to meet the client's requirements (Ratcliffe, 2004:53 and Lushbaugh and Weston, 2012:127). Detailed information about the crime is obtained and a plan of action is put in place. Informers are recruited and tasked to either infiltrate or penetrate the criminal syndicate, depending on whether the informer is from within the syndicate or from outside. According to Lyman (2013:120), this is the stage where the intelligence target must be selected in a systematic manner and it must be done in accordance with the resources of the department.

2.13.2 Collation/Collection

According to Lushbaugh and Weston (2012:127), Lyman (2013:121) and Ratcliffe (2004:79) this stage refers to the collection of intelligence after possible sources of information have been identified. These sources could be primary sources, from which first-hand information is collected, or secondary sources, from which other people have collected. The idea is to focus the collection effort on gaps in knowledge and to identify sources that are relevant. During this stage, information will be collected from different sources, including informers, by overt and covert means. All gaps are closed during this process by collecting information that will help to solve a case.

2.13.3 Analysis

Information comes in various ways and it is important for the analyst to wade through the vast amount of information, linking it to the crime under investigation and turning it into a product that can be understood, by utilising tools such as: reasoning and logic, systems thinking, process mapping, trend analysis, Delphi-technique, SWOT-analysis, Ishikawa diagrams, PESTEL analysis, morphological analysis, and competing hypotheses (Ratcliffe, 2004:117). Lushbaugh and Weston (2012:127) consider analysis of information as the core area of the police intelligence process. This is where information is converted into intelligence that will be useful to the addressing of crime and criminal activities.

2.13.4 Dissemination

The function of the dissemination stage is to ensure that the final intelligent product is directed to the client (Lushbaugh & Weston, 2012:127). An intelligence product that remains locked up in the intelligence unit and is read only by intelligence personnel fails to achieve the primary objective of intelligence (Ratcliffe, 2004:155). Lushbaugh and Weston (2012:127) and Lyman (2013:121) stress that unused or misused police intelligence reports sabotage a criminal investigation technique that is unique and often the only means of disclosing to police information as to ongoing and planned crimes.

2.13.5 Feedback and review

This is the stage during which the task and details of the stages in the development of the intelligence product are continuously monitored. The monitoring process will enable the supervisor to rethink activities so that the required goal is met (Ratcliffe, 2004:163-170). It is the experience of the researcher that during the progress of the registered project, all role-players, informers, agents and investigators report progress to the project manager, who will then scrutinise the information and/or reports received and request further information if the need arises. He will then give weekly feedback to management about the progress of the project.

In response to the question: *“Can you explain what the intelligence cycle is?”* Participants answered as follows:

- The intelligence cycle happens when information is collected and verified before it can be used as evidence (two participants).
- The intelligence cycle is the process of refining data into a usable product (two participants).
- It is a process that has been designed to assist in sifting information in order to turn it into usable intelligence (two participants).
- The intelligence cycle is the process of developing unrefined data into polished intelligence for the use of policymakers (one participant).
- No idea (one participant).

Participants were furthermore also asked to name the different stages of the intelligence cycle, and their responses included:

- N/A (two participants).
- Information, analysis, intelligence and product (two participants).
- Intelligence cycle stages are requirement, planning and direction, collection, processing, analysis and dissemination (one participant).
- Dissemination, requirements, planning and direction, collection, processing and exploitation (one participant).

- Intelligence problem, intelligence appreciation, intelligence collection, intelligence process. Analysis Unit, dissemination phase and the planning, checking and action phase (one participant).
- Requirements, planning and direction, collection, processing, analysis (one participant).

While it is clear that all the participants provided different sequences regarding the intelligence stages, it is significant that the participants' sequences of the intelligence cycle differ from the literature. However, most stages are addressed at some point. Two participants, however, have no idea regarding the stages of the intelligence cycle. The responses clearly show that the participants understand that there are stages that should be addressed during the information gathering in order to obtain intelligence. The responses are consistent with the literature of Lushbaugh and Weston (2012:127) and Ratcliffe (2004:5). In the following discussion, the researcher examines forensic investigation as an information-gathering process.

2.14 FORENSIC INVESTIGATION AS AN INFORMATION-GATHERING PROCESS

Pyrek (2007:16), Stelfox (2009:132) and White (2010:2), are of the view that forensic investigation is when science is applied in criminal as well as civil matters. Lasley, Guskos and Seymour (2014:218) define forensic science as the application of any science to the law. It is clear from the definitions that the term 'forensic' means that evidence that has been obtained must be presented and tested in a court of law. By implication, it means that investigators should collect information and evidence that can be tested in a court of law.

Van Rooyen (2004:7) clarifies that the term 'forensic investigation' has become a buzzword used by many people directly or indirectly involved in investigations, and that widespread confusion exists in the investigation industry and the media regarding the true meaning of 'forensic investigation.' The South African Concise Oxford Dictionary (2009:451) and Van Rooyen (2004:7) agree that the word 'forensic' refers to courts of law, with justice or court-directed application, and relating to the application of science to decide questions arising from crime or litigation, but that it also includes the function of examination or analysing.

Birzer and Roberson (2012:99) define “forensic science as the application of science to the criminal and civil laws that are enforced by police agencies in a criminal justice system.” Purpura (2011:448) states that forensic science applies scientific methods to the examination, evaluation and explanation of evidence in a legal framework. According to Birzer and Roberson (2012:100), forensic science contributes much to criminal investigations. Forensic science, according to Birzer and Roberson (2012:100), is able to answer two investigation questions, namely ‘what happened’ and ‘who did it.’ Answers to the two questions are provided by forensic science such as identification of unknown substances found at the scene of the crime, linking the offender with the crime committed, as well as the reconstruction of the crime scene.

Jackson and Jackson (2008:1) explain that “involvement of forensic science in the investigation and resolution of criminal offences begins at the crime scene.” It is, therefore, imperative, according to Jackson and Jackson (2008:1), for crime scene investigators to ensure that all evidence is collected and preserved for good results.

- To establish the link between the suspect, victim and the scene of crime. According to Locard’s exchange principle, “every contact leaves a trace.” Any physical contact between two objects leaves marks that may be retrieved and used as evidence in a court of law. For example, when two cars knock each other, paint traces from one car will be transferred to the other car as proof that there has been contact between the two cars.
- To provide information to corroborate or refute evidence supplied by suspect, victim or witness.
- To facilitate intelligence gathering by the police. This may happen, for example, to prove that the soil under the sole of the suspect, witness or victim is the same as the soil found at the scene of crime.
- To identify the offender who committed a crime. For example, the body fluids found at the scene may match that of the arrested suspect.

The viewpoint of the researcher is consistent with the opinions of Birzer and Roberson (2012:99), Purpura (2011:448) and White (2010:2) in that information and evidence are of vital importance for any investigation, and forensic investigation

may be useful for collecting court-related evidence. In the following discussion, the researcher considers the summary.

2.15 SUMMARY

This chapter scrutinised the meaning and aspects of crime intelligence, its history, as well as the objectives of crime intelligence. It further examined the meaning of forensic investigation, development in the field of investigation, and the objectives of investigation. It was deduced that crime intelligence and forensic investigations serve the same purpose, which is to gather court-directed information. This chapter outlined the duties of an investigator, and the characteristics a forensic investigator should possess.

The relationship between informers, crime intelligence and forensic investigation was also discussed in detail. It was established that informers collect information that will be analysed to become intelligence that will be used to address criminal activities, the role of an informer was also discussed in detail. The role of crime intelligence in the whole process was defined, and it was discussed and confirmed by both the literature and the participants that crime intelligence plays a major role in solving unresolved crimes.

Finally, the chapter explained the intelligence cycle and the forensic investigation as an information-gathering process. The five stages, direction, collation, analysis, dissemination, and feedback and review were discussed in detail. It was evident that informers, crime intelligence and forensic investigation complement each other in the fight against crime. Participants agreed that there is a need for informers to gather information that will result in intelligence and a forensic investigation will direct whether the investigator can take the case to the prosecutor for prosecution.

CHAPTER 3

PROCEDURES THAT MUST BE FOLLOWED WHEN CORPORATE FORENSIC INVESTIGATORS USE INFORMERS

3.1 INTRODUCTION

It is the experience of the researcher that Corporate and other companies are losing a high amount of revenue through theft and other criminal activities happening within their operations. Most of these wrongdoings and criminal activities are committed by both employees and non-employees who work with the employees to commit the crimes. SAPS, as the law enforcement agency tasked to conduct investigation duties in the country, is unable to meet the requirements of the mining houses. Corporate and other companies have opted for acquiring their own, forensic investigation departments, who are tasked to conduct investigations without depending on law enforcement agencies. There are several transgressions that by nature are not criminal, and they are outside the jurisdiction of law enforcement agencies. An example might be an investigation into a complaint that a member of middle management solicits sexual favours from subordinates and reaps favours accordingly.

The researcher is of the opinion that Corporate and other companies should be able to develop a way whereby information pertaining to wrongdoings within their operations is provided for the investigators to take action against the wrongdoers. While not in any way condoning or encouraging breaking the law, it is nevertheless true to say that much information vital to successful private investigation can be obtained only by circumspet means. It is, therefore, imperative to design procedures that can be used by corporate forensic investigators during their investigations. Zinn and Dintwe (2015:16) define a corporate/private investigator as a person who operates in a private capacity and for the benefit of another party, such as a company, private person or a foundation, for example.

Houck and Siegel (2010:4) describe forensic science as the science of associating people, places, and things involved in criminal activities; these scientific descriptions are helpful for investigating and adjudicating criminal and civil cases. The researcher believe that forensic investigators are found in both private and public

sectors, and they are all involved in collecting and analysing physical evidence generated by criminal activities.

Sennewald and Tsukayama (2015:9) opines that the objective of the investigative process in the private sector is to serve the interests of the organisation, not society as a whole. If those interests, according to Sennewald and Tsukayama (2015:9), are best served by removing or otherwise punishing those who criminally attack the organisational goals, the reconstructive strategy is used, in other words, the employee will still be disciplined. Where that conduct or activity is ongoing, constructive, covert techniques must be applied. Covert techniques, such as using informants will be the most applicable one to address the threat.

This chapter will endeavour to answer the research question, namely “What are the procedures that must be followed when informers are used by corporate forensic investigators,” as reflected in paragraph 1.6 of Chapter 1.

3.2 NEED FOR RECRUITING INFORMERS

According to Fitzgerald (2015:23), when individuals opt to become informants it will benefit the investigation process, since the information will be used to address crime or criminal activities. Stone and Deluca (1980:332) emphasize that scientific discoveries of physical evidence alone will not succeed without the information from informers. Informers are and will remain an integral part of effectively combating crime globally. It has been the experience of the researcher that informants (also known as ‘human sources’) are recruited in order to satisfy the intelligence requirement that arises from the intelligence problem. In essence, it means that an informant is recruited because some criminal activities are taking place and the investigator cannot address them without the use of an informant. However, Miller (in Harfield, 2017:491) warns that police use of informers is morally problematic for all concerned, and all the role players, i.e. investigators and managers who are managing investigators, should be able to identify these challenges and be able to deal with anything that is contrary to the required standard.

According to Fitzgerald (2015:71), informers are valuable sources to the overall mission of law enforcement. Fitzgerald (2015:71) and Lyman (2013:138) however,

warn that the use of informers is associated with many problems, since there are informers who are involved in criminal activities while doing the work of an informer. Fitzgerald (2015:71) blames the lack of or non-existent guidelines governing the recruitment and operation of informants for the scandals.

Roberts (2002:5) argues that to advance the fight against crime, an investigator must recruit informers. Billingsley et al. (2001:5), claim that about one-third of all crimes are cleared up because of informer information. Newburn et al. (2011:431), add that many successful investigations and prosecutions of criminal offences have involved the use of informants. Fitzgerald (2007:43) warns that recruiting unsuitable individuals as informants could yield devastating results. Fitzgerald (2007:44) further mentions the following as factors that should be considered when recruiting a potential informant:

- The amount of money available to pay informant;
- The US Sentencing Guidelines; and
- The Witness Security Program and the ability to protect witnesses and informants from harm.

In response to the question: *“Do you think investigators in your environment need to recruit informers?”* Participants answered as follows:

- No. As mentioned above, we have a ‘tip-offs anonymous’ line, which in my opinion is sufficient. Our main objective is to safeguard the public funds, and the use of informers may lead to abuse of the very funds that we have to safeguard. Other than that, we are a small unit and our success rate is very high without the use of informers. It is not necessary for investigators in their environment to recruit informers. Corruption cases usually do not need an informer (two participants).
- Yes. Investigators in all environments have to recruit informers. There are matters that you will not unearth unless you utilize an informer. Some informers may be involved in the perpetration of the offence. You may need them to catch others (two participants).
- Yes, as it is vital that they assist in exposing possible risks that a company is faced with (two participants).

- Yes, in order to solve complex cases (one participant).
- Yes, in order to address criminal activities (one participant).

The majority (six) of the participants stated that it is important to make use of informers at the workplace. However, it is significant that two of the participants stated that they have never utilised the services of informers during the investigation of fraud and corruption cases in their working environment before. This response clearly shows that the participants did not understand the importance of these informers with regard to information-gathering. This is contrary to Biegelman (2014), where he states that it is through the use of informers that he could succeed in the investigation of fraud. Nonetheless, the majority of the responses are consistent with the literature of Fitzgerald (2015:23) and Lyman (2013:138). In the following discussion, the researcher examines the purpose of informers.

3.3 PURPOSE OF INFORMERS

The South African Concise Oxford Dictionary (2009:948) defines 'purpose' as the reason why something is done or why something exists. In this study, the researcher will explore the purpose that informers serve in the gathering of information that may be used by crime investigators to solve their unsolved cases. Fitzgerald (2015:1) argues that never in the history of America's law enforcement did institutions rely so heavily on informants. Many successful investigations and prosecutions of criminal offences have involved the use of an informer. Newburn, Williamson and Wright (2007:431) and Eterno and Roberson (2015:200) argue that the use of informants is central and the most important source of information in criminal investigations.

Sennewald and Tsukayama (2015:167) are of the view that private and confidential sources are important to the investigator, and they serve the following purpose in the investigation of crime:

- They tell the investigator where the suspect is;
- They might be able to identify the person who committed an offence under investigation;
- They might be able to give the exact time when the crime was committed; and

- They might even be able to tell when the next crime is going to happen and by whom.

Becker (2009:156), Clarke, Cowley, de Klerk, Lamprecht, Mendes, Myburgh, Van Schoor, van Zyl, and Zinn (2004:308), Lee (2004:64), Madinger (2000:26), Marais and Van Rooyen (1990:134-132), Palmiotto (2013:67) and Roberts (2004:5) are of the view that the use of informers is necessary to serve the following purposes:

- Provide information about crime that has been committed or is about to be committed;
- Several types of crime are committed in secret, where there are no eyewitnesses or victims, and without the involvement of an informer; such crimes would hardly ever be known;
- Informers can identify suspects and assist to profile such individuals and crime syndicates;
- To gather information from a source not available to the investigator; and
- To observe in places or areas where strangers and employees would immediately be suspect.

Fitzgerald (2015:23) and Lyman (2013:138) argue that informers may serve the purpose mentioned below:

- Make observations in areas where strangers would be suspect.
- Furnish information from a source not readily available to the investigator.
- Conduct “controlled” undercover transactions or introduce undercover agents to criminal suspects.
- Collect intelligence information (for example, determine street prices of drugs and identify suspects, their associates, and their residences).

In addition Palmiotto (2013:67) considers the following as the purpose an informant serves in an investigation:

- Supply meaningful information relevant to the direction of inquiry.
- Supply descriptive data vital to the furtherance of the investigation.
- Supply direct contact with the subject of the inquiry.

- Offer photographs, personal documents, and layouts of apartments, establishments, and locations frequented by subjects of the investigation.

In response to the question: *“Have you ever worked with an informer?”* Participants answered as follows:

- Yes (six participants).
- Not in a formal way (two participants).

Six of the participants confirmed having worked with informers in the past and that the informers were helpful during the investigation of crime. Two of the participants never worked with informers before and they were of the opinion that it is not necessary to make use of informers. Nonetheless, the majority of the responses are consistent with the literature of Lyman (2013:138), Fitzgerald (2015:23) and Palmiotto (2013:67).

The participants were furthermore also asked: *“Was it a useful endeavour?”* and *“Did the informer assist you significantly in your investigation?”* Participants answered as follows:

- Yes, indeed (six participants).
- No registered informer was utilised during the investigation of crime in the organisations (two participants).

The majority 6 (six) of the participants stated that the informer had provided valuable information that led to the resolution of unsolved cases their environment. However, it is significant that two of the participants stated that they had never utilised the services of an informer in their working environment before. Nonetheless, the majority of the responses were consistent with the literature of Becker (2009:156), Clarke, Cowley, de Klerk, Lamprecht, Mendes, Myburgh, Van Schoor, Van Zyl, and Zinn (2004:308), Madinger (2000:26), Palmiotto (2013:67) and Sennewald and Tsukayama (2015:167). In the following discussion, the researcher surveys the informer privilege.

3.4 INFORMER PRIVILEGE

The term 'privilege,' according to Durston (2011:514) and Rothstein, Raeder and Crump (2012:184) means freedom from compulsion to give evidence, or a right to prevent, or bar evidence from other sources, usually on grounds unrelated to the goals of litigation. Rothstein et al. (2012:184), further explain that in the absence of privilege, the parties, witnesses and others, can be compelled by law to give evidence or other material they may have that is needed for court proceedings, even if it is damaging to themselves or others. Informer privilege is a common-law rule that protects the identity of an informer in court and acts as a complete and total ban on any disclosure of all information that might reveal the informant's identity. The researcher, as a seasoned investigator, has heard of and seen informers disappearing from the 'face of the earth' because some criminal bosses have learned that information about their criminal activities have been revealed by these informers.

According to the European Journal of Business and Social Sciences (2012:77), a person's right to privacy entails that such a person should have control over his or her personal information, and should be able to conduct his or her own personal affairs relatively free from unwanted intrusions. The informer also falls under the category of people whose right to privacy must be respected. The Protected Disclosure Act 26 of 2000 is intended to protect employees who 'blow the whistle' on employers or fellow employees so that they do not become the object of revenge or intimidation.

