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THE VALUE OF CRIME INTELLIGENCE IN COMBATTING VIOLENT CRIME

Introduction

- Prof Makhanya, Principal and Vice Chancellor
- Prof Mahao, Executive Dean of the College of Law
- Prof Soncwa, Deputy Executive Dean of the College of Law
- Prof Pillay and Prof Havenga: Directors of the Schools in the College of Law
- Prof Masiloane, Chair of the Department, Police Practice
- Members of the Academic and Support Service
- Colleagues, friends and family

THE VALUE OF CRIME INTELLIGENCE IN COMBATTING VIOLENT CRIME

Background

If one drives through any of the cities in South Africa one cannot but notice the vast number of security measures that residents have implemented in trying to prevent themselves from becoming victims of crime. Prominent security measures are security fences, guard dogs, security lights, armed patrols and alarm systems. This all creates the sense of a country under siege from crime. Under the current conditions in South Africa violent crime has become the centre point of public discussions and news reports. The situation surrounding the frequency of crime and
the degree of “abnormal” violence when crime is perpetrated has in recent times become the focus of the policing plans of the South African Police Service (SAPS).

Before one continues to deliberate the theory and research linked to crime intelligence it would be appropriate to do so against the backdrop of what the crime situation is in South Africa and especially the serious violent crime trend.
CONTACT CRIME: DISPROPORTIONALLY HIGH PERCENTAGE OF TOTAL CRIME

Contact and contact related crime represented 38% of all serious crime reported to SAPS in 2009/2010.

Contact Crime in the RSA

- Murder: 2%
- Attempted murder: 3%
- Assault GBH: 30%
- Common assault: 29%
- Common robbery: 9%
- Aggravated robbery: 17%
- Sexual offences: 10%
- Assault GBH: 30%

Robbery

Robbery is one of the crimes most feared by the public owing to the personal and close
proximity of the contact between the robber and the victim as well as the accompanying force or violence used during the perpetration of the crime. A further factor that increases fear in robberies is that the victim's sense of security (feeling of safety and of privacy/personal being) is grossly infringed or violated. Furthermore, the high crime levels experienced in the last number of years in South Africa have had a considerably negative impact on society, with reference to the loss of property and the psychosocial damage resulting from trauma and fear that the victims and the public broadly experience (Interdepartmental Strategy Team, 1996:41).

Members of the public have high levels of insecurity due to, amongst other crimes, motor vehicle hijacking and house robberies. One of the reasons for this is the apparent randomness, unexpectedness, unpredictability, and levels of violence associated with the actual house robbery and hijackings. These most violent types of robbery is categorised by the police as robbery with aggravating circumstances.

The following slides provide an overview of the trend as far as robbery with aggravating circumstances is concerned in South Africa.

Robbery with aggravating circumstances most feared
(113 755 cases reported to police in 2009/2010)
There is a perception among the general public in South Africa that violent crime and especially robbery with aggravating circumstances is at unacceptably high levels and that the police are ineffective in combating these types of crime. As far as house robbery is
concerned this perception does not appear to be unfounded if the crime statistics are used as a measuring stick.

Three of the crimes that form part of robbery with aggravating are motor vehicle hijackings, house robberies and business robberies. These three crimes are known as the trio crimes.

STATISTICS

- Quote from SAPS annual report: The trio crimes (house robbery, carjacking, business robbery), increased by 22.6% in 2008/2009, despite the special emphasis on these crimes and various efforts to contain the latter.
- The vast majority of house robberies, carjackings, business robberies, cash-in-transit (CIT) heists and bank robberies are committed with firearms and shots are frequently fired at victims.
- Ratio: 230.6 per 100 000

Increase in last financial years (trio crimes):
- Business robberies; 4.4% (14 534)
- House robberies; 1.9% (18 786)
- Motor vehicle hijacking; -6.8% (13 902)

Source: Crime Information Analysis Centre (CIAC), SAPS HQ, Pretoria

Trio crimes reported to SAPS

- Robbery at business premises: (2010: 14 534)
- Robbery at residential premises (2010 - 18 786)
- Car hijacking (2010 - 13 902)
Responsibility of the State in safeguarding citizens

The state has a specific policing function, in terms of which obedience to the societal ideal of orderly co-existence and existence can be enforced. Accordingly the state exercises its authority by means of its policing institutions in order to maintain the collective internal order of society in agreement with constitutional principles (Du Preez, 1991:1). The various policing services in South Africa perform the function of crime control as an extension of the state. The South African Police Service is the biggest role player in this regard.

The high crime rate in South Africa has the disadvantage of placing the SAPS under tremendous pressure daily with regard to attending to and investigating large volumes of complaints and crime scenes. The SAPS, furthermore, has to deal with pressure from the public and media, who demand that the police put an end to the high crime rate. This forces the police to give attention, one after another, to incidents of crime. This eventually resulted in a reactive or upholding law-and-order-at-any-cost policing style, in which little or no planning, control or crime prevention is possible. In this reactive style planning and response are at best *ad hoc* and part of a “crisis or incident management” approach.