Osterburg and Ward (2014:188) explain that the courts have consistently sided with the rights of individual informants to keep their identity confidential. Informants run a risk that harm will befall them or their families should their identity becomes known to the criminal or criminals' associates (Osterburg & Ward, 2013:188).

Except as otherwise required by the Constitution of the United States or provided by an Act of Congress or in rules prescribed by Supreme Court pursuant to statutory authority, the privilege of a witness, person, government, State, or political subdivision thereof shall be governed by the principles of the common law as they may be interpreted by the courts of the United States in the light of reason and experience (Ingram, 2012:347).

According to Hanley, Schmidt and Nichols (2011:163), a variety of communication categories cannot be revealed in court. These include communication between investigators and informants, as it is considered privileged.

In *Roviaro v. United States* (in Ingram, 2012:389) it was ruled that:

... the purpose of the privilege is the furtherance and protection of public interest in effective law enforcement. The privilege recognizes the obligation of citizens to communicate their knowledge of the commission of crimes to law-enforcement officials and, by preserving their anonymity, encourages them to perform that obligation.

Schmidt and Rademeyer (2000:585) confirm that the court has the final authority to decide the abdication of the privilege. In *Sulliman v Hansa* (2), 1971 4SA 69 (D), the judge ruled that the informer privilege might be relied upon under the following circumstances:

The reporting of the information must be made with [in] the belief that the information will not be disclosed
Confidentiality must be maintained by both parties to enhance the working relationship between both parties
The relationship must be diligently promoted to encourage community involvement
The danger to the relationship by disclosing the identity of the informant must be bigger as the advantage of making public the identity of the informer.

In *R v Van Schalkwyk*, 1938 AD 543, the judge ruled that among the above-mentioned aspects it is required that the information must initiate criminal prosecution and the information must be given to officers of justice. In *Shabalala v The Attorney-General of Transvaal and Another*, 1995 (2) SACR 761 (CC), the court recognised the right of the State to rely on informer privilege. In *Els v Minister of Safety and Security*, 1998 (2) SACR 93 (NCD), the judge ruled that informer privilege is one of the cornerstones in the fight against crime. Madinger (2000:220) purports that informer privilege must be balanced against the defendant's rights during criminal proceedings.

In *MaCray v. Illinois*, 386 U.S. 300 (1967), it was ruled that “the informer is a vital part of society’s defensive armor.” In *Banks v. Dretke*, 540 U.S. 668, 701-02 (2004), the court ruled that:

This court has long recognised the ‘serious question of credibility’ informers pose We have therefore allowed defendants ‘broad latitude to probe [informers] credibility by cross examination’ and have counselled submission of the credibility issue to the jury ‘with careful instructions’.

In *United States v. Bernal- Obeso*, 989 F. 2d 331, 333-34 (9th Cir. 1993), the court ruled that “a prosecutor who does not appreciate the perils of using rewarded criminals as witnesses risks compromising the truth-seeking mission of our criminal justice system.”

Section 202 of the Criminal Procedure Act 51 of 1977 prescribes the privilege. The content of the privilege boils down to the fact that no question may be put to a witness in a criminal court if the answer thereto could reveal the identity of an informant or the contents of his or her statement. It is, however, important to note that the privilege is not absolute, and there are exclusions to the rule.

In *R v. Barros*, 2011 SCC 51 the Supreme Court ruled on whether the defence in a criminal matter is bound by the “informer privilege” deciding that it is not so bound. This was confirmed in *R v. Durham Regional Crime Stoppers Inc.*, 2017 SCC 45, when the Supreme Court of Canada ruled that informer privilege is a common-law rule that protects the identity of an informer in court and acts as a complete and total ban on any disclosure of all information that might reveal the informant’s identity. *Hanley et al.* (2011:179), argue that the informant’s privilege is not absolute. According to *Ingram* (2012:388), the government has limited privilege to withhold the identity of a confidential informant from disclosure.

The exceptions to the rule are discussed comprehensively in *Ex Parte Minister of Justice*, in *R v. Pillay* 1945 AD. The following are instances where informers could be required to testify:

- When it is in the interests of justice to reveal the identity of the informer;
- If it is necessary or essential to prove the innocence of the accused; and

- When the identity of the informer is known to the accused.

Steward, Murphy, Pilkington, Penny and Stribopoulos (2006:807) indicate that there are exclusions to the informer privilege. These authors are of the view that the exclusions to revealing the identity are warranted under the following circumstances:

- When the informer has acted as an agent.
- When the informer is a material witness to the case.

It is the belief of the researcher, based on research and his experience, that attention should be given to the stipulations relating to the informer privilege when deciding on an investigative strategy to follow up information tendered by an informer. The revelation of the identity of the informer may affect the continuous utilization of the informer, as he/she will be exposed to the public and specifically to people involved in criminal activities.

In response to the question: *“Have you heard of the term ‘privilege of an informer?’ What does it mean to you?”* Participants answered as follows:

- Yes. It refers to the privilege that an informer enjoys. No one is compelled to reveal the identity of informers. In terms of CPA of 1977 Section 202 and the Protected Disclosure Act 26 of 2000, sources’ identity must at all costs be protected from being identified (four participants).
- Yes. Informers are privileged to have their identity protected, unless compelled by the court in the interest of administration of justice. However, such privileges are not absolute (two participants).
- No (two participants).

Four of the participants stated that the informer enjoys absolute privileges, no matter what. They agreed with the first four participants that the informer’s identity should be concealed at all times, but these privileges, according to them, are not absolute. However, it should be noted that two of the participants mentioned that they had no idea what an informer privilege is. The reason is that they do not make use of informers at their workplaces. Nonetheless, the majority of the responses are consistent with the literature of European Journal of Business and Social Sciences

(2012:77) and Osterburg & Ward (2014:188). In the following discussion, the researcher looks at the types of informers.

3.5 TYPES OF INFORMERS

According to Osterburg and Ward (2010:187) there are many types of informers that investigators may make use of. The researcher is of the view that it is of vital importance for an investigator to be familiar with the various types of informers in order to be able to handle them effectively. The types listed by Gilbert (2007:132) and Osterburg and Ward (2010:187) were compared to one another and the results indicate that the following categories are the most prevalent types of informers:

- **Full-time informer:** This type of informer is used on a continuous basis. This experienced and skilled individual receives payment monthly. The danger of it is that the crime syndicate may want him/her to commit an offence due to the fact that he/she is very close to the crime syndicate, it might happen that he/she is present when the syndicate execute their plan and that is when the informer might be forced to take part.
- **Public or occasional informer:** This type of an informer conveys information when it comes to his or her attention. He or she may be a criminal or a law-abiding citizen, and does not give information on a permanent basis. The researcher has experienced that these types of informers are potential full-time informers who require motivation and proper training in order to keep them as informers.
- **Paid informers:** Financial gain is the exclusive aim before this type of informer will relay information to the authorities. They have close links with both the authorities and the criminal syndicate, and they decide to which side they want to relay information. They might as well commit the crimes to their benefit.
- **Informants with ulterior motives:** This type of informant do does not demand or receive money for his/her information, but benefits in some form other than money.

Hanley et al. (2011:176) regard the following people as types of informants:

- The good-citizen informant;

- The non-participating underworld informant; and
- The participating informant.

Sennewald (1981:145) is of the opinion that the development and maintenance of good informers have great value for the corporate investigator and the public law-enforcement counterpart. According to Eterno and Roberson (2015:200), McDevitt (2012:120), Sennewald (1981:147), Sennewald and Tsukayama (2006:168-169), and Sennewald and Tsukayama (2015:168), the following people are the kinds of informers that are most often found in the investigation arena:

- **One-time informants:** These informers have very specific information that they want to be acted upon. The motive is based purely on moral grounds.
- **The occasional informer:** This type of an informer is an opportunist who will pass along information from time to time, usually when it satisfies some need. Whatever the motivation, the occasional informer should be encouraged and praised for the information he or she provides.
- **The employee informers:** In any given workforce there are employees who are strongly suspected of dishonesty that is taking place within the organisation. Some of these employees do not approve of co-workers who steal at the workplace. This happens mostly in the corporate environment. Anglo American Platinum has a hotline that the employees are encouraged to use for reporting any criminal activities in the business areas. This hotline is very useful and most cases reported in this manner are solved. There is, however, a problem regarding this type of information because there are certain facts that an investigator would like to clarify and there is nobody to assist with that.
- **The anonymous informers:** This type of informant does not like his or her identity to be known. The reasons might vary from situation to situation. Sometimes the informant is connected with the firm and he or she does not want to be known as an informer. Another problem is that many people were “necklace” in South African townships during 1985 and 1986 because they were accused of being police informers. It is the researcher’s opinion that these incidents made people afraid to reveal their identity.

- **The criminal informers:** This type of informer is associated more with the public sector of law enforcement than with private security. This informer is not a major source of information to investigators in business and industry.
- **The personal informers:** This informant will deal with one investigator in both public and private sectors. He or she will refuse to provide information to anyone else under any circumstances. This type of informant is returning a favour to the investigator for previously having done something of value for the informant, for example, remuneration for information received.
- **Mentally disturbed informers:** This type of informer does exist and they will do everything possible to get the attention of an investigator and provide information that is of no use to the investigator.

Informants are essential to the successful investigation and detection of crime. As sources of information, informants are classified as one-time informants, the occasional informants, the employee informants, the anonymous informants, the criminal informants, the personal informants, and the mentally disturbed informers (Eterno & Roberson, 2015:200, McDevitt, 2012:120, and Sennewald & Tsukayama, 2015:168). All types of informants have a role to play in addressing crime. They all provide information for different reasons, best known to them. All human-oriented information must be evaluated objectively, and efforts must be made to corroborate the data by means of supporting sources. Eterno and Roberson (2015:200), McDevitt (2012:120), Osterburg and Ward (2010:177) and Sennewald and Tsukayama (2015:16) all agree that there are many types of informants. It is the responsibility of the criminal investigator to evaluate every informant used. It will save time and effort if it is determined that the informants' information is unreliable or that the informant harbours a hidden agenda.

In response to the question: *“Do you think that there are different kinds of informers? Please elaborate,”* Participants answered as follows:

- No. They are all the same to me (two participants).
- Yes, just as in any situation you will find informers that are there for the money only. They are driven by the need to be paid. Such informers are dangerous

because they can easily twist the truth to give only the information you want to hear (one participant).

- Yes. Then you have informers that are ordinary, concerned citizens. You get informers that are themselves criminals and informers that will abuse the relationship to protect themselves or to get rid of their competitors (one participant).
- Yes, there are those who are committed to the well-being of society. They mostly provide information free of charge (one participant).
- Yes, there are those who provide information to make money. You must always approach such information with caution (one participant).
- Yes, there are voluntary sources, paid sources and sources with ulterior/revenge motives. There are those that are reliable and give accurate, useful information. And those that are trying to settle a personal agenda or just do it for the money (one participant).
- Yes, there are those who provide information for the sake of being good citizens and those who provide information for money. There are also those who provide information for revenge and disposal of competitors (one participant).

The majority (six) of the participants stated that informers come in different sizes, shapes and forms. However, two of the participants are of the opinion that there are no different types of informers, and according to their understanding all informers are the same. Nonetheless, the majority of the responses are consistent with the literature of Eterno and Roberson, (2015:200), Hanley et al. (2011:176), McDevitt (2012:120), Osterburg and Ward (2010:187) and Sennewald and Tsukayama (2015:16). In the following discussion, the researcher examines the undesirable informers.

3.6 UNDESIRABLE INFORMERS

According to Swanson et al. (2012:182-183), persons under 18 years of age, unreliable persons, former drug-addicts, and those on federal or state probation or parole should not be used as informants. Abadinsky (2013:381) states that an undesirable informant is a person who provides information to two different departments of the law enforcement agencies, and who commits an offence during the process of investigation.

DeLadurantey and Sullivan (1980:383) are of the opinion that investigators should be aware of the fact that some informers are informing in order to endanger the life of the investigator. Such informers are classified as undesirable and they operate as follows:

- Individuals who agree to cooperate with a number of law enforcement agencies.
- Individuals who always tell lies to the investigator, and always promise to give good information, which he or she fails to do.
- An individual who plays double agent, who will go to one agency and offers to assist in an investigation, and thereafter approaches another agency and promises the same service.
- An individual who uses this opportunity to enhance his or her own criminal intent. This will end up embarrassing the department.
- Individuals who reveal the identity of the investigating officer and the nature of the investigation to the criminal syndicate.

Lyman (2013:138) is of the opinion that the use of informants should not be considered if similar results could be achieved by other means. According to Lyman (2013:138), there are disadvantages of using informants, and the three listed below are of great concern:

- Informers who are difficult to control. Many of them have been criminals for a long time and are very independent by nature. They tend to manipulate the investigator and manage the investigation, especially if the investigator is still new in the field of investigation.
- An informant can become a source of public embarrassment to the law enforcement agency. For example, an informant might be arrested for a high-visibility crime during the time that he or she is working with the police. The local media could then make headlines that could jeopardise the investigation in which the informant was involved.
- The informant`s credibility in court. Depending on the role of the informant in the investigation, he or she might have to testify in court proceedings. A good defence counsel could expose the criminal background of such people and show that their testimony is not to be believed.

Miller (2014:232) cautions that investigators should be aware of the fact that informants could be something of a double-edged sword, in that they cooperate with the investigator in order to collect information that will be of value to the criminals. According to Miller (2014:232), informants have connections with criminal elements against whom they inform for various reasons. It is those reasons that make them to manipulate the investigator to such an extent that the investigator becomes an informant and the informant the handler (Miller, 2014:232). The informant will then be able to corrupt the handler, as explained by Miller (2014:232), whereby the handler provides the crime syndicate with details of the police investigation for money.

Fitzgerald (2015:54) warns that there are informants who are perversely motivated and who would do anything to ensure that he or she initiates a working relationship with the investigator in order to gain as follows:

- Further his or her own criminal ambitions;
- Get to know the way the investigation department is conducting its own investigations, or to identify the undercover agents, informants, and targets of investigations;
- To eliminate the rival group;
- Criminal organizations have directed individuals to infiltrate a police department or agency as an informant to further their own criminal agenda; and
- Provide bona fide information to divert attention from their operation.

The researcher agrees with McDevitt (2011:132) that investigators should be cautioned to provide only the amount of information to their informants as that is absolutely necessary for them to operate. Any excess information provided might come back to haunt them.

In response to the question: *“Do you think that there are disadvantages to making use of informers? Elaborate”* Participants answered as follows:

- Yes. As mentioned above, some informers are there for the money alone and do not think twice before giving incorrect information so that they can be paid.

Such information is dangerous, as it destroys a good case and embarrasses the organization (one participant).

- Yes. Financial burden and risks associated with exposure. The advantages always outweigh the disadvantages (one participant).
- Yes, because if you don't use them properly they can bungle your investigation, and an investigator normally relies on informers for information during their investigation (one participant).
- Yes. Some just want to be paid and also have ulterior motives (one participant).
- Yes. Waste of time, due to useless or false information. Over-reliance on informers (one participant).
- Yes, although there are advantages as well that in my opinion outweigh the disadvantages (one participant).
- Yes, if the investigator is unable to handle the informer (one participant).
- Yes, when they provide useless information (one participant).

All the participants stated that there are disadvantages to making use of informers. In addition, two participants added that the advantages outweigh the disadvantages. The majority of the responses are consistent with the literature of Abadinsky (2013:381), Lyman (2013:138) and Miller (2014:232). In the following discussion, the researcher looks at the procedure for recruiting an informer.

3.7 PROCEDURES FOR RECRUITING INFORMERS

Fitzgerald (2007:44) opines that there are three factors that dramatically affect the methods used to either recruit or induce an individual to become an informant. as, the amount of money available to pay informants, the U.S Sentencing Guidelines and state sentencing initiatives, the Witness Security Program and the ability to protect witnesses and informants from harm. Fitzgerald (2015:71) further explains that there are no formal procedures that direct or govern the recruitment and operations of informants, and this resulted in scandals surfacing the information-gathering process. This happens in the whole world, including SA.

Harfield (2017:504) asserts that informers can be recruited in a number of ways. Harfield (2017:504) and Wood Jr. (2013:247) outline the following ways that could be used by an investigator to recruit an informer:

- Some of the informers might, of their own volition, meet freely to volunteer their services to the investigator.
- Some of the informers could be criminals and subsequently make an offer in the cell block to cooperate in order to be released on bail.
- Investigators must approach the potential informer and seek that individual's assistance.
- Investigators could firstly identify the motivation of the potential informer and skilfully use that information to gain cooperation from the informer.
- Investigators who work to develop information will find many potential sources. Some workers, for example utility workers, delivery persons, postal clerks and carriers might be willing. Sales associates at places such as grocery and convenience stores, pharmacies, coffee shops, taverns, and newsstands, or even disgruntled employees, unfriendly neighbour, business competitors, and many others might respond if approached correctly.

The researcher is of the view that investigators, other than Federal Bureau of Investigations (FBI) officials could also utilise the guidelines regarding recruitment of informants provided by Fitzgerald (2015:71).

According to Palmiotto (2013:70), the investigator should size up the informant before trying to develop a strategy or an approach to a specific case. During this process, rapport is built and the investigator learns about the likes, dislikes, prejudices, and preferences of the informant that help to establish the tone for situations he or she will be involved in with the informant (Palmiotto, 2013:70).

Eterno and Roberson (2015:203) are of the view that the traditional way of recruiting informants is to do it with a person who is in police custody. "Never miss an opportunity to stop and speak to criminals" (Eterno & Roberson, 2015:203). Eterno and Roberson (2015:203) further suggest that when recruiting a person who is incarcerated, the following tactics should be applied:

- Exaggerating the offences a suspect may be charged with.
- Threatening the potential of long prison sentences the suspect may receive should he/she be charged and tried for the offenses he/she were arrested for.

- When there is more than one suspect, officers would imply to one that the other suspect is talking and about to make a deal.
- The financial implications of informing that could range from the officers saying how much an informant could earn or, if the suspect does not inform, what they could lose if convicted.

According to SAPS, South African National Defence Force (SANDF), Military Police (MP), and National Intelligence Agency (NIA), (2006:1), it is the responsibility of an investigator to identify and recruit an informer who has access to the target organisation. The informant has to either penetrate or infiltrate the criminal syndicate. SAPS et al. (2006:2), explain the meaning of these two terms as follows:

- Penetration: this happens when a person who is already inside the target organisation is identified and recruited as an informant.
- Infiltration: this happens when a person outside the target organisation is identified and recruited to infiltrate the target organisation.

According to Minnaar (2011:86), the South African informer system works as follows:

- Where an investigator recruits an informer for the provision of information for payment of a fee, such informer will be registered and given a POLFIN number.
- Whereas the registered undercover operative used as a source is given an SR number (SR = spesiale rekening nommer), meaning special account number.
- In both cases, only his/her handler, i.e. the investigator who recruited him/her, knows the name of the informer/undercover operative.
- The investigator, to protect the identity of his/her informer will very seldom take down a written statement from an informer, preferring to write up his own statement and referring merely to 'as a result of information received from a source'.

The combination of opportunity and motivation required for a person to serve as an informant need not be left to chance (Osterburg & Ward, 2014:182). Osterburg and Ward (2014:182) advise investigators to recognise or create the opportunity to

develop informants through an intimate knowledge of the neighbourhood and the character of its inhabitants.

In response to the question: *“Does your company have procedures in place to recruit informers? If yes, please explain these procedures,”* Participants answered as follows:

- No. There are no formal procedures at the workplace (two participants).
- Yes. Sources have to be evaluated and their motives verified before they can be trusted during the recruitment process (two participants).
- Yes. Sources to be strictly controlled and not the other way round (one participant).
- Yes. They must be tested and evaluated (one participant).
- Yes. There should be mutual trust and confidence between the handler and the source (one participant).
- Yes. The handler and the source should work together amicably (one participant).

The majority (six) of the participants stated that they have a recruitment procedure. However, two participants stated that they have no formal procedure for informer recruitment at their workplace. Nonetheless, the majority of the responses are consistent with the literature of SAPS, 2006 et al. In contrast, the minority responses are consistent with Fitzgerald (2015:71).

Participants were furthermore asked: *“If your company does not have a policy in place to recruit informers, what would you suggest they include in a policy and why?”* Participants answered as follows:

- There is no need for that (two participants).
- Although there is a policy in place, I think it should be adjusted to meet today’s requirements (one participant).
- The company must put the policy in place in order to gather information from outside and have that ability for solving complex cases (one participant).
- Modify and adjust the existing policy as per changing trends of modus operandi (one participant).

- The policy should address the dynamics of society (one participant).
- The world is changing and criminals are moving from one country to the other, therefore changes in the policy should address such challenges (one participant).
- Opportunities to commit crime have increased, therefore a policy change is a big 'yes' for me (one participant).

The majority (six) of the participants stated that it is imperative to update the recruitment policy in order to address the latest techniques used by criminals. However, it is significant that two participants mentioned that there are other means of getting information, such as hotlines and people walking into their offices with information. This response clearly shows that the participants did not understand the importance of using informers at the workplace. Nonetheless, the majority of the responses are consistent with the literature of Fitzgerald (2015:71) and Palmiotto (2013:70). In the following discussion, the researcher looks at the methods to recruit informers.

3.8 METHODS TO RECRUIT INFORMERS

The ability to effectively recruit informants is perhaps the most frequently encountered skill possessed by successful police officers, detectives, and federal agents (Fitzgerald, 2015:69). Remarkably, relatively little formal training is provided, according to Fitzgerald (2015:69), on the subject of cultivating and recruiting informants; instead, agents and police officers alike are often left to rely on their experience and common sense as they search for potential informants. According to Lowe (2016:147), the police are reluctant to discuss the informer system, leaving it as unsearched area. Their reluctance is understandable, not least because protecting the informer's identity must be the foremost consideration. There is also the risk of having the police officer's own method exposed and subjected to public scrutiny, and the accompanying risk of being shown to have compromised the informer, or behaving in a way that invites criticism.

According to Lowe (2015:203), the traditional way of recruiting informants is by engaging with persons who are in police detention following their arrest, or with every offender that police officers meet. According to the guidance of Lowe

(2016:148), always treat their womenfolk and families of persons in police custody with the utmost respect and courtesy, particularly when searching their homes. Conduct your interrogation in a proper manner, then if you feel he/she is a potential informant, be friendly towards him/her, try and oblige him/her with any small favour he/she may request. Mind games that were used by the police to recruit informants, according to Lowe (2015:203), include the following:

- Exaggerating the offences a suspect may be charged with.
- Threatening with the potential of long prison sentences the suspects might receive should they be charged and tried for the offences they were arrested for.
- Where there is more than one suspect, officers would imply to one that the other suspect is talking and about to make a deal.

The recruitment approach that is described by SAPS below is also very relevant to the corporate investigation environment. According to SAPS et al. (2006:15), the recruiter may apply the following four recruitment approaches:

- Cold/direct approach: In this approach, the recruiter will approach a potential informer for the first time and try to recruit him. The recruiter will first obtain background information about the informer and use that information to recruit the informer. If some criminal activities have been uncovered against the potential informer when background check was done, this is the right time to force the potential informer to agree to cooperate.
- Developmental approach: During this approach the recruiter will develop some friendship with the potential informer and after that; he will start to convince him or her to become his or her informer.
- Combined approach: This is done by two investigators; one will develop a relationship and soften the potential informer and the other will do the recruitment thereafter.
- Indirect approach: This is done by making use of another person to contact and 'soften' the potential informer and when the interview progresses, the recruiter can reveal the motive for recruitment.

According to Becker and Dutelle (2013:52), Grau (1993:22-5) and Marais and Van Rooyen (1990:137) besides using the above methods, the following techniques may be utilized to persuade a person to provide information:

- The guilt-feeling techniques: This technique is used to play with emotions and feelings of a person that you want to recruit as an informer. For example, the investigator may ask the potential informer about how the people he or she loves will react when hearing that he or she is involved in criminal activities. This might make the informer cooperate with the investigator, even for a reward.
- The play-off technique: This technique is applied to make a potential informer believe that his or her partner in crime has agreed to be an informer and that he or she has already supplied information against the potential informer. This might prompt him or her to supply information about his or her partner in crime.
- The pessimism technique: This technique is used to recruit a criminal by giving him or her information that may lead to his or her arrest. Fear is instilled in the mind of the potential informer to such an extent that he or she sees a dark and gloomy picture about the seriousness of the crime.

According to Fitzgerald (2007:44):

... there are three factors which may affect the methods used to recruit or induce an individual to become an informer: The amount of money available to pay the informer, the U.S Sentencing Guidelines (U.S.S.G.) initiative and the witness Security Program and ability to protect witnesses and informers from harm.

Sennewald and Tsukayama (2015:175) assert that an investigator should attempt to learn why the informant is providing the information. This will assist the investigator in two ways: firstly, the investigator can gauge the credibility of the information; secondly, the investigator will be able to identify the motive of the informant. Fitzgerald (2015:71) provides the following guidelines that may be used by investigators when determining whether a person can be an informer or not:

- Whether the person appears to be in a position to provide information concerning a violation of the law that is within the scope of authorized investigative activity.
- Whether the individual is willing to voluntarily furnish information to the investigator.

- Whether the individual appears to be directed by others to obtain information from the investigator.
- Whether there is anything in the individual's background that would make him or her unfit for use as an informant.
- Whether the nature of the matter under investigation and the importance of the information being furnished to the investigator outweigh the seriousness of any past or current criminal activity of which the informant may be suspected.
- Whether the motives of the informant in volunteering to assist the investigator appear to be reasonable and proper.
- Whether the information that the informer can provide could be obtained in a more timely and effective manner through other sources or by a less intrusive means.
- Whether the informant is sufficiently reliable and trustworthy, and whether there is an adequate means by which to verify his or her truthfulness.
- Whether the individual appears to be willing to conform to FBI and attorney general guidelines regarding his or her operation.
- Whether the investigator will be able to adequately monitor and control the activities of the informant.
- Whether his or her use as an investigative technique will intrude on privileged communications or inhibit the lawful association of individuals or the expression of ideas.
- Whether the use of the informant could compromise an investigation or subsequent prosecution that may require the government to move for a dismissal of the case.

McDevitt (2012:118) recommends that patrol officers should be used to identify potential informants who would be handed over to investigators for recruitment purposes. According to McDevitt (2012:118), all patrol officers should be issued with referral cards that will be completed when a potential informant is spotted, and the card will then be transferred to investigators for recruitment purposes. Turcotte (2008:294) mentions that police are always practicing "turning" an offender into an informant, or "flipping" them into informants, as explained by Miller (2012:212).

In response to the question: *“How would you go about recruiting an informer?”*

Participants answered as follows:

- The company must put a policy in place in order to gather information from outside and have the ability to solve complex cases (three participants).
- I am not keen of informers and would appreciate people coming to me with information rather than recruiting people to spy for me for information (one participant).
- In a company, you use various platforms. You speak in general to encourage people and then you approach potential informers (one participant).
- Identify a reliable, trustworthy source who does not have ulterior motives (one participant).
- Use contacts with a good reputation (one participant).
- Give them training about gathering information and reward them if the information is relevant in terms of solving the case at hand (one participant).

Three of the participants stated that the company must put a policy in place that will provide directives for when information is gathered from outside, and the investigator must have the ability to solve complex cases. Another participant stated that an investigator has to identify/establish a reliable, trustworthy source who does not have other ulterior motives. One other participant stated that an investigator should use contacts with a good reputation. One participant said that an investigator should give the informers training about gathering information and reward them if the information is relevant in terms of solving the case at hand. In contrast, one participant stated that he is not keen on informers and would appreciate people coming to him with information, rather than recruiting people to spy for him for information. One participant stated that in a company you use various platforms. You speak in general to encourage people and then you approach potential informers. This response is consistent with the literature of McDevitt (2012:118), Miller (2012:212) and Sennewald and Tsukayama (2015:175). In the following discussion, the researcher examines the briefing of an informer.

3.8.1 Briefing of an informer

Prinsloo (2010:57) defines briefing as the process whereby the investigator extracts information from an informer regarding crime and criminals. Briefing, according to the South African Concise Oxford Dictionary (2009:141), is a meeting held with the intention of giving information or instructions. In criminal investigation, the briefing process as stated by Oliver (2002:17) consists of many activities in pursuit of the objective of collecting valuable and tactical crime-related information. In other words, the investigator gives instructions to the informer regarding the information he or she should collect for the investigation (Oliver, 2002:17).

However, Harfield (2017:497) warns against the process involved in police deployment of an informer against a suspect. The suspected criminality is sufficiently serious to warrant such a tactic. There is no other means of obtaining the desired intelligence or evidence, and the proposed tactic is lawful (Harfield (2017:497). After the tactic has been authorized, according to Harfield (2017:497), the investigator should record details of the meeting at which the informer was briefed and deployed, and such records provide a form of transparency amenable to subsequent review by managers or independent ombudsmen.

Roberts (2002:65) explains the briefing of an informant as a method of controlling and ensuring that the informant is collecting information as tasked by the investigator. Based on the experience of the researcher and statements from authors such as Oliver (2002:17) and Roberts (2002:65), to name but a few, the researcher compiled the following as the steps that can be followed when briefing an informant:

- Explain the importance of an informer;
- Motivate the informer at all times;
- Determine a suitable place to conduct briefing and debriefing;
- Prepare the informer for meetings and explain the true meaning, purpose and objective of briefing and debriefing;
- Update the informer (on a need-to-know basis) about the new ways of committing crime;
- Exchange ideas and information with the informant;

- Discuss communication methods and procedures;
- Discuss security issues;
- Constantly train the informer;
- Discuss the pick-up and drop-off points; and
- Task the informer.

According to Osterburg and Ward (2014:191), the effective investigator is always cultivating potential informants and motivating them at an opportune moment to share what they know. Information obtained in this manner could represent an important breakthrough in an investigation by simplifying the task and improving the end-product.

McDevitt (2012:133), McMahon (2014:17) and Prinsloo (2010:68) are of the view that the following are critical for a successful briefing by the informer:

- The investigator must do his or her homework and prepare for the interview/briefing.
- The investigator controls the interviews, and at the same time allows the informer to provide information without interrupting him or her.
- The investigator should not give out any more information than is absolutely necessary.
- Instructions given to the informer must be clear, and the informer must understand it.
- The informer must repeat his or her instructions and tasks.
- The investigator must be professional at all times.
- The investigator must insist on specific and complete information.

According to Prinsloo (2010:59), the following list contains general steps, actions, and activities of the briefing process:

- Determine a suitable place to conduct the briefing session with the informer.
- Prepare the informer for the meeting and explain the meaning, purpose and function of the briefing process to him/her.
- Inform the informer of existing and new information on crimes, criminals and targets on a need-to-know basis.

- Plan operations and the way forward.
- Discuss strategies and development regarding the investigation.
- Communicate ideas and information.
- Establish a legend: This is a fictitious representation to conceal the true identity/objective and activities of an intelligence operation.
- Anticipate possible problems and actions.
- Motivate the informer in terms of financial and logistics support.
- Explain and direct the informer to obey all laws, rules and departmental instructions.
- Determine language of communication.
- Constantly train the informer.

In response to the question: “*Do you have experience in briefing an informer? Elaborate,*” Participants answered as follows:

- No. Never worked with informers on a formal basis before (two participants).
- Yes. You tell the informer exactly what she or he needs to establish (one participant).
- Yes. You have to keep in mind that informers can play double standards and reap benefits from both sides (one participant).
- Yes. Be selective and go straight to the required information because once they are given too much information, they tend to regard themselves as investigators/police (one participant).
- Yes. Be specific when briefing the informant (one participant).
- Yes. Explain in detail what the informant has to do for you (one participant).
- Yes. Ensure that the informer is tasked to collect the relevant information (one participant).

It is clear that the majority of the participants understood the importance and relevance of briefing an informer. However, it is significant that two participants mentioned that they had never worked with informers on a formal basis before. This response (minority) clearly shows that the participant did not understand the importance of briefing an informer. Nonetheless, the majority of the responses are

consistent with the literature of McDevitt, (2012:133) and McMahon (2014:17). In the following discussion, the researcher contemplates the debriefing of an informer.

3.8.2 Debriefing of an informer

Jacobson (1981:4) defines debriefing as a complete interview by the investigator with the informant, and an experienced investigator must do this. According to Roberts (2002:65), debriefing is a planned and controlled action and process of precision-questioning of the informant, conducted in a systematic and structured manner, and taking place when information is obtained by asking general questions or when answers are voluntarily provided by the informant. It is a form of communication, with the objective of retrieving and extracting as much information as possible. On the other hand, Prinsloo (2010:80) is of the view that debriefing is a process whereby information is retrieved and extracted from the informer that will be used as intelligence at a later stage.

Bennett and Hess (2004:132) argue that it is the responsibility of each and every investigator to obtain any information from the informant to prove facts, whether such information indicates a person's guilt or innocence. McDevitt (2012:133) agrees with Madinger (2000:152) that the first interview with the informant is the most important one, because this is the time when the investigator has to establish the informant's motive for cooperation. McDevitt (2012:133) warns that the manner in which the investigator approaches the potential informer during the initial debriefing is his or her only chance to make a very convincing impression.

According to Harfield (2017:497), following deployment the investigator should record details of the debriefing meeting at which the informer will relay to the investigator what took place during deployment. Such records provide a form of transparency with a view to subsequent reviews by managers or independent ombudsmen. McMahon (2014:17) concurs with McDevitt (2012:133) on the following as crucial for a successful debriefing of an informer:

- The investigator must do his or her homework and prepare for the interview/debriefing.
- The investigator controls the interviews.

- The investigator should not give out any more information than is absolutely necessary.
- The investigator has to conduct a thorough debriefing.
- The investigator must insist on specific and complete information.
- Investigate the source, and verify his or her identity and stability.
- Do not tell the informant too much.
- Conduct the business efficiently and politely.

The investigator must also determine the access to the criminal syndicate and assess the possibility of control of the informant's information, and to develop the informer. Madinger (2000:278) explains that debriefing must take place in the following instances:

- During the debriefing process, priority is given to actionable criminal information as well as general criminal information.
- If, during the debriefing, it is discovered that the information does not belong or does not fall under the jurisdiction of the investigator's area of activity, the information must be disseminated to the relevant office for attention.
- Informants will be debriefed on a regular basis.

In response to the question: "*Do you have experience in debriefing an informer? Elaborate,*" Participants answered as follows:

- No (two participants).
- Yes. You analyse and bring to the attention of the informer your assessment and advice on the way forward (one participant).
- Yes. You train the informer. Just be strict and stick only to the required tasks and guide them where necessary (one participant).
- Give guidance to the source, at the same time training him/her about information collection (one participant).
- Yes. Allow the informer to speak without interrupting him or her (one participant).
- Yes. Ensure that the informer gives feedback regarding the instructions that were given to him or her during the briefing session (one participant).

- Yes. Allow the informer to provide feedback without interruptions, and interject only to clarify ambiguous explanations (one participant).

The majority (six) of the participants stated that debriefing an informer happens when an informer gives feedback or explains developments regarding the instructions he or she was given by the investigator during the briefing session. However, it is significant that two participants mentioned that they had no idea regarding the debriefing of an informer. This response clearly shows that the participants have never worked with informers before. Nonetheless, the majority of the responses are consistent with the literature of Madinger (2000:152), McDevitt (2012:133) and McMahon (2014:17). In the following discussion, the researcher looks at the relationship between an informer and an investigator.

3.9 RELATIONSHIP BETWEEN INFORMER AND INVESTIGATOR

The relationship between an informer and the investigator, according to Derry (2016:3), could be compared to a marriage that is abusive, controlling, manipulative, deceitful, and dysfunctional. Derry (2016:3) further explains that both parties enter into such a relationship knowing the challenges associated with the “marriage.” Osterburg and Ward (2010:190-191) opine that the relationship between investigator and informants could be fashioned in several ways. Gilbert (2007:137) warns that informants that receive money for information must be managed carefully. McDevitt (2012:144) agrees that investigation managers have the responsibility to advise their subordinates about rules for working with informants. Sennewald (1981:54) is of the opinion that the investigator who speaks scornfully of informants will in all probability never be able to keep an informer in his or her career. McDevitt (2012:144) states that the relationship between the informant and the investigating officer should be a business relationship rather than a social relationship.