Part of the crisis management is that the police tend to focus their efforts mainly on crime prevention strategies for example visible policing. The current practise of placing stationary police vehicles on the major highways is an example of the efforts as far as visible policing is concerned. The successful investigation of crime has however proven internationally to be one of the best deterrence as far as crime is concerned.

This aspect of policing is however neglected in South Africa and is evident with only 25 000 out of the 193 000 police officers that are employed as detectives. That constitutes only 13% of the police staff compliment investigating the 2.1 million crimes reported to the police annually.
The success rate in the investigation of violent crime by the SAPS and the successful prosecution of the offenders appear to be very low. In 2000 the South African Law Commission, for example, published a report on the progress and outcome, including conviction rates, of a representative sample of crimes reported to the police in South Africa. The sample consisted of 15 529 cases involving five crime categories reported to the police in eight police areas in South Africa.

The outcome of each of these cases drawn as a sample, namely murder, rape, and robbery with aggravating circumstances, was analysed, on average, more than two years after the crime was reported to the police (South African Law Commission, 2000:6). One of the findings of the report was that the highest rate of cases not going to court was for robbery with aggravating circumstances (88.7%). This means that after two years only one out of every ten reported robberies involving a dangerous weapon had been brought to court (South African Law Commission, 2000:14). The conviction rate for serious violent crimes was reported as 7%.

In this South African Law Commission study the researchers concluded that “crime pays since South African criminals, even violent criminals, tend to get away with their crimes” (South African Law Commission, 2000:26).
In a speech during 2008 by the then Premier of Gauteng, Mr Paul Mashatile, he claimed that the conviction rate in Gauteng for serious violent crimes has increased to 11%.

During 2009 the police commissioner, General Cele, claimed that the success rate in investigations and prosecutions have improved but no indication was provided on how these rates were determined by the police.

In the police’s annual report of 2010 (SAPS, 2010:18), it is indicated that in 18.4% of the robbery with aggravating circumstances reported to the police for the year, an arrest was made. The report does not elaborate on the conviction rate for this crime category. Even though there might be an increase in the detection and conviction rate, the success rate remains to be low.

**The role of Criminal intelligence and its value**

The problem of crime control in South Africa is compounded by the ineffective and mostly reactive policing style that is predominant in South Africa. This is due to the inability of the police to fully adopt an intelligence led policing style that has proven to be a very effective policing style internationally. The police in South Africa have to carry their share of the responsibility of not modernising their policing techniques and methods.

However, modern and progressive police services internationally are usually supported in
their research and development through their own research departments’ research as well as research data made available by institutes in those countries for example universities. This supportive role of organisations outside of the police in South Africa in doing research on policing is very limited. This situation is partially due to police not willing to allow researchers from these institutions access to their official information since they don’t want ‘outsiders to meddle in their affairs’, a culture of isolation or closing of ranks against possible criticism but also due to outside organisations not fulfilling their social responsibility by supporting the police through research.

Traditionally the social scientists were more interested in studies of theoretical and empirical underlying causes of crime than in understanding and explaining the forms of crime prevention and control (McLaughlin & Muncie, 1996:1-2; 297). This led to advanced knowledge of the underlying causes of crime, largely only of value to academics involved in criminological disciplines but with minimal implementation or practical value for agencies combating crime. The paucity of information concerning the different forms of crime prevention led to agencies tasked with the prevention of crime developing their own strategies, which were not necessarily very successful, scientifically based or evaluated.

In a few limited cases researchers attempted to conduct research on solutions to policing in South Africa. In my opinion, the effectiveness of the theories developed by some of these academics in isolation from practical experience and implementation is not very high and the strategies, in the absence of scientific analysis and monitoring, were also not adapted in order to improve their efficacy.

Most of the research that is done by people outside the police in South Africa is in any case more focused on finding fault and at criticizing the police with very little if any practical recommendations on how policing could be done more effectively. This situation enforces the police’s attitude of protecting themselves from criticism by not allowing outside researchers easy access to official information.

This lack of research data is especially evident as far as crime investigation and intelligence-led policing initiatives are concerned. The lack of research as far as crime investigation and crime intelligence is concerned, is not only a South African problem but also a problem in leading countries as far as policing is concerned. It is also a pity that almost none of the police services in Africa make their crime research information or their crime statistics available for public scrutiny or research. In the absences of this type of information in Africa
academics have to rely on crime research information published by especially European countries who publish their research findings on a regular basis. One of the leading countries in this regard is the United Kingdom.

Newburn, Williamson and Wright (2009:xxv) point out that even though criminal investigation figures extensively in United Kingdom government policy, in the media and official reports very little research is done on the topic. These researchers are trying to change the situation but admit that a lot of work still has to be done in this respect.

According to Newburn, Williamson and Wright (2009:6) despite the relative absence of academic scrutiny in this area, the study of criminal investigation is increasing in higher education institutions. Within the last decade, a number of centres have been established in universities globally to provide higher educational qualifications in investigation-related subjects. South Africa through Unisa and Technikon SA offering policing qualifications including specialised crime investigation modules since the late 1980’s has in retrospect, been a world leader in this respect.