According to Swanson et al. (2012:181-182), the following were identified as the activities an investigator should not partake in when dealing with an informer:

- Socializing with an informer;
- Becoming romantically involved;
- Paying them without confirmation of the information;

- Entering into a business relationship with them;
- Accepting gifts, gratuities, or money from them; and
- Loaning them money or accepting a loan from them.

The relationship between investigator and informant, according to Osterburg and Ward (2014:183), can be fashioned in several ways. It might be a business arrangement in which the informant understands that the investigator associates with and employs him or her only to obtain information. A respectful relationship, as mentioned by Osterburg and Ward (2014:183), can be adopted with those motivated by vanity or civil duty. For the majority, a friendly relationship is probably the most useful (Osterburg & Ward, 2014:183).

The investigator who speaks scornfully of informants in all probability has no informants or he will never be able to keep him (Sennewald & Tsukayama, 2006:179). According to Sennewald and Tsukayama (2006:179), informants should be treated with the respect they deserve, irrespective of their motives. Palmiotto (1994:104) explains that it is imperative for the investigator to motivate the informer by building a good working relationship with him or her. Gilbert (2007:138) and Gilbert (2010:139) concur with other authors mentioned here, and further add that a good working relationship must be based on trust between the pair. Gilbert (2010:139) emphasises the fact that the informant must have considerable trust and confidence in the ability of the officer.

Roberts (2002:88) is of the opinion that there are factors that jeopardise the investigator's integrity and judgement, and they are characterised by the following factors:

- Losing control: the investigator should be able to be in constant contact with the informant so as not to lose control of the relationship.
- Mistakes: mistakes should be identified and addressed as soon as possible
- Inconsistency: investigator should always be consistent when dealing with the informant.
- Lack of clarity from the investigator: all issues should be clarified to the informant to avoid conflict and misunderstandings.

- Communication breakdown: the investigator should always keep in touch with the informant to build the working-relationship.
- Irresponsibility: the investigator should always be responsible when dealing with the informant. Not revealing the identity of the informant, for example, is the responsibility of the investigator.
- Temptation: the investigator should not be tempted to do something that goes against his/her ethics, for example, if the investigator is romantically involved with the informant, or the investigator request loans to or from the informant.
- Evil: the investigator should avoid doing evil things to the informant, for example, when the investigator allows the informant to do a very dangerous assignment.

According to Gilbert (2007:138), investigators using paid informers should adhere to the following guidelines:

- A documented record of payment will be kept.
- Supervisors will conduct frequent reviews of the activities of each informant.
- The police agency will notify other authorities when an informant commits a crime in the jurisdiction of those authorities.
- A background investigation will be completed for all informants.
- Officers will be prohibited from making deals with informants who are seeking leniency in exchange for information.
- Prosecution officials will review investigations, using paid informants for legal compliance.
- Officers will obtain the approval of a supervisor before using a paid informant.
 - who is under 18 years of age;
 - who is currently on parole or probation; and
 - who is undergoing treatment for drug addiction or who was addicted to drugs in the past, or who has been convicted of two or more offences.

According to Minnaar (2011:92), it is imperative that the handler acts with empathy, sensitivity and with understanding of an informer's situation in order to get the best out of him/her. A symbiotic relationship must be established, where the handler expresses full confidence in the informer's abilities and shows that he needs and

values the information provided. Minnaar (2011:92) outlines the following aspects as key when dealing with an informant:

- It is essential for the informer to be treated in a just and humane manner.
- It is important that the police official does not make promises that cannot be fulfilled.
- Police officials must never address informers in a disrespectful or insulting manner.
- The police official must show appreciation and praise the informer for good work. He or she must show understanding for the informer's weaknesses and shortcomings (make appropriate allowances for them).
- All information provided by the informer, however negligible it may seem, must be regarded as important until the contrary is proved.

In response to the question: *"How would you explain the relationship between an informer and an investigator?"* Participants answered as follows:

- In summary, the relationship is more or less that of a master and an agent with the informer being the agent (one participant).
- Utmost trust (one participant).
- There must be trust between them (two participants).
- Mutual understanding between them (one participant).
- Professional. Trust. Clear understanding of mandate (one participant).
- Extreme trust between the two parties (one participant).
- Mutual trust (one participant).

The majority (six) of the participants emphasise the word "trust" in their responses to the question. Literature consulted Gilbert (2010:139), McDevitt (2012:144), Minnaar (2011:92) and Osterburg and Ward (2010:190-191) do not specifically mention the word 'trust' when defining the relationship between the informant and the investigator. One participant stated that there must be mutual understanding, whereas, another stated that the relationship should be like that of master and agent. The responses clearly show that the participants believe that there should be trust between the informer and the investigator. Nonetheless, the majority of the

responses are consistent with the literature of Gilbert (2010:139), McDevitt (2012:144), Minnaar (2011:92) and Osterburg and Ward (2010:190-191). In the following discussion the researcher reviews the motivational factors.

3.10 MOTIVATIONAL FACTORS

According to Billingsley, Nemiz, and Bean (2001:82), it is imperative for an investigator to identify and examine the motive of an informer to inform. According to Billingsley et al. (2001:82), most investigators have learnt that to be able to control an informer properly you have to learn more about them. Motto (1971:3) emphasises that the investigator must always keep in mind that an informer has a motive for giving out information and the motive should be known to enable the investigator to work with such an informer.

Gilbert (2010:153) states that some informants provide information purely for monetary gain, others have ulterior motives. All human-oriented information must be evaluated objectively, and efforts must be made to corroborate the data by means of supporting sources. The paid informants often require strict supervision and control, for such individuals typically have been or currently are involved in criminal activities (Gilbert, 2010:153). This is supported by (Palmiotto 2013:77), who further cautions that a potential informant may refuse to provide information because of disrespect for the police, arrogance on the part of the police, fear of reprisal, or failure of the police to provide feedback. Investigators have to develop the skills that will persuade informants to volunteer information. Investigators should recognise soft intelligence, be familiar with legal procedures, and know how to work with informants. Investigators should be able to identify a potential informant and be able to recruit him/her in a legal way. Law enforcement agencies should follow the characteristics of the formal managerial model as it relates to informants (Palmiotto, 2013:77).

The following have been identified by Billingsley et al. (2001:86), Eterno and Roberson (2015:199), McDevitt (2012:126), Motto (1971:5), O'Hara and O'Hara (2003:190) and Sonne (2006:95), and supported by Brinson and Dove (2014:157-164), Sassoon (2012:123) and Sennewald and Tsukayama (2015:175) as the main reasons for informers to inform:

- **Revenge:** The informer supplies information in order to take revenge on people for various reasons. Persons of this type have been wronged before and they want to take revenge.
- **Vanity:** The self-aggrandizing person who delights in giving information to gain favourable attention from the police and security authorities.
- **Good citizenship:** Most people dislike criminals and their criminal activities, therefore they will report any criminal activity to the investigator.
- **Avoidance of punishment:** A person who is apprehended in the commission of a minor crime may seek to avoid prosecution by revealing information concerning a major crime.
- **Repentance:** An outcast makes amends by relaying information he/she has about incidents in the past. The approbation of newly acquired peers is an especially strong stimulus.
- **Financial and material motive:** Some people inform solely in order to gain financially. Any person materially motivated may want money for his family and at the same time be fully loyal to the investigator by providing value-adding information.
- **Gratitude:** In this instance, the informant is willing to cooperate as an expression of appreciation for an officer's interest. Many valuable informants have been developed by an officer showing interest and perhaps care for the criminal and his family while he is in custody, or by his assistance in other ways, such as helping him find employment upon his or her release.
- **Ideological motive:** Usually found within this category is the individual who desires to change the social order. For example, the person who attempted to kill Adolf Hitler was ideological, i.e. anti-Nazi. This motivation took the form of wishing an end to Hitler for the sake of retrieving what could be retrieved for Germany.
- **Emotional motive:** Fear, revenge, jealousy, repentance, and gratitude are among the emotions that often induce people to divulge what otherwise would remain unrevealed.
- **Coercion:** This has been used as a means of inducing a person to provide information, especially in a single action of short duration. Pressures from family

and friends have been sufficiently coercive to force a person to provide valuable information concerning criminal activities.

- Fear: The person under an illusion of oppression by enemies or of other impending danger.
- Competition: The person who wishes to eliminate his/ her competitor.
- Jealousy: A person who is envious of the accomplishments or possessions of another and wishes to humiliate him/her.

Motivations for cooperation, according to Derry (2016:9-29) and Fitzgerald (2015:45) will generally fall into one or more of several categories, explained below:

- Money. Money is probably the easiest motivation to understand. Rewards for information have been sanctioned by the courts on the grounds of public policy interests and in recognition that money loosens lips;
- Fear. Fear is the catalyst for many criminals to transition into informants. It is also an example of a motive that may not initially be offered as the true reason for becoming an informant, particularly for alpha males. The prospective informant's fear is usually driven by one or more of the following motivations;
 - Fear of arrest;
 - Fear of imprisonment;
 - Fear of social stigma arising from arrest or imprisonment;
 - Fear of criminal retribution;
 - Fear of separation from family; and
 - Fear of arrest of family member(s).
- Revenge. Many are motivated to become informants by a need to exact revenge;
- Business associates, ex-spouse, fellow members of a criminal organisation, or members of a rival gang are the usual targets.

In response to the question: *“What do you think motivates people to become informers?”* Participants answered as follows:

- There are lots of aspects that can lead someone to become an informer. To mention a few: You get people becoming informers because they want money;

because they are concerned citizens; because they want protection; because they want to get rid of certain rivals or for revenge etc. (one participant).

- Patriotism or money (one participant).
- Money and destabilising the crime syndicates (one participant).
- Some do it because of being tired of crimes being committed and want justice to be done; some do it for the sake of taking revenge or avenging something, and some do it for the sake of money (one participant).
- Access to information. Money (one participant).
- Money (one participant).
- Revenge (one participant).
- Competition (one participant).

The majority (six) of the participants stated that money is the main motivational factor for an informer to provide information to the investigator. Similarly, two of the participants added that it is revenge and competition that drive informers to provide information to the investigator. All the responses are consistent with the literature of Eterno and Roberson (2015:199) and Sassoon (2012:123). In the following discussion, the researcher looks at the characteristics of a potential informer.

3.11 CHARACTERISTICS OF POTENTIAL INFORMER

Before the characteristics of a potential informer can be outlined, the reader is provided with the definition of the word “characteristics,” as defined by the South African Concise Oxford Dictionary (2009:198), as follows: “characteristic is typical of a particular person, place or thing, a feature or quality typical of a person, place or thing.” According to Buckwalter (1983:139), Roberts (2002:24) and SAPS et al. (2006:11), an informer should have at least the following characteristics:

- Adaptability: An informer must be able to work in different situations without breaking down.
- General type of personality: A good actor, cool-headed, a resourceful imagination, self-confidence and the ability to think out of the box.
- Safety awareness: An informer must always operate under safe conditions for himself and other people around him.

- Decision-making: An informer must be able to make a constructive operational decision.
- Communication: An informer must be able to communicate effectively at all levels. Effective communication is an art that could contribute towards speedy infiltration of the identified criminal syndicate, or exposure of the informer if the latter is not able to talk him or herself out of trouble. Not only is it essential to communicate well with the syndicate members, but also with the investigator.
- Stress tolerance: The informer must have the ability to maintain tolerance under difficult circumstances.
- Persuasiveness: An informer must be able to create an environment whereby he is accepted within a crime syndicate.
- Interpersonal relationships: Must be able to help build and actively participate as a team member.
- Managing conflict: The ability to deal effectively with others in an antagonizing situation.
- Building trust: The ability to interact with others effectively.
- Risk-taking: Taking a calculated risk without compromising operational objectives.
- Energy: An informer must be able to work extended hours.
- Tenacity: The ability to stay with an operational plan until the desired objective has been achieved.
- Information-monitoring: The ability to set up ongoing procedures to collect and review information coming his/her way that will help him/her to address the crime he/she is busy with.
- Impact: The ability to make an impact without threatening existing target structures and leadership.

According to Fitzgerald (2007:4) and Osterburg and Ward (2010:194), the following factors are taken into consideration to determine the individual's suitability to be an informer:

- The person appears to be in a position to provide information concerning a violation of the law that is within the scope of authority of the office concerned.
- The individual is willing to voluntarily furnish information to the investigator.

- The individual appears to be directed by other investigation units (active opposition unit competing with this one) to obtain information from this investigation unit.
- There is something in the individual's background that would make him or her unfit for use as an informer.
- The nature of the matter under investigation and the importance of the information being furnished to the investigator outweigh the seriousness of any past or contemporaneous criminal activity of which the informant may be suspected. A comparison should be made regarding the seriousness of the crime under investigation, the role that the informer can play to assist in solving that crime, as well as the seriousness of the crime that was committed by the informant.
- The motives of the informer for volunteering to assist the investigator appear to be reasonable.
- There are no other ways or means of obtaining such information without the use of this informer.
- The investigator will be able to adequately monitor and control the activities of the informer.

According to Billingsley et al. (2001:100), female informers inform in order to protect their family or loved ones. Some do inform because they hate a certain type of crime happening in their vicinity or committed by their loved ones.

In response to the question: *"What are the characteristics that you think you would look for in a potential informer?"* Participants answered as follows:

- Trustworthy; intelligent or knowledgeable, and stable (one participant).
- Ability to withstand interrogation and socialization (one participant).
- A good listener and has the ability to gather information (one participant).
- Honest, trustworthy/reliable, disciplined and tactful (one participant).
- Honesty. Integrity. Reliability (one participant).
- Ability to gather information (one participant).
- Ability to assess situation (one participant).
- Able to fit into any situation and environment (one participant).

All the participants stated different characteristics an informer should possess. It is clear from the responses that the participants understand the characteristics that an informer should possess. The responses are also consistent with the literature of Buckwalter, (1983:139) and SAPS et al. (2006:11). In the following discussion the researcher surveys the management, development and handling of informers.

3.12 MANAGEMENT, DEVELOPMENT AND HANDLING OF INFORMERS

SAPS et al. (2006:10), states that someone in a leadership position uses planning, organising, leading and control to obtain results from other people. Hellriegel, Jackson, Slocum, Staude, Amos, Klopper, Louw and Oosthuizen (2008:9) define management as the activities that are involved when managing an organisation and it includes planning, organising, leading and control.

McDevitt (2012:113) agrees with The International Association of Chief of Police (IACP) (1971:73), Dowling (1979:42) and Lee (2004:84) that the following basic rules will assist the investigator to a great extent when he/she manages an informant:

- Avoid unethical, immoral and illegal arrangements with the informer.
- Avoid making the informer a personal property by trying to own him or her. The investigator must remember that the informant is here to work for the department, therefore the informant must be introduced to other investigators so that when the investigator leaves the department, the informant will still assist in information collection.
- A file should be opened in which all the information about the informant must be recorded. This must include the criminal record, and the record concerning his or her history of working with the investigator should also be recorded.
- The investigator must know the informer before using him or her to collect information. This will prevent uncertainties, because some people volunteer to inform just because they want to spy on the investigator. A degree of certainty about the informant can be achieved by placing him/her on probation until such time that his/ her background has been checked and verified.
- The identity of the informant must be protected at all time. The researcher has seen many informants losing their lives because their identity was compromised.

A code name must be used at all times, and his/her real names may be limited to that specific investigator/handler only.

- Protection during field operations: An informer must not be involved during operations where many investigators are involved, or during raids.

South African Concise Oxford Dictionary (2009:318) defines 'developing' as 'to grow or cause to grow and become larger or more advanced.' According to Gilbert (2010:138) and Palmiotto (2013:69), an investigator must do the following in order to develop an informant:

- Motivate the informant to develop rapport or a harmonious relationship with the subject.
- The informant must be confident and believe in what he/she is doing.
- The investigator must be a good character reader to develop the informant properly.
- While the informant must be persuaded to trust the investigator, the investigator must not trust the informant.
- Investigators must assess the degree of control that will be needed to accomplish their mission.
- One major problem investigators may have is that informants want to do it their way, which may contradict the law enforcement position.
- Maintaining control over informants is an ongoing, ever-changing situation that requires a more focused investigator.
- Long-term management of an informant requires interaction between the investigator and the informant. In general, informants should stick with one investigator to guarantee that they provide maximum performance.
- It is the investigator who must decide the details of the informant's activities, such as the manner in which evidence is gathered, meeting locations, and the amount of money paid for specific information.

Osterburg and Ward (2014:182) maintain that the combination of opportunity and motivation required for a person to serve as an informant must not be left to chance. The experienced detective, according to Osterburg and Ward (2014:182-183), will recognise or create the opportunity to develop informants by means of an intimate

knowledge of the neighbourhood and the character of its inhabitants. The paid informant is typically a career criminal or someone marginally involved in criminal activities. Lyman (2013:141) asserts that customarily, the investigator who develops an informant is the one who is assigned to him/her. According to Lyman (2013:141), a cardinal rule in working with informants is for the investigator to command control of the investigation, not the informant.

Lowe (2016:157) opine that there is no consistency in protocols and procedures between nation states on how to handle informants during intelligence gathering. The UK, for example, handles informants in accordance with legislation, whereas in Australia, it is a policy, and federal agencies in the United States make use of a policy, which is not the case with all other policing agencies in the United States, since some states and counties have no policy at all (Lowe, 2016:157). Osterburg and Ward (2010:191) explain that an investigator should ensure that he/she keep the following points in mind when handling an informer:

- Meet the informer on neutral ground for the protection of both the informer and the handler;
- Only make promises that can be fulfilled and treat the informer fairly;
- Always have a witness present at a meeting;
- Prepare in advance for the meeting;
- Listen carefully to what the informer has to say;
- Brief the informer properly; and
- Debrief the informer comprehensively.

Osterburg and Ward (2014:183) are of the view that investigators should always be aware that an informer who furnishes limited information will often supply more if handled properly. The investigator, according to Sennewald and Tsukayama (2015:183), should keep the following points in mind:

- Meet the informant on neutral ground to protect the working relationship and to preserve anonymity. Be careful to keep the appointment. Treat the informer fairly. Make promises with every intention of carrying them out; make none that cannot be fulfilled legally.
- Treat the informant courteously. Never use offensive terms.

- The value of appealing to the reason that motivated the informant should not be forgotten.
- Newly recruited informants must be clued with respect to the information required and the target to be aimed at and reported.
- Informants must be taught what constitutes entrapment; in dealing with any person, they must avoid the possibility or even the appearance of entrapment.
- The importance of maintaining their 'cover' must be stressed, otherwise, they might compromise their own security or that of the investigation.
- Never permit informants to take charge of the investigation, or to 'run the show.'
- An informer may not, in general, be permitted to commit a crime to obtain information.
- In all financial transactions, the investigator must be scrupulously exact. Except where it is necessary to keep an informant interested, payment should not be made until the value of the information has been verified.
- Maintain a Confidential Informant File that is known to the supervisor.

Lyman (2013:141) is of the view that a cardinal rule in working with informants is for the investigator to command control of the investigation, and not the informant. Lyman (2013:141) and Sennewald and Ward (2015:183) agree with that investigators should never make any promises that they cannot deliver. Gilbert (2010:139) provides guidelines as to how investigators should deal with paid informants. The guidelines are outlined below:

- Keep documented record of payment.
- Supervisors to conduct frequent reviews of the activities of each informant.
- Notify other authorities when an informant commits a crime in the jurisdiction of those authorities.
- Complete a background investigation of informants.
- Refrain from making deals with informants who are seeking leniency in exchange for information.

Brandl (2014:265) is of the view that for informant handling to be meaningful or fruitful to the investigation of crime, the investigator should do the following:

- The investigator should manage the investigation and not the informant.
- Limit the exposure of the informant to other law enforcement agencies.
- Never make a promise that is not possible to keep.
- Maintain a professional relationship.
- Ensure the safety of the informant at all times.
- Meet the informant in the company of a co-handler.
- Payments to be made as promised and all documents relevant to payments to be properly completed.
- Informants should be used in terms of agency policy.

The informant must be influenced to trust the investigator, but the investigator must not trust the informer. The investigator must not mention the fact that he does not trust the informant. The investigator must be a good character reader to develop the informant properly (Palmiotto, 1994:104). Gilbert (2010:138) emphasizes the fact that informants who receive money for the information they supply must be managed very carefully. Sennewald and Tsukayama (2015:175) suggest that the investigator should obtain all the useful information from the newly recruited informant in a single meeting. The researcher agrees with both Sennewald and Tsukayama (2015:175) that when an investigator meets a potential informant for the first time, he/she should leave a 'back door' open for subsequent meetings. According to Miller (2014:235), informant management should satisfy the following requirements:

- There should be an officer who is responsible for the informant on a daily basis, and to take care of his/her welfare.
- An officer is responsible for the general oversight of the use of the informant.
- Ensure that only relevant people have access to the identity of the informant.

In response to the question: *"What do you think it means to develop an informer?"* Participants answered as follows:

- Train the informer to be able to operate in accordance with an acceptable standard and obtain relevant information (three participants).
- Develop him in such way that he gives accurate information (two participants).

- I think it is to equip an informer with tips to put him/her in a better position to give you good intelligence (one participant).
- To improve his/her skills for better information reporting or gathering. To assist in identifying possible risks that the company might be exposed to (one participant).
- To make him understand what information is required (one participant).

Three participants stated that informers should be trained in order to operate in accordance with an acceptable standard and obtain relevant information. Two participants stated that the informer should be developed in such a way that he/she gives accurate information. The rest of the participants stated that the informer should be developed to be able to obtain relevant information. The responses are consistent with the literature of Gilbert (2010:138), Osterburg & Ward (2014:182-183) and Palmiotto (2013:69). In the following discussion, the researcher examines the training of an informer.

3.13 TRAINING OF INFORMER

South African Concise Oxford Dictionary (2009:1245) defines “train” as “to teach a particular skill or type of a particular behaviour through regular practice and instruction.” Training of informant is necessary to avoid embarrassment to the organisation. The reader is now introduced to the guidelines provided by Sennewald and Tsukayama (2015:183) regarding the concept of training an informer during investigation:

- Informants should be trained regarding which information is required for the investigation.
- Informants must be taught what constitutes entrapment; in dealing with any person, they must avoid the possibility or even the appearance of entrapment.
- The importance of maintaining their “cover” must be emphasised, otherwise they may compromise their own security or that of the investigation.
- Never permit informants to take charge of the investigation or, to “run the show.”
- An informer may not, in general, be permitted to commit a crime in return for information.

According to Miller (2011:207), not much is done by authorities to ensure that both the investigator and the informant are provided with the necessary training in order to ensure that information collection is done without any problems. Miller (2011:207) further reiterates that British Drug Squads are unable to train their officers to specialise in drug investigation, and the same goes for the USA. "Maintaining their informant: they assume this is the most fruitful way of working, in large part because they have not done anything else, have received little or no formal training."(Miller, 2011:207).

Barefoot (1995:25) maintains that training of an informer is to the benefit of the organisation, because it increases the likelihood of winning a case, as well as the safety of both the informer and the investigator. The researcher concurs with this argument and further explains that once an informant has been trained, it makes the work of the investigator much easier, because he/she will know how to collect the relevant information for the investigator. It is the experience of the researcher that a single training session will not suffice. Follow-up training sessions are important to succeed with the development of the informer. Palmiotto (1994:86) is of the view that an informer has to be trained with regard to legal aspects, for instance to not carry concealed weapons, and to not entrap suspects in order to arrest them, since that is illegal. The informer must be taught that he/she will be arrested if found to be breaking the law.

According to Woods Jr. (2013:249) and Lowe (2015:201), an informer should be trained in accordance with the following process:

- Communication: The communication channel should be of such a nature that the identity of the informer is not compromised.
- Meetings: Meetings should be arranged in a safe and secure place, and contacts times and locations should not be repeated so as to create a recognisable pattern.
- Names of the informer: Informer's name should not be used when telephoning, only codes or aliases are advisable for obvious reasons.
- The informer should be trained not to engage in activities which are not sanctioned by the investigating officer.

In response to the question: *“If you were asked, what aspects do you think informers should be trained on?”* Participants answered as follows:

- It differs from case to case but the bottom line is that the informer must be trained to know the kind of information that is needed and how to source and deliver it (one participant).
- Tactics of gathering information (one participant).
- Crime intelligence and gathering of information (one participant).
- To give accurate information, trustworthiness and punctuality (one participant).
- Forensic investigation process. Law of evidence (one participant).
- Gathering of information (one participant).
- Safety when collecting information (one participant).
- Honesty (one participant).

All the participants stated that there are various aspects that should be covered when training an informer, e.g. ranging from honesty to collecting information in a safe way without jeopardising the investigation. The responses clearly show that the participants regard training as the focus that should be addressed to enable the informer to collect information. The majority of the responses are consistent with the literature of Barefoot (1995:25), Miller (2011:207), Palmiotto (1994:86) and Sennewald and Tsukayama (2015:183). In the following discussion, the researcher looks at the remuneration of an informer.

3.14 REMUNERATION

According to Minnaar (2011:83), many successful investigations and prosecutions of criminal offences have involved the use of an informer. Typically, the informant, according to Minnaar (2011:83), will be a criminal who comes to the police’s notice and who is able to negotiate a trade-off for information in the form of indemnity from prosecution or a financial reward. The use of informers in police work has been a contentious issue for many years, particularly the payment for information covertly provided by arrested suspects, often in return for immunity from prosecution (Minnaar, 2011:83).

Fitzgerald (2015:199) and McDevitt, (2012:141) are of the opinion that there is no formula that can be used to determine the amount that should be paid to the informant. Clarke et al. (2004:327) and Fitzgerald (2007:70) are of the view that informers may be paid in accordance with the services they have rendered and expenses they incurred. Specific considerations are helpful when determining the amount that the informer should be paid. Payment programmes for informants, according to McDevitt (2012:140), should include at a minimum the following:

- Signed and witnessed receipts for any and all payments made.
- Proper documentation for receipts and/ or expenditures of funds.
- Proper documentation regarding the reasons for the expenditures.
- Periodic audit reports.
- Full-scale semi-annual audits of the entire informant programme.

According to Fitzgerald (2015:199), compensating informants for their services is an inextricable component of the criminal justice system. According to Minnaar (2011:86), there are a number of criteria, that are considered to determine the amount paid to an informer. These criteria would refer to the effort put into finding out the information, plus possible expenses incurred in obtaining it. This is supported by Fitzgerald (2015:199), who adds that the amount could be determined by the quality of the information provided by the informant, the law enforcement agency, the size of the law enforcement agency, the budget of that agency, the sophistication of the criminal activities, and the geographic location.

Madinger (2000:214) asserts that a reward should be determined for a specific informer to gather evidence against a specific suspect. This may lead to deception, enticement and untruthfulness on the part of the informer. In the case of *S v. Corns* 1993 (2) SACR 350 (NCD,) the informant received a partial reward before testifying. The court of appeal ruled that the situation was fraught with the possibility of bribery and extortion. Madinger (2000:210) advises that the informer must be paid before testifying, because it will refute an argument by the defence that the informer is lying in order to obtain a conviction and secure a reward.

Lambrechts (2005:641) explains that a conviction is not a prerequisite for payment of a one-third reward, but the seizure and forfeiture of precious metals and money

are the determinations for this type of a reward. The researcher experienced this argument of paying an informant after the finalisation of the case at court. He was told that the reward would be determined by the sanction imposed on the accused. This practice is still applicable in most corporate environments.

According to SAPS et al. (2006:25), rewards are divided into operational expenses, monthly rewards, and one-third reward, and these payments are clearly outlined as follows:

- Operational expenses: This incentive is aimed at reimbursing the informant for expenses incurred with regard to a specific action on behalf of the investigator. SAPS et al. (2006:25), state that this type of payment is made whenever the informer has submitted information that has resulted in either the recovery of stolen property or the arrest of a criminal. This is also relevant in a corporate investigation environment.
- Monthly reward: This type of reward is aimed at rewarding an informant on a monthly basis for the operations he/she undertakes on behalf of the investigator.
- One-third reward: This type of reward is applicable to law enforcement agencies and to corporate investigators as well. It is payable after the case has been finalized in court.

Fitzgerald (2015:204) explains that US Customs, the predecessor of ICE, has been paying its sources for over decades. The following payments are made to informants, as outlined by Fitzgerald (2015:204-206):

- Purchase of information: This is a payment to an informant for information or services provided in connection with an investigation.
- Commission: This is compensation paid to an informant by the target of an investigation during an undercover operation in which the informant was involved by doing “some job” for the targeted syndicate during the commission of an offence.
- Personal assistance agreement: This a payment that is made to an informant for having achieved specific targets.

- Confidential informant expenses: This is the payment for expenses incurred by the informant when gathering information. This is not the payment to an informant during an investigation.
- Violator- trafficker-directed funds: This is payment for violation of the law.
- Undercover business and proprietary operations: This is the payment for proprietary purposes, when an informant is operating undercover.

Madinger (2000:136) is of the opinion that an informer must be given expenses payments and awards, or better known as 'rewards', and further explains them as follows:

- Expenses payments: This payment is applied in a situation where the informer has incurred some operational expenses. The informer and the investigator must discuss this payment beforehand. Under normal circumstances, a receipt must support the expenses. The informer must be made aware of this fact the day he/she is engaged as an informer.
- Awards/rewards: This payment is applied when an informer has supplied information to the investigator. The value of the information will determine the amount the informer has to receive. Investigators should inform their informers beforehand about this type of payment. The concept of value for money should be applied here.

According to the South African Police Service National Instruction 2/2001 (par. 24), the following criteria are used by the police to determine the reward for an informer:

- The seriousness of the offence.
- Value of the information.
- Degree of difficulty of the investigation.
- Actual time and effort spent by an informant to obtain the information.
- Level of infiltration.
- Judicial process, continuance of services and giving of evidence.
- Priority of the particular crime.
- Informant's motive for cooperation.
- Value of the commodities seized.

The researcher accessed the South African Police Service National Instruction 2/2001 (par. 24) while still an employee of the South African Police Service and he was providing training at the SAPS Detective Academy, that was part of the curriculum of the study material. At present, the researcher is unable to access such material, since he is no longer employed by the SAPS, and the police are not willing to share.

According to Minnaar (2011:83), there was the abuse and misuse of informer fees and payments by certain members of the old South African Police (SAP) for personal gain. Because of the past link to the policing of political activities there was an understandable reluctance by the new SAPS to make use of informers and, instead, they decided to opt for Community Police Forum (CPF), whereby the citizens were encouraged to come forward with information regarding crime and criminal activities within their respective communities.

However, it became evident that crime will never be addressed without the use of informers, which is why it was decided that there should be criteria that must be followed when informers are paid. According to Minnaar (2011:86-87), there are a number of standards that should be followed with regard to payment, and that are considered in order to determine the amount paid to an informer. The standards are outlined as follows:

- These criteria would refer to the effort put into finding out the information, possible expenses incurred in obtaining it. For example, if the informer had to travel around and speak to a number of people, go drinking in the shebeens, entertain the suspected criminals, the level of personal danger, time spent in getting the information, and whether the information led to an arrest and conviction would be taken into account.
- Secondly, for instance if someone merely overheard a conversation in a bar and phoned in the information they would currently be in line for a sum of between R300 to R400.
- In cases where the informant has to follow up information and cultivate his own contacts for information on, for example, an unsolved murder, he could get from

R2 000 to R5 000 for such information leading to a successful arrest and conviction.

- In bigger and more serious cases, in particular fraud, serial killers, taxi assassinations and cracking of a syndicate, even bigger sums would be paid out.
- All informers are paid in cash, although some of the professional informers have bank accounts into which the money is paid.
- All payments must be done in the presence of a witness (for large amounts the area detective head has to be present as the witness that payment has been made); never at a police station but at a safe place to protect the anonymity of the informer.
- Furthermore, every six months, the handler must print out a certificate of all payments made to every one of his/her informers, and that the informer/s (depending on how many are being 'handled' by the specific investigator) must sign and authenticate that he/she had received the payments as listed in the certificate.
- Other checks, in line with the policy on transparency and financial accountability, have been instituted by means of both internal and external auditing of the Open and Special Accounts and in line with the requirements of reporting annually to Parliament in the Public Finance Management Act (PFMA).

In response to the question: *“Do you think informers should be remunerated? Elaborate,”* Participants answered as follows:

- Yes. To be an informer is a risky undertaking. In some syndicates, you sign an undertaking that you will be killed if you sell out (two participants).
- If the agreement is that the informer will be remunerated, then yes (one participant).
- Yes, because some of the informers are not employed, and they add value by providing the relevant information (two participants).
- Yes, as a matter of motivation for accurate reporting and good results obtained in identifying and arresting perpetrators (one participant).
- No. People should not be remunerated for doing the right thing (one participant).

- Yes, because gathering information requires a lot of communication and travelling between places (one participant).

The majority (seven) of the participants stated that the informer should be remunerated for assisting in the investigation. However, it is significant that one participant mentioned that people should not be remunerated for doing the right thing. This response clearly shows that the participant does not understand the associated risk when an informer is collecting information for the investigation. Nonetheless, the majority of the responses are consistent with the literature of Fitzgerald (2007:70 and Fitzgerald (2015:199), Madinger (2000:214), McDevitt (2012:141) and Minnaar (2011:83). In the following discussion, the researcher explores the use of an informer in a corporate environment.

3.15 USE OF INFORMERS IN CORPORATE ENVIRONMENT

According to Purpura (2011:405), investigation is defined as “an inquiry to gather and ascertain the facts of a case, and then a report is prepared for subsequent action or inaction.” Investigations in the private sector serve private sector interests, and have to take various paths, with or without public police involvement (Purpura, 2011:405). One of the most important and valuable aspects of investigative work, according to McDevitt (2012:12), is the ability to recognise, recruit, cultivate and utilise confidential sources of information. Although it is true that an employee may be a one-time informant or an occasional informant, employees as a group deserve very special attention and consideration because of their potential as sources of intelligence. According to Sennewald and Tsukayama (2015:172), not all employees at the workplace are happy about other employees who are involved in criminal activities in the company. However, most of them are afraid to report such activities to management. This is one category of people who can be effectively solicited to inform by means of a structured programme.

According to Sennewald and Tsukayama (2015:172), some employees do not report wrongdoings by other employees at the workplace, due to the following reasons:

- They are unsure of whom to go to with information. They do not trust their supervisors or the employees occupying positions higher than their supervisors. They end up being frustrated and decide to keep quiet.
- A second and equally strong deterrent is the fact that the thought of being identified as a company snitch is quite unpalatable to most people. In the vast majority of organisations, such a reputation would make working conditions either intolerable or dangerous for the informant. Fear of discovery and its consequences thus leads to silence and continuing frustration.

According to Sennewald and Tsukayama (2015:175), controlled informants are those individuals who are asked to provide information and they provide as requested. Controlled informants, according to Sennewald and Tsukayama (2015:176), are frequently prone to fear of discovery, but regular professional contact with the investigator can go a long way towards calming these fears and providing the informants with a sense that their cooperation is appreciated. Sennewald and Tsukayama (2015:176) state that the first priority of any informant handling is the security and safety of the informant.

According to Sennewald and Tsukayama (2015:10):

... in the public sector, there are relatively few limitations to such information as criminal records, government records, and files at municipal, country, state, and federal levels. On the other hand, there are accelerating limitations on private access to public records. With this in mind, the investigator will rely on employees to provide information regarding wrongdoings within the company (Sennewald & Tsukayama, 2015:10).

According to Biegelman (2014), fraud is usually uncovered and reported by people working in that environment, and they are the ones who can provide information. It is imperative, according to Biegelman (2014), to make use of employees working in the environment, due to the fact that they have knowledge about wrongdoings in the company. Biegelman (2014) further mentions that informants, whistle-blowers and cooperating defendants helped expose and prosecute the corporate fraudsters in some of the biggest business scandals ever seen. The researcher agrees with Biegelman that corporate investigators should do everything in their power to win

the trust of employees in order for these employees to provide them with information regarding criminal activities in the corporate environment.

Benson et al. (2015:28), state that informers are utilised by both the police and investigators to provide the investigator with direct information about the target they are investigating. The value of informers lies in their anonymity, therefore informers as a rule are never exposed. There are a number of reasons why the identity of informers is kept secret; for instance, they have to be protected against revenge from those about whom they have provided information, and consequently they could be utilised again to provide information (Benson et al., 2015:28). Corporate investigators, in the opinion of the researcher, have a good chance of making use of informers at the workplace in order to collect information during investigations.

In response to the question: *“Do you have any suggestions on how the use of informers can be improved?”* Participants answered as follows:

- The people who recruit informers must be trustworthy to ensure that the informers' payments from the department reach them. Once you have trusted people, records of informers must be disposed of (two participants).
- Avoid the risk of exposure at all costs (one participant).
- Well-trained to obtain relevant information (one participant).
- Strengthening of mutual trust relationship between informer and investigator (one participant).
- Encouraging support, even during difficult times (one participant).
- Training of informers (one participant).
- Well-trained to obtain relevant information (one participant).

Based on the discussion and examples in the literature as well as the interviews conducted with the participants in this study, the researcher developed a conceptual model for the illustration of the process regarding the use of informers in the corporate environment. An overview of the process of the use of informers as a technique during investigations is illustrated in Figure 3.1 below.

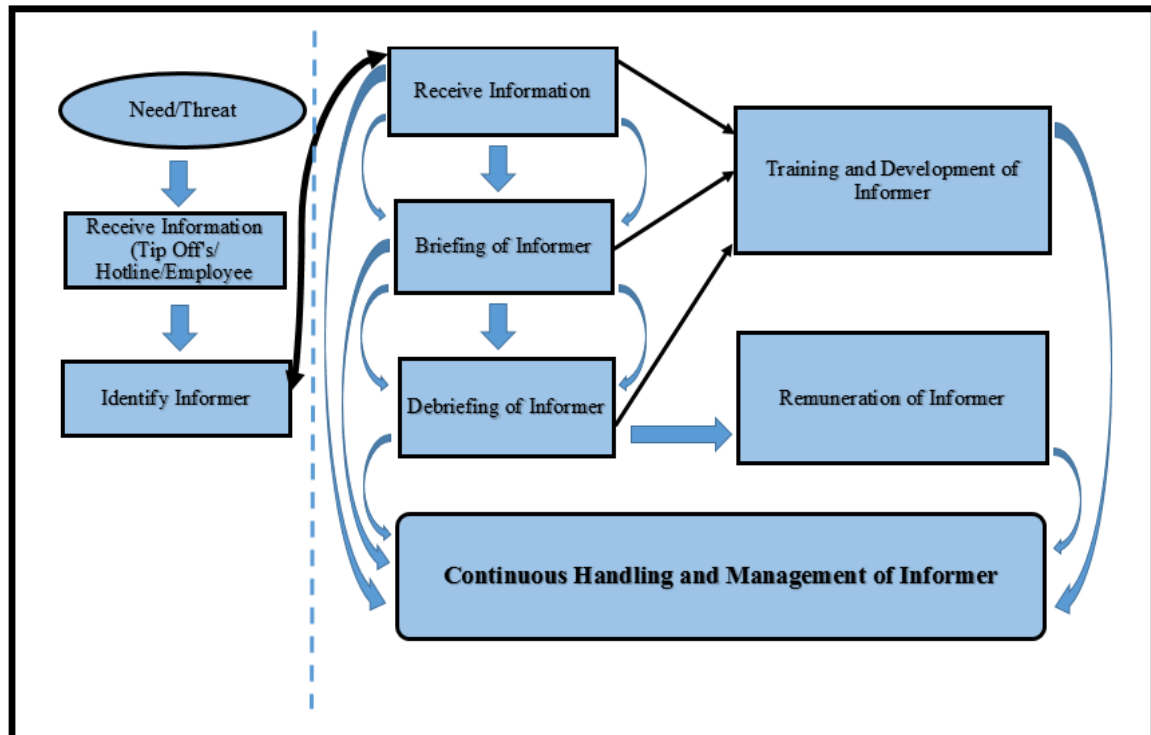


Figure 3.1: Conceptual framework for the use of informers in corporate environment
(Source: Concept developed by researcher)

Three of the participants stated that informers should be trained to obtain the relevant information. Two of the participants stated that people who recruit informers must be trustworthy. One participant stated that the informer should not be exposed. Similarly, two participants added that informers should be given the necessary support during investigation. Nonetheless, responses are consistent with the literature of Biegelman (2014), McDevitt (2012:12), Purpura (2011:405), Sennewald, and Tsukayama (2015:175). In the following discussion, the researcher presents the summary of to this chapter.

3.16 SUMMARY

This chapter explored the need for recruiting informers. The purpose that informers serve during the investigation was also outlined. Informers enjoy privileges during the investigation process, and this chapter delineated such privileges and further emphasised that such privileges are not absolute. This chapter further described the types of informers that are available to the investigator, including the undesirable informers.

The chapter further underlined the importance of a good relationship between the informer and the investigator. For an informer to collect information, he/she must be recruited, therefore the correct recruitment procedures were outlined in the chapter. After the recruitment process was described, the concepts of briefing and debriefing were explained. Included in the discussion were the training as well as the remuneration for an informer. The chapter concluded by providing guidelines regarding the utilisation of an informer during a corporate investigation.

CHAPTER 4

FINDINGS AND RECOMMENDATIONS

4.1 INTRODUCTION

This final chapter provides a summary of the findings of the study and the recommendations based on the findings. The researcher became interested in researching this topic based on the fact that there was a lack of information that could assist the mine investigators during their investigations. This is due to the fact that these investigators do not have informers who could provide such information.

The aim of this research was to determine the correct procedures that should be followed when informers are used by corporate investigators during the investigation process. The research aim was addressed in this study by asking two research questions:

- What is the relationship between utilising informers, crime intelligence and forensic investigations?
- What are the procedures that must be followed when informers are used by corporate forensic investigators?

The researcher used data collected from a review of the current literature, his experience, and the interviews conducted with former members of SAPS, a current member of the Road Accident Fund, and a member of a mining house in the country, in order to address the research questions.

The findings and recommendations were generated by the researcher, after the literature and information from the participants and experience of the researcher had been evaluated. This chapter deals with the findings, recommendations and conclusions to this study.

4.2 FINDINGS

The researcher made the following findings with regard to the research questions and information collected from both the participants and the literature.

4.2.1 Research question 1: What is the relationship between utilising informers, crime Intelligence and forensic Investigations?

4.2.1.1 Meaning of crime intelligence

- The researcher established that crime intelligence was defined as the collection of crime-related information due to the efforts of various people. Intelligence was considered to be the secret or clandestine collection of information about crime and criminals not normally available to investigators by means of overt sources.
- All the participants agreed with one another and one participant went further and differentiated crime intelligence with capital letters “C” and “I”, signifying a unit that deals with crime intelligence.

4.2.1.2 Objectives of crime intelligence

- The objectives of crime intelligence are to assist in crime prevention, to investigate the crime and to prepare the evidence for prosecution purposes.
- It was established that crime intelligence can also be used in a company environment where forensic investigators are responsible for prevention and investigation of work-related crime.

4.2.1.3 Meaning of forensic investigation

- The researcher established that forensic investigation is the practice whereby evidence and facts are lawfully established with a view to presenting them in court, at a tribunal or any hearing.
- Participants define forensic investigation as the collection of facts in order to present at the appropriate forum. From their definition, it can be concluded that they know what forensic investigation is all about.

4.2.1.4 Objectives of investigations

- The objectives of criminal investigation are to detect crime; locate and identify the suspect, gather, collect and process court-related evidence, arrest the suspect, recover stolen goods, and bring the accused to court.
- The researcher established that participants are of the view that the objective of an investigation is to gather and collect facts in order to address the allegations under investigation.

4.2.1.5 Duties of investigators

The investigator is assigned to identify the suspect, locate the suspect, effect arrest, recovers stolen property, and to establish motive, knowledge and means. The investigator must also evaluate the results of the hypothesis, reject the hypothesis and implement an alternative hypothesis. To analyse and interpret results of the final observations and experimentations, determine whether a crime has been committed, and decide whether the crime was committed within the investigator's jurisdiction. He/she is assigned to photograph and sketch the crime scene, maintain surveillance of suspects and known criminals, and to maintain field notes and write preliminary, follow-up, supplementary and arrest reports. Finally, the investigator has to assist in the prosecution of the offender by providing evidence of guilt that is admissible in court, and testify effectively as a witness. The researcher established that informers could be of assistance in ensuring that the investigator achieves his/her objectives as required by his/her responsibilities.

4.2.1.6 The characteristics of an investigator

- A successful investigator should be a person who is prudent and can maintain confidentiality, who is inventive and persistent, has personal courage, is honest, has the skill to obtain information from others, can adapt to persons and circumstances, intelligent, resourceful, motivated to serve others, has integrity, and is dedicated and reliable.
- The researcher established that participants have different views of the characteristics an investigator should have, and these include the following: Impartiality; analytical ability; emotional intelligence; perseverance; courage; flexibility and ability to make quick decisions. The researcher further established that participants think that the informer should be trustworthy, have listening skills, be fair, and have the ability to analyse information. He/she should be able to apply intelligence in accordance with the law, and have strong communication skills, a sense of integrity and an analytical mind-set. He/she should be able to think independently and logically, be able to focus on detail, capable of out-of-the-box thinking, and have good interviewing skills. Finally, the researcher established that participants are of the view that an investigator should possess good report-writing skills, and have strong communication skills.

4.2.1.7 The relationship between informers, crime intelligence and forensic investigation

- Informers, if properly handled, could be of great value to the gathering of information process, whereby investigators from both public and private sector could solve unresolved cases. The information collected by the informer could be analysed and processed to turn it into intelligence that could be utilised to address unresolved crime or to prevent crime from occurring in the near future. Forensic investigation could be conducted in order to provide court-directed evidence that will be used to prosecute the offender.
- The researcher established that participants view the relationship between informers, crime intelligence and forensic investigation as follows: that informers will provide information to crime intelligence, who will then analyse, by means of the intelligence cycle, the information provided by an informer and formulate the strategy on how to approach such an illegal act. A forensic investigation provides court-related evidence for prosecutions.

4.2.1.8 Role of an informer

- An informer should be able to: disclose information that can be injurious to other people and whose enmity he could incur with this action. The information must result in a criminal prosecution, and it must be supplied to an officer of the law; this includes the private investigator.
- The researcher established that participants have different views regarding the role an informer plays in the investigation of crime. Two of the participants stated that most of their investigations could easily be completed without the use of informers. These participants have been included in the study as they are involved in forensic investigation in their working environment, and it was established that the use of informers in their working environment is only minimal. They also have a tip-off anonymous line where people can give information about criminal activities without being informers. The majority of the participants are of the view that an informer is a necessity. If people are aware that there is the possibility of an informer amongst them, they refrain from committing crime. This helps in the prevention of crime within society. An informer can assist in with proper planning in order to counteract a criminal's intentions.

4.2.1.9 Role of crime intelligence

- The role of crime intelligence by means of Intelligence-led policing is a business model and managerial philosophy, where data analysis and crime intelligence are pivotal to an objective, decision-making framework that facilitates crime- and problem-reduction, disruption and prevention of crime by applying both strategic management and effective enforcement strategies that target prolific and serious offenders.
- It has been established that participants are of the view that the role of crime intelligence is to solve crime that has happened, that is happening, as well as crime that is about to happen.

4.2.1.10 Intelligence cycle

- Intelligence is the process whereby information is verified before it can be of value to the investigation of crime. There are stages that should be satisfied before the information can be declared usable by criminal investigators.
- From the responses provided by participants it is clear that they view the intelligence cycle as discussed in the literature, even though the sequence of their intelligence cycle stages differs from those in the literature. It has been established that they understand that all the stages of the intelligence cycle have to be satisfied before any action is taken.

4.2.1.11 Forensic investigation: An information-gathering process

The researcher established by means of the literature review that forensic investigation can be used during the information-gathering process. The researcher established that forensic investigation would be able to identify the crime committed and to link the suspect to the crime.

4.2.2 Research question 2: What are the procedures that must be followed when informers are used by corporate forensic investigations?

4.2.2.1 Need for recruiting informers

- The literature consulted emphasises the importance of making use of informers during criminal investigations. Crime could easily be solved if and only if the right informers are recruited to gather information.

- It was established that the majority of the participants stated that it is important to recruit and make use of informers during the investigations. However, two of the participants view this as a waste of time and resources.

4.2.2.2 Purpose of informers

An informer, whether in private or public investigation set-up, provides information about crime has been committed or is about to be committed. Several crimes are committed in secrecy where there are no witnesses. Such crimes would hardly ever become known. Offenders/people who commit such crimes would not be identified without the help of an informer.

4.2.2.3 Informer privilege

- Informers enjoy certain privileges when gathering information for the law enforcement agencies. Such privileges, however, are not absolute. There are instances when the court may request that the identity of an informer be revealed to the defence attorney in the administration of justice.
- It was established that six of the participants regard the informer privilege in the same way as discussed in the literature reviewed. It was discussed that the identity of an informer should be concealed at all times, unless ordered by a magistrate/judge. Two participants had no idea regarding the informer privileges.

4.2.2.4 Types of informers

- There are many types of informers that an investigating officer could utilise to gather information for the investigation. Based on this notion, it is of vital importance for an investigator to be familiar with the various types of informers to be able to handle them effectively.
- The researcher established that the majority of the participants are of the view that there are different types of informers that could be utilised by the investigator. Two of the participants are of the view that all informers are the same.

4.2.2.5 Undesirable informers

- There are those informers who have been involved in criminal activities for a long time and such informers are a headache to manage. It is the responsibility

of the investigator to ensure that such informers are managed accordingly to avoid embarrassment to the organisation.

- It was established that all the participants are of the view that there are disadvantages when using informers for information-collection purposes. However, the researcher established that one of the participants felt that as much as there are disadvantages, there are also advantages, which outweigh the disadvantages.

4.2.2.6 Procedures to recruit informers

- The literature reviewed does not provide any formal procedure that could be used by investigators to recruit informers. Investigators make use of the skills and experience they acquired in the investigation environment, to recruit informers for their investigations.
- It was established that the majority of the participants have a recruitment procedure and only two participants noted that they have no formal procedure for informer recruitment at their workplace.

4.2.2.7 Methods to recruit informers

- Police sometimes make use of mind games, such as exaggerating the offences that a suspect might be charged with, threatening long prison sentence that the suspects might receive, should they be charged and tried for the offences they were arrested for. When there is more than one suspect, officers would imply to one suspect that the other is talking and about to make a deal. The financial implications of informing that could range from the officers saying how much an informant could earn or, if the suspect does not inform, what he/she could lose if convicted. The investigator would entice the potential informer about the kind of money he/she would earn if he/she cooperated and became an informer. The investigator would then exaggerate the sentence that the potential informer would receive if he/she were not cooperative.
- It was established that some of the participants confuse the recruitment process with the handling of an informer. They mentioned aspects such as giving training, using contacts with reputations, identifying a trustworthy informer without ulterior motive, to mention just a few. It was established that only one participant understood the recruitment process.

4.2.2.8 Briefing an informer

- According to the literature, briefing of an informer is the process where the investigator gives instructions to the informer about the information that should be collected for the investigation. It should be handled with care, without giving out unnecessary information to the informer.
- It was found that the majority of the participants explained that the briefing of an informer happens when the investigator gives instructions to the informer.

4.2.2.9 Debriefing of an informer

- The literature states that the manner in which the investigator approaches the potential informer during the initial debriefing is his/her only chance to make a very convincing impression.
- It was established that the majority of the participants explained that debriefing of an informer happens when the informer gives feedback to the investigator.

4.2.2.10 Relationship between informer and investigator

- According to the literature, the relationship between an informer and the investigator should be professional, and the informer is treated in a just and humane manner, shown appreciation for the work he has done, and must not be addressed in a disrespectful or insulting manner.
- The researcher found that the majority of the participants emphasised that there should be mutual trust between the informer and the investigator.

4.2.2.11 Motivational factors

- According to the literature reviewed, aspects such as revenge, vanity, good citizenship, avoidance of punishment, repentance, financial and material issues, gratitude, ideology, emotions, coercion, fear, competition, and jealousy are the main factors motivating a person to become an informer.
- It was established by the researcher that participants consider money, competition and revenge as the main motivational factors for informers to inform.

4.2.2.12 Characteristics of potential informer

- The informer, according to the literature review, a person who can adapt to new roles, who respects the safety of the role-players, who is able to communicate

properly, is stress-tolerant, is persuasive, has interpersonal relationships, can manage conflict and build trust, who has tenacity, can monitor information, and can make an impact without threatening target structures and leadership.

- The researcher established that participants have different views regarding the characteristics of an informer. Participants expressed different characteristics an informer should have. Some stated that the informer should be trustworthy, intelligent or knowledgeable and stable. Some concurred with the others and added that an informer should be honest, have integrity, be reliable and have listening skills. All the participants, beside the above skills already mentioned in this paragraph, stated that the informer should be trustworthy, disciplined and tactful. Finally, it was established that all the participants are of the view that for a person to be an informer he/she should possess extraordinary characteristics beyond those of a normal person. The researcher is of the view that from the literature consulted and the interviews conducted with the participants, it is clear that not everybody could be an informer.

4.2.2.13 Management, development and handling of informers

- Management, development and handling are of paramount importance when dealing with informers. The literature reviewed provides insight into the aspects that should be addressed in that process.
- Participants are of the view that informants should be trained to gather intelligence, to be able to understand the information required, to be able to identify the risks associated with intelligence gathering, and to operate in an acceptable manner. From the responses, provided by the participants it is clear that training an informant is of paramount importance.

4.2.2.14 Training an informer

- According to the literature reviewed, training of an informer is important, including which information is required to avoid entrapment, to maintain their cover, not to run the investigation, and not to commit crime.
- The researcher established that participants believe that informers should be trained in various aspects of the operation, but the most emphasised training an informer should be provided with is gathering of information without compromising the investigation.

4.2.2.15 Remuneration

- According to the literature, informers should be compensated and remunerated for the information and expenses they incurred when gathering information for the investigations. What the literature does not mention is the formula that is followed when such payments are made.
- The researcher established that all participants think that informers should be compensated and rewarded for the services they provide to the investigation.

4.2.2.16 Use of informers in corporate environment

- Informers as a source of information could be used in every environment to assist during an investigation. Corporate, like any other environment, may make use of an informer during investigations. Criminal activities are also happening within the working environment and the employees could be in a better position to provide such information than informers.
- The participants were requested to provide suggestions for how the use of informers could be improved, and they stressed training, support, safety and trust as the main focus areas.

4.3 RECOMMENDATIONS

Based on the findings of the research, recommendations are made involving the subject of this research.

4.3.1 Research question 1: What is the relationship between the use of informers, crime intelligence and forensic investigations?

- It is recommended that investigators from both public and private sectors be made aware of the importance of recruiting informers to assist in crime investigations, as they will be able to turn the information into intelligence, which will be disseminated to forensic investigators to link the suspect with the crime under investigation.

4.3.2 Research question 2: What are the procedures that must be followed when informers are used by corporate forensic investigations?

- It is recommended that a detailed manual/procedure be designed to assist and guide investigators from both the private and public environment, more specifically on the following:
 - o Management, development and handling of informers.
 - o Ethics in informer handling.
 - o Formula for reward and remuneration payment.
- It is recommended that the informer should be developed in terms of training, support, safety and trust to enhance the investigation process.
- It further recommended that clear guidelines and procedures be provided to the investigator to be able to distinguish between the recruitment process and informer handling.
- It is recommended that informers should be trained in various aspects of operation, and especially training to gather information without compromising the investigation to be prioritized.
- It is recommended that the conceptual model of the process regarding the use of informers in the corporate environment that was developed based on the discussion and examples in the literature as well as the interviews conducted with the participants in this study, as per paragraph 3.15, be considered by corporate investigators to guide them through the process of using informers as a technique during investigations.

4.4 CONCLUSION

The use of informers in any investigation is paramount to the success of that investigation. There are procedures that should be used in order to be able to source the services of an informer for investigation purposes. The aim of this research was to determine the correct procedures that should be followed when informers are used by corporate investigators during the investigation process.

This research established the role that a well-trained informer can play during the investigation process. It is further established that information gathered by an informer should be analysed and processed into intelligence before it can be

disseminated to forensic investigators to link the suspect with the crime and present such evidence in court/tribunal for prosecutions.

The use of informers in criminal investigations is the legal way of fighting crime in both private companies and the public environment. Information can be available only if there are informers who will be able to gather information to assist the investigation. Recruitment, management, development, and handling of informers add value to the solving of unresolved cases, therefore the process should be explained in detail to the investigators so that the objectives of the investigations could be achieved. The research yielded findings and a number of recommendations were also made with the intention to improve the use of informers as technique during corporate investigations.

5. LIST OF REFERENCES

- Abadinsky, H. 2010. *Organized crime*. 9th edition. Wadsworth: Cengage Learning.
- Africa, S. & Mlombile, S. 2011. Transforming the intelligence services: Some reflections on the South African Experience. Available on the Internet at <http://www.osc.state.nyus/localgov/lmgm/practiceinternalcontrols.pdf> (Accessed on: 3 October 2011).
- Babbie, E. & Wagonaar, T.C. 1992. *Practicing social research: Guided activities to accompany the practice of social research*. 6th edition. Belmont: Wadsworth.
- Babbie, E. & Mouton, J. 2005. *The Practice of social research*. 4th edition. Cape Town: Oxford University Press.
- Babbie, E. 2010. *The practice of social research*. 12th edition. Wadsworth: Cengage Learning.
- Babbie, E. 2013. *The practice of social research*. 13th edition. Belmont: Wadsworth.
- Bachman, R. & Schutt, R.K. 2011. *The practice of research in criminology and criminal justice*. London: Sage.
- Barefoot, L.K. 1995. *Undercover investigation*. 3rd edition. Boston: Butterworth-Heinemann.
- Becker, R.F. 2009. *Criminal investigation*. 3rd edition. Massachusetts: Jones & Bartlett.
- Becker, R.F. & Dutelle, A.W. 2013. *Criminal investigation*. 4th edition. Burlington: Jones & Bartlett.
- Bennett, W.W. & Hess, K.M. 2004. *Criminal investigation*. New York: West Pub.
- Benson, B.C., Horne, S.J. & Jones, G. 2015. Forensic Investigation of crime, irregularities and transgressions. In Zinn, R.J. & Dintwe, S.I. 2015. *Forensic investigation: Legislative principles and investigative practice*. Cape Town: Juta.
- Berg, B.L. 2004. *Qualitative research methods for the social sciences*. Thousand oaks: Sage.
- Bertino, A.J. 2012. *Forensic science: Fundamentals and investigations*. Mason: South Western Cengage Learning.
- Biegelman, M.T. 2014. Informants and whistle-blowers. Available on the internet. Faces of fraud: Cases and lessons from a life fighting © Don Bayley. Anton Prado/Stock/Fuse/ThinkstockFraudstaers. <http://tinyurl.com/n2ezuxl>. (Accessed on: 11 October 2018).

- Billingsley, R., Nemiz, T. & Bean, P. 2001. *Informers: Policing, policy, practice*. Cornwall: William Publishing.
- Bing, 2018. Company. Available on internet. <http://www.osc.state.ny.us/localgov/lgmg/practiceinternalcontrols.pdf>. (Accessed on: 13 April 2018).
- Birzer, M.L. & Roberson, C. 2012. *Introduction to criminal investigation*. New York: CRC Press.
- Bless, C., Higson-Smith, C. 2000. *Fundamentals of social research methods*. Cape Town: Juta.
- Boyd, K. 2011. EHow contributor. Available on the Internet at: <http://www.osc.state.ny.us/localgov/lgmg/practiceinternalcontrols.pdf>. (Accessed on: 13 April 2018).
- Brandl, S.G. 2014. *Criminal investigation*. Los Angeles: Sage.
- Brinson, C. & Dove, R. 2014. *A matter of Intelligence: MI5 and the surveillance of Anti-Nazi Refugees 1933-50*. New York: Manchester University Press.
- Brown, M.F. 2001. *Criminal investigation: Law and practice*. 2nd edition. Missouri: Butterworth-Heinemann.
- Buckwalter, A. 1983. *Surveillance and undercover investigations*. Woburn: Butterworth.
- Buckwalter, A. 1984. *Investigative methods*. Stoneham: Butterworth.
- Clarke, A.V., Cowley, J.H.W., De Klerk, M., Lambrecht, A.J., Mendes, N., Myburgh, D.C., Van Schoor, A.L., Van Zyl, M.E. & Zinn, R. 2004. *Ondersoek van misdaad 111: Studiegids vir OVM 341 SA*. Florida: Technikon SA.
- Concise Oxford Dictionary*. 10th edition. 2009. s.v. "valid." Cape Town: Oxford University Press.
- Connaway, L.S. & Powell, R.R. 2012. *Basic research methods for librarians*. 5th edition. California: Greenwood Publishing Group.
- Cooper, H.M. 2010. *Research synthesis and meta-analysis: A systematic approach*. 4th edition. London: Sage.
- Corporate Investigations- PInow.com.
<https://www.pinow.com?investigations/corporate-investigations>.
 (Accessed: 03 April 2019).
- Creswell, J.W. 2009. *Research design: Qualitative, quantitative, and mixed methods approaches*. California: Sage.
- Creswell, J.W. 2013. *Research design: Qualitative, quantitative, and mixed methods approaches*. Thousand Oaks: Sage.

- Creswell, J.W. 2014. *Research Design: Qualitative, Quantitative and Mixed Methods Approaches*. 4th edition. Thousand Oaks: Sage.
- Criminal Procedure Act ... see South Africa. 1977.
- Dane, F.C. 2011. *Evaluating research: Methodology for people who need to read research*. London: Sage.
- Dantzker, M. L. & Hunter, R. D. 2012. *Research Methods for Criminology and Criminal Justice*. 3rd edition. Aurora: Jones & Bartlett Learning LLC.
- Davies, G. 1986. *Forensic science*. 2nd edition. Washington: Northeast University.
- Davia, H. R. 2000. *Fraud 101: Techniques and strategies for Detection*. New York: John Wiley.
- DeLadurantey, J.C. & Sullivan, D.R. 1980. *Criminal investigation standards*. New York: Harper & Row.
- Dempsey, J.S. 2003. *Introduction to investigations*. 2nd edition. Wadsworth: Thompson.
- Denscombe, M. 1998. *Ground rules for good research: A 10- point guide for social researchers*. Philadelphia: Open University Press.
- Denscombe, M. 2002. *Ground rules for good research: A 10-point guide for social research*. Buckingham: Open University Press.
- Derry, P. 2016. *Inside a police informant's mind*. Boca Raton: CRC Press.
- De Vos, A.S., Strydom, H., Fouché, C.B. & Delport, 2011. *Research at Grass Roots For the social sciences and Human Service Professions*. Van Schaik: Pretoria.
- Diggs, B. 2011. EHow Contributor. Available from: <http://www.osc.state.nyus/localgov/lgmg/practiceinternalcontrols.pdf>. (Accessed on: 4 October 2011).
- Dintwe, S.I. 2014. *Professionalization as regulatory framework for the forensic investigation milieu in South Africa*. D. LITT. thesis, University of South Africa, Pretoria.
- Dowling, J.L. 1979. *Criminal investigation*. New York: Harcourt Brace Jovanovich, Inc.
- Du Plooy-Cilliers, F., Davis, C. & Bezuidenhout, M. 2014. *Research matters*. Cape Town: Juta.
- Durston, G. 2011. *Evidence: Text and materials*. 2nd edition. New York: Oxford University Press.

- Eterno, J.A. & Roberson, C. 2015. *The detective's handbook*. Boca Raton: CRC Press.
- European Journal of Business and Social Sciences*, 1(6). 2012. Available from: <http://www.osc.state.nyus/localgov/lgmg/practiceinternalcontrols.pdf>. (Accessed on: 6 July 2018).
- Ferraro, E.F. 2012. *Investigations in the workplace*. 2nd edition. New York: CRC Press.
- Fink, A. 2010. *Conducting Research Literature Reviews*. Los Angeles: SAGE.
- Fisher, B.A.J., Tilstone, W.J. & Woytowicz, C. 2009. *Introduction to criminalistics: The foundation of forensic science*. New York: Elsevier.
- Flick, U.W.E. 2011. *Introducing research methodology: A beginner's guide to doing a research project*. London: Sage.
- Fitzgerald, D.G. 2007. *Informants and undercover investigations. A practical guide to law, policy, and procedure*. Boca Raton: CRC Press.
- Fitzgerald, D.G. 2015. *Informants, cooperating witnesses, and undercover investigations: A practical guide to law, policy, and procedure*. 2nd edition. Boca Raton: CRC Press.
- Franklin, M.I. 2012. *Understanding research: Coping with the qualitative divide*. New York: Routledge.
- Gilbert, J.N. 2007. *Criminal investigation*. 7th edition. New Jersey: Upper Saddle River.
- Gilbert, J.N. 2010. *Criminal investigation*. 8th edition. New Jersey: Upper Saddle River.
- Grau, J.J. 1993. *Criminal and civil investigation hand book*. New York: McGraw-Hill.
- Gray, D.E. 2014. *Doing research in the real world*. London: Sage.
- Hair, J.F., Celsi, M.W., Money, A.H., Samouel, P. & Page, M.J. 2011. *Essentials of business research methods*. New York: M.E. Sharpe Inc.
- Hanley, J.R., Schmidt, W.W. & Nichols, L.D. 2011. *Introduction to criminal evidence and procedure*. 7th edition. Richmond: McCutchan Publishing Corporation.
- Hardley, K. & Fereday, M.J. 2008. *Ensuring competent performance in forensic practice*. Boca Raton: CRC Press.
- Harfield, C. & Harfield, K. 2008. *Intelligence. Investigation, community, and partnership*. Warwickshire: Oxford University Press.

- Harfield, C. 2017. Police informers and professional ethics. In Miller, S. 2017. Police and law enforcement ethics: *The library of essays on legal ethics and the enforcement of law*. London: Routledge Taylor & Francis Group.
- Hellriegel, D., Jackson, S., Slocum, J., Staude, A.T., Klopper, H.B., Louw, L. & Oosthuizen, T. 2008. *Management*. Third South African edition. Cape Town: Oxford University Press.
- Hennink, M., Hutter, I. & Bailey, A. 2011. *Qualitative research methods*. California: Sage.
- Hess, K.M. & Orthmann, C.H. 2010. *Criminal investigation*. 9th edition. Belmont: Cengage Learning.
- Hofstee, E. 2006. *Constructing a good dissertation*. Sandton.
- Holy Bible. 2001. New international version. 15th Impression. Cape Town: NBD.
- Houck, M.M. & Siegel, J.A. 2010. *Fundamentals of forensic science*. 2nd edition. New York: Elsevier.
- IACP National Law Enforcement Policy Center. 1998. Revised: July 2003. Concept and Issues paper. Criminal intelligence. From: <http://www.osc.state.nyus/localgov/lgmg/practiceinternalcontrols.pdf>. (Accessed on: 26 October 2010).
- Ingram, J.L. 2012. *Criminal evidence*. 11th edition. Waltham: Elsevier.
- Jackson, A.R.W. & Jackson, J.M. 2008. *Forensic science*. 2nd edition. London: Ashford.
- Jackson, A.R.W. & Jackson, J.M. 2011. *Forensic science*. 3rd edition. London: Pearson.
- Jacobson, B. c1981. Informants and the public police. In Grau, J.J. (ed.) c1981. *Criminal and civil investigation handbook*. New York: McGraw-Hill.
- Jesson, J.K., Matheson, L. & Lacey, F.M. 2011. *Doing your literature review: Traditional and systematic techniques*. London: Sage.
- Khan, R.A.R. 2007. *Fundamentals of criminal investigation. A handbook for law enforcement officers*. 2nd edition. Lahore: Federal Law House.
- Kidder, L.H & Judd, C.M. 1986. *Research methods in social relations*. New York: CBS.
- Kruger, D.J. 2006. The analysis of a cheque to identify a crime. From: <http://www.osc.state.nyus/localgov/lgmg/practiceinternalcontrols.pdf>. (Accessed on: 7 November 2011).
- Kumar, R. 2011. *Research methodology*. London: Sage.

- Lambrechts, D. 2005. *Handbook for diamond, gold and related cases*. 6th edition. Unpublished: Bellville.
- Lasley, J., Guskos, N. & Seymour, R.A. 2014. *Criminal investigation: An illustrated case study approach*. New York: Pearson.
- Lee, G.D. 2004. *Global drug enforcement: Practical investigative techniques*. CRC Press LLC.
- Leedy, P.D. & Ormrod, J.E. 2005. *Practical research: Planning and design*. 5th edition. New Jersey: Merrill Prentice Hall.
- Leedy, P.D. & Ormrod, J.E. 2010. *Practical research: Planning and design*. 7th edition. New Jersey: Pearson.
- Leedy, P.D. & Ormrod, J.E. 2012. *Practical research: Planning and design*. 9th edition. New Jersey: Pearson.
- Leedy, P.D. & Ormrod, J.E. 2013. *Practical research: Planning and design*. 10th edition. New Jersey: Pearson.
- Leedy, P.D. & Ormrod, J.E. 2015. *Practical research: Planning and design*. 11th edition. Boston: Pearson.
- Liamputton, P. 2013. *Research methods in health: foundations for evidence-based practice*. South Melbourne, Victoria: Oxford University Press.
- Lichtman, M. 2014. *Qualitative research for social science*. London: Sage.
- Lowe, D. 2015. Handling informants. In Eterno, J.A. & Roberson, C. 2015. *The detective's handbook*. Boca Raton: CRC Press.
- Lowe, D. 2016. *Policing terrorism: Research studies into police counterterrorism investigations*. Boca Raton: CRC Press.
- Lowenthal, M.M. 2018. *The future of intelligence*. Medford: Polity Press.
- Lushbaugh, C. A. & Weston, P. B. 2012. *Criminal Investigation: Basic Perspectives*. 12th edition. Boston: Pearson.
- Lyman, M.D. 2013. *Criminal investigation*. Prentice Hall: Pearson Education, Inc.
- Madinger, J. 2000. *Confidential informant: Law enforcement's most valuable tool*. New York: CRC Press.
- Marais, C.W. & Van Rooyen, H.J.N. 1990. *Crime investigation*. 1st edition. Silverton: Promedia.
- Marshall, C. & Rossman, G. B. 2011. *Designing Qualitative Research*. 5th edition. California: SAGE.
- Mason, J. 2001. *Qualitative researching*. London: Sage.

- Mark, R. 1996. *Research made simple: A handbook for social workers*. London: Sage.
- Matthews, B. & Ross, L. 2010. *Research methods: A practical guide for the social sciences*. New York: Pearson Education Limited.
- Maxfield, M.G. & Babbie, E. 1995. *Research methods for criminal justice and criminology*. Boston: Wadsworth.
- Maxfield, M.G. & Babbie, E. 2011. *Research methods for criminal justice and criminology*. Boston: Wadsworth.
- Mc Devitt, D. 2005. *Managing the investigative unit*. Illinois: Charles C Thomas.
- McDevitt, D. S. 2012. *Managing the investigative unit*. Springfield, Ill: Charles C Thomas.
- McMahon, R.J. 2014. *Practical handbook for professional investigators*. 3rd edition. Boca Raton: CRC Press.
- Metscher, R. 2005. Intelligence as an investigative function. International foundation for protection officers. From: <http://www.osc.state.nyus/localgov/lgm/g/practiceinternalcontrols.pdf>. (Accessed on: 4 October 2010).
- Miller, J.M. 2012. Becoming an informant. *Justice Quarterly*, 28(2), 203-220.
- Miller, S. 2014. *Investigative ethics: Ethics for police detectives and criminal investigators*. United Kingdom: Wiley Blackwell.
- Mills, J. & Birks, M. 2014. *Qualitative methodology*. London: Sage.
- Minnaar, A. 2011. 'The use of informers': An essential tool in the fight against crime. *Southern African Journal Criminology*. Acta Criminologica, 24(3):83-99.
- Monckton-Smith, J., Adams, T., Hart, A. & Webb, J. 2013. *Introducing forensic and criminal investigation*. Los Angeles: Sage.
- Mouton, J. 2001. *How to succeed in your masters and doctorate studies: A South African guide and resource book*. Pretoria: Van Schaik.
- Mouton, J. 2011. *How to succeed in your masters and doctorate studies: A South African guide and resource book*. 14th edition. Pretoria: Van Schaik.
- Morgan, D.L. 2014. *Integrating qualitative and quantitative methods: A pragmatic approach*. London: Sage.
- Msweli, P. 2011. *Writing a Research Proposal*. 1st edition. Cape Town: Juta.
- National Strategic Intelligence Act - see South Africa. 1994.
- Newburn, T., Williamson, T. & Wright, A. 2007. *Handbook of criminal investigation*. New York: Routledge Taylor & Francis Group.

- Newburn, T., Williamson, T. & Wright, A. 2011. *Handbook of criminal investigation*. New York: Routledge.
- O'Hara, C.E. & O'Hara, G.L. 2003. *Fundamentals of criminal investigation*. 8th edition. Illinois: Charles C Thomas.
- Oliver, L. 2002. Intelligence-led policing, the key to a crime free DOD. *The SA Soldier, Military Police Agency*, 9(3), March: 17-19.
- O'Malley, P. s.a. The Heart of Hope. From: <http://www.osc.state.ny.us/localgov/lgmg/practiceinternalcontrols.pdf>. (Accessed on: 14 October 2011).
- Orthmann, C.H. & Hess, K.M. 2013. *Criminal investigation*. 10th edition. New York: Delmar Cengage Learning.
- Osterburg, J.W. & Ward, R.H. 2010. *Criminal investigation: A method for reconstructing the past*. 6th edition. Cincinnati: Anderson.
- Osterburg, J.W. & Ward, R.H. 2014. *Criminal investigation: A method for reconstructing the past*. New York: Elsevier.
- Palmiotto, M.J. 1994. *Criminal investigation*. Chicago: Nelson–Hall.
- Palmiotto, M.J. 2004. *Criminal investigation*. 3rd edition. Oxford: Oxford University Press.
- Palmiotto, M.J. 2013. *Criminal investigation*. 4th edition. Oxford: Oxford University Press.
- Parker, M. 2011. *The science of qualitative research*. New York: Cambridge University Press.
- Punch, K.F. 2014. *Introduction to social research: Qualitative and quantitative approaches*. London: SAGE.
- Purpura, P.P. 2011. *Security: An introduction*. Boca Raton: CRC Press.
- Prenzler, T. 2012. *Policing and security in practice: Challenges and achievements*. New York: Palgrave Macmillan.
- Prinsloo, J.C. 2010. *Briefing and debriefing of informers*. Cape Town: Juta.
- Pyrek, k. 2007. *Forensic Science under Siege*. Elsevier: Academic Press.
- Ragin, C. & Amoroso, L. 2011. *Constructing Social Research: The Unity and Method*. 2nd edition. Los Angeles: SAGE Publication.
- Ratcliffe, J. 2004. *Strategic thinking in criminal intelligence*. Sydney: The Federation Press.
- Ratcliffe, J. 2008. *Intelligence-led policing*. Devon: William Publishing.

- Richards, L. & Morse, J. M. 2013. *Read me first for a user's guide to qualitative methods*. 3rd edition. Los Angeles: SAGE.
- Richie, J., Lewis, J., Nichollis, C.M. & Ormston, 2014. *Qualitative research practice: A guide for social science students & researchers*. London: Sage.
- Roberts, P. & Zuckerman, A. 2004. *Criminal evidence*. Oxford. Oxford University Press.
- Roberts, T. 2002. *The human factor: Maximizing the use of police informants*. 1st edition. Bristol: Benson.
- Ronczkowski, M.R. 2004. *Terrorism and organized hate crime: Intelligence-gathering, analysis and investigation*. Boca Raton: CRC Press.
- Rothstein, P.S., Raeder, M.S. & Crump, D. 2012. *Evidence in a nutshell*. 6th edition. West Publishers.
- Rubin, A. & Babbie, E. 2011. *Research methods for social work*. 7th edition. Belmont. CA: Brooks & Cole.
- Rule, P. & John, V. 2011. *Your guide to case study research*. Pretoria: Van Schaik.
- Saferstein, R. 1995. *Criminalistics. An introduction to forensic science*. 5th edition. New Jersey: Prentice Hall.
- Saferstein, R. 2009. *Forensic science: From the crime scene to the crime lab*. 2nd edition. Upper Saddle River, NJ: Pearson/Prentice-Hall.
- Saferstein, R. 2013. *Forensic science: From the crime scene to the crime lab*. 2nd edition. New York: Pearson.
- Salkind, N.J. 2012. *Exploring research*. New York: Pearson.
- Sarantakos, S. 2013. *Social research*. 4th edition. New York: Palgrave MacMillan.
- Sassoon, J. 2012. *Saddam Hussein's Ba'ath party: Inside an authoritarian regime*. New York: Cambridge University Press.
- Shaler, R.C. 2012. *Crime scene forensics: A scientific method Approach*. Boca Raton: CRC Press.
- Schindly, B.S. 2011. EHow Contributor. From: <http://www.osc.state.nyus/localgov/lgmg/practiceinternalcontrols.pdf>. (Accessed on: 4 October 2011).
- Schmidt, C.W.H. & Rademeyer, H. 2000. *Bewysreg*. 4^{de} uitgawe. Durban: Butterworth.
- Schneider, S.R. 1995. *The criminal intelligence function. Toward a comprehensive and normative model*, 9:404-427.

- Shuttleworth, M & Wilson, L. Qualitative research design. From: <https://explorable.com/qualitative-research->. (Accessed on: 27 September 2018).
- Sennewald, C.A. 1981. *The process of investigation: Concepts and strategies for security professional*. Boston: Butterworth.
- Sennewald, C.A. & Tsukayama, J.K. 2001. *The process of investigation: Concepts and strategies for investigators in the private sector*. 2nd edition. Oxford: Butterworth-Heinemann.
- Sennewald, C.A. & Tsukayama, J.K. 2006. *The process of investigation: Concepts and strategies for investigators in the private sector*. 3rd edition. Oxford: Elsevier Inc.
- Sennewald, C.A. & Tsukayama, J.K. 2015. *The process of investigation: Concepts and strategies for investigators in the private sector*. 4th edition. Oxford: Butterworth-Heinemann.
- Silverman, D. 2005. *Doing Qualitative Research: A practical handbook*. Los Angeles: SAGE.
- Singleton, R.A. 1988. *Approaches to social research*. New York: Oxford University.
- South Africa. 1977. Criminal Procedure Act 51 of 1977. Pretoria: Government Printers.
- South Africa. 1994. National Strategic Intelligence Act 39 of 1994. Pretoria: Government Printers.
- South African Concise Oxford Dictionary. 10th impression. 2009. CTP Printers: Cape Town.
- South African Police Service. 2004. Informer Handling. Detective Learning Programme Module: Pretoria: SAPS.
- South African Police Service, South African National Defence Force, Military Police, National Intelligence Agency. 2006. Human Intelligence Trade Craft Learning Programme. Pretoria: Partnership Intelligence Community.
- South African Police Service. 2011. 10 years Overview. From: <http://www.osc.state.nyus/localgov/lmgm/practiceinternalcontrols.pdf>. (Accessed on: 14 September 2011).
- Stelfox, P. 2009. *Criminal Investigation: An introduction to Principles and Practice*. Oregon: Willan Pub.

- Steward, H., Murphy, R., Pilkington, M., Penny, S. & Stribopoulos, J. 2006. *Evidence: A Canadian Casebook*. 2nd edition. Toronto: Edmond Montgomery Publication. From: <http://www.osc.state.nyus/localgov/lgmg/practiceinternalcontrols.pdf>. (Accessed on: 23 March 2012).
- Stone, A. & Deluca, S. 1980. *Investigating crime: An introduction*. Boston: Houghton Mifflin Company.
- Swanson, C.R., Chamelin, N.C., Territo, L. & Taylor, R.W. 2012. *Criminal investigation*. 11th edition. New York: McGraw-Hill.
- The International Association of Chiefs of Police. 1985. *Law enforcement policy on the management of criminal intelligence*. Protected Disclosure Act – see South Africa. 2000.
- Tonry, M. & Morris, N. 1997. *Modern policing*. Chicago: University of Chicago Press.
- Turcotte, M. 2008. Shifts in police informant negotiations. *Global Crime*, 9(4), 291-305.
- Unisa. 2007. *Policy on research ethics*. Pretoria: Unisa.
- Van der Merwe, C.J. 2008. Processing of information for prosecution purposes. From: <http://www.osc.state.nyus/localgov/lgmg/practiceinternalcontrols.pdf>. (Accessed on: 7 November 2011).
- Van Der Westhuizen, J. 1996. *Forensic criminalistics*. 2nd edition. Johannesburg: Heinemann.
- Van Rooyen, H.J.N. 2001. *Practical guide for private investigator*. Pretoria: Henmar.
- Van Rooyen, H.J.N. 2004. *Investigation: The A-Z guide for forensic, private and corporate investigators*. Pretoria: Crime Solve.
- Wagner, C., Kawulich, B. & Garner, M. 2012. *Doing Social Research: A Global Context*. New York: McGraw- Hill.
- Welman, J.C. & Kruger, S.J. 2001. 2nd edition. *Research methodology*. Cape Town: Oxford University Press.
- White, A. 2010. *The politics of private security: regulation, reform and re-legitimation*. New York: Palgrave Macmillan.
- Woods Jr., D.D. 2013. *O'Hara's fundamentals of criminal investigation*. 8th edition. Springfield, Illinois: Charles C Thomas Publisher.
- Zinn, R.J. 2007. *Incarcerated perpetrators of house robbery as a source of crime intelligence*. From: <http://www.osc.state.nyus/localgov/lgmg/practiceinternalcontrols.pdf>. (Accessed on: 10 October 2011).

Zinn, R. & Dintwe, S.I. 2015. *Forensic Investigation: Legislative Principles and Investigative practice*. Cape Town: Juta.

CASE LAW

Banks v Dretke. 540 U.S. 668, 701-02 (2004)

Els v Minister of Safety and Security 1998(2) SACR 93 (NCD)

Ex parte Minister of Justice: In re R v Pillay 1945 AD 653

MaCray v Illinois. 386 U.S 300 (1967)

R v Barros, 2011 SCC 51

R v. Durham Regional Crime Stoppers Inc., 2017 SCC 45;

R v Van Schalkwyk 1938 AD 543

Shabalala v The Attorney-General of Transvaal and Another 1995(2) SACR 761 (CC)

Sulliman v Hansa (2)1971 4SA 69 (D)

S v Corns 1993(2) SACR 350(NCD)

United States v Bernal-Obeso, 989 F. 2d 331, 333-34 (9th Cir. 1993)

6. ANNEXURES

6.1 ANNEXURE “A”: INTERVIEW SCHEDULE

INTERVIEW SCHEDULE

Participant no:

Date of interview:

**TITLE OF STUDY: THE USE OF INFORMERS AS TECHNIQUE DURING
CORPORATE INVESTIGATIONS**

RESEARCH AIMS: The major aim of this research was to determine the correct procedures that should be followed when informers are used as a technique by corporate investigators during the investigation process. Another aim was to determine the relationship between the use of informers, crime intelligence and forensic investigation.

RESEARCH QUESTION: The primary research questions of this research are:

- a. What is the relationship between utilizing informers, crime intelligence, and forensic investigations?
- b. What are the procedures that must be followed when informers are used by corporate forensic investigators?

You are requested to answer all of the questions in this interview schedule. The responses and the results will be dealt with confidentially and no names of respondents will be revealed. Your participation is voluntary and you may withdraw from participation at any stage of the interview without fear of recrimination. This research is based on the personal experience of the participant, and no company name will be included in the final product of this study.

The interviewer will transcribe the interviews himself. Should any questions be unclear, please ask the interviewer for clarification. Only one answer is required per question. There are no right or wrong answers, and when you answer it is very important to give your own opinion.

The researcher is bound by his assurance that he would conduct the interviews in accordance with by the Code of Ethics of the University of South Africa. The information you provide will be used in a research project for a Master of Arts in Criminal Justice Systems Degree, registered with the Programme Group Police Practice at the University of South Africa. The analysed and processed data will be published in a research report.

Historical information

Let us start with some general information. I would like to know something about your background as an investigator.

1. Gender?
2. How old are you?
3. What are your tertiary qualifications?
4. What is your current position?
5. How many years of forensic investigation experience do you have?
6. Have you undergone any training on in the investigation of crime?
7. What types of training courses have you undergone?
8. In what type of investigations do you specialise?
9. Did you receive any training in the recruitment of informers? Elaborate, i.e. when and where was this done?

The relationship between utilizing informers, crime intelligence and forensic investigations

10. What do you understand by the relationship between utilizing informers, Crime Intelligence and Forensic Investigations?
11. How would you define Crime Intelligence?
12. What is the role of Crime Intelligence in investigation?
13. What do you think the objective of Crime Intelligence is?
14. Can you explain what the intelligence cycle is?
15. Name the different stages of the intelligence cycle.
16. How would you define Forensic Investigation?
17. What will would you say the objectives of investigation are?
18. Name the characteristics that you think are needed to be a successful investigator.

19. Have you ever worked with an informer?
20. Was it a useful endeavour (did the informer assist you significantly in your investigation?)
21. There are those who criticize the use of informers.
What, in your opinion, is the role of an informer in your work environment?

Procedure that must be followed when informers are used by corporate forensic investigators

22. Do you think investigators in your environment need to recruit informers?
23. Does your company have procedures in place to recruit informers?
If yes, please explain these procedures.
24. If your company does not have a policy in place to recruit informers, what aspects would you suggest they include in a policy and why?
25. How would you go about recruiting an informer?
26. Do you think that there are different kinds of informers? Elaborate.
27. Do you think that there are disadvantages to making use of informers?
Elaborate.
28. Do you have experience in briefing an informer? Elaborate.
29. Do you have experience in debriefing an informer? Elaborate.
30. Have you heard of the term 'privilege' of an informer? What does it mean to you?
31. How would you explain the relationship between an informer and an investigator?
32. What do you think motivates people to become informers?
33. What are the characteristics that you think you would look for in a potential informer?
34. What do you think it means to develop an informer?
35. If you were asked, what aspects do you think informers should be trained on?
36. Do you think informers should be remunerated? Elaborate.
37. Do you have any suggestions on regarding how the use of informers can be improved?

6.2 ANNEXURE "B": LETTER OF PROPOSAL APPROVAL

ANNEXURE A

UNISA 
university
of south africa
Student number: 3773-618-3

Mr M E Nkuna
P O Box 56812
ARCADIA
0007

22 February 2011

Dear Mr Nkuna,

I have pleasure in informing you that the following title has been approved for your projected research dissertation for the degree MTech in Forensic Investigation:


THE USE OF INFORMERS AS A TECHNIQUE TO OBTAIN INFORMATION DURING CORPORATE INVESTIGATIONS

Ms J S Horne (e-mail: hornejs@unisa.ac.za Tel: 011 471-2118) is your supervisor and Ms M E van Zyl (e-mail: MARIELIZEVANZYL@VODAMAIL.CO.ZA; 108 Merry Hill Drive, Kenton on Sea, PORT ELIZABETH 6191) is co-supervisor.

You must still re-register for the academic year 2011. The closing date for registration for the academic year 2011 is 2 April 2011.

A registration form and quote was e-mailed to you under separate cover.

Yours faithfully,




Student Advisor,
Directorate: Student Admissions and Registrations (DSAR),
Section: Postgraduate Qualifications(M&D),
University of South Africa.
PO Box 392,
UNISA 0003.

Cc: Prof DT Masiloane, COD: Department of Police Practice
Ms J S Horne, Department of Police Practice
Ms M E van Zyl, 108 Merry Hill Drive, Kenton on Sea, Port Elizabeth 6191
Ms MJ Martin, Library Services

University of South Africa

6.3 ANNEXURE “C”: TURNITIN DIGITAL REPORT



ANNEXURE B

Digital Receipt

This receipt acknowledges that Turnitin received your paper. Below you will find the receipt information regarding your submission.

The first page of your submissions is displayed below.

Submission author:	Me Nkuna
Assignment title:	Revision 1
Submission title:	THE USE OF INFORMERS AS TEC...
File name:	Dissertation-_Nkuna-_Final_Feedb...
File size:	1.13M
Page count:	156
Word count:	43,874
Character count:	242,268
Submission date:	12-Nov-2018 01:12PM (UTC+0200)
Submission ID:	1037405878

THE USE OF INFORMERS AS TECHNIQUES DURING CORPORATE INVESTIGATIONS

by

Mkhwaniso Eze Mkhize

submitted in accordance with the requirements for the degree of

MASTERS OF ARTS

in the subject

Criminal Justice System

of the

UNIVERSITY OF SOUTHERN AFRICA

SUPERVISOR: DR J J BORGANE

November 2018

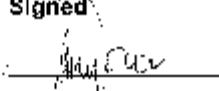
Copyright 2018 Turnitin. All rights reserved.

DECLARATION

I, Mphoane Enos Nkuna, student number 37738183, declare that "The **use of informers as a technique during corporate investigations**" 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.

I further declare that I submitted the thesis/dissertation to originality checking software and that it falls within the accepted requirements for originality.

I further declare that I have not previously submitted this work, or part of it, for examination at Unisa for another qualification or at any other higher education institution.

Signed:


SIGNATURE
(ME Nkuna)

2019/01/24

DATE