Moreover, as part of the United Kingdom National Intelligence Model (NIM), there is a process of 'professionalization' going on in relation to investigation within the police services in the United Kingdom. The consequence has been the development of an accreditation programme at universities and the introduction of continuous professional development aimed at officers at all levels and police service staff involved in criminal investigation.

Part of the professionalization of investigations is to substitute traditional case-based investigations and methods with the use of crime intelligence and other intelligence in a more strategic manner. The long term outcome of this general pressure to increase efficiency and work more strategically has been the emergence of so-called intelligence led-policing (Tilley, 2003) that forms an integral part of crime investigations.

The high levels of crime in South Africa, especially violent crime, should have by now created a real drive for in-depth and focused research by the police and research institutions to find solutions to the crime problem including more research on the value of intelligence led policing. This insight through research will enable the police to adapt their crime control measures to changing circumstances and utilise international best practices.
Nascency of Intelligence-led Policing

The use of intelligence is certainly not unique to modern times. Commentators on its history (e.g. Grieve 2004) quite often refer to the Chinese strategist Sun Tzu and his military treatise The Art of War, written 2,000 years ago, with its references to spies and intelligence. Spying and intelligence-gathering have also been used by many rulers over the centuries to maintain control over their internal political enemies (notoriously, for example, by Machiavelli).

According to Donson (1998:8), the development of the terms “covert”, “proactive”, “intelligence-led” and “technological policing” seeks to capture a trend. This trend can be observed in various developed countries, where, rather than starting inquiries into specific offences after they have been committed, police forces begin to target particular “known” offenders expected to commit future crimes. This is why investigations can now, in certain situations, also be considered to be part of proactive policing.

The essence of effectively combating crime is, *inter alia*, the availability of reliable and accurate information on crime in the form of crime intelligence. Crime intelligence is based on crime information that has been properly collected, recorded, analysed, interpreted, verified and processed.

This information could then be converted into crime intelligence, which could be used within an intelligence-led policing initiative to combat robbery with aggravating circumstances, for example, more successfully.
THE VALUE OF CRIME INTELLIGENCE

Crime intelligence can be applied:

– as strategic crime intelligence (future) for intelligence-led policing;
– as operational crime intelligence (current) for intelligence-led policing;
– in multi-agency combating of crime;
– for the compilation of rehabilitation programmes to address recidivism; and
– as management information for running correctional centres

Police caught in a vicious circle of reactive policing

Police Forces tend to get caught up in a vicious circle

The Audit Commission in the UK (1993: 40), claimed that:

'The police and the rest of the criminal justice system are caught in a vicious circle of reactive policing in which crime threatens to overwhelm them'. In many cases, it was argued, reactive techniques may not be capable of producing the required evidence. Common offences such as burglary often present officers with a crime scene that yields no fingerprints, no eyewitnesses and no forensic evidence. This is also a common occurrence in South Africa.
By contrast, intelligence-based methods could potentially yield powerful alternative forms of evidence such as:

- surveillance records of targeted suspects' movements;
- records of financial dealings and associations with others;
- indications from informants about the location of stolen property or the sites of planned offences;
- direct police observation (and sometimes photographic or video-recorded evidence) of criminal acts;
- (though relatively unusual) statements from undercover officers (Maguire and John 1995: 5).

The Audit Commission in the United Kingdom, like others, saw a particular role for intelligence led investigation in relation to what have since become known as 'prolific' offenders - i.e. frequent offenders responsible for disproportionate amounts of crime (Home Office 2004). This is also called the 20/80 principle. Research has shown that usually 20% of a population is responsible for 80% of crime in a society.

Various researchers including the former Metropolitan Police, London, commissioner, Lord John Stevens shares this viewpoint (Condon, 1998; Stevens, 2002) that in many cases
relatively few persons perpetrate a relatively high number of crimes. In some police circles this phenomenon is known as the “one-man crime-wave phenomenon”. Intelligence-led strategies, is argued, should target these individuals, the rationale being that if they were 'taken out of circulation', there would be a significant reduction in crime rates. In other words, police should shift their focus from crime incidents to the criminal committing these offences.

**Limitations on interviewing and 'confession evidence'

Another factor leading to the search for new investigative strategies has been a reduction in the number of cases in which police are able to rely on uncorroborated 'confession evidence' to secure a conviction. Traditionally, the confession was something of a cornerstone for reactive policing. This was especially true in South Africa as far as violent crime investigations were concerned.

Until the mid-1980s, it was relatively easy for the police to arrest suspected offenders (or to ask them to attend the police station 'voluntarily') without any strong evidence, and to submit them to lengthy and robust questioning in the hope of eliciting an admission. This was more the norm than the exception in South Africa until the early 1990’s. During 1994 the interim Constitution of South Africa, Act 200 of 1993, and later in 1997, the Constitution of the Republic of South Africa, Act 108 of 1996 enforced the principles of human rights through the Bill of Rights. This included enforcing the rights of a suspect and accused during a police investigation including the right not to have to provide the police or the court with self incriminating information. The result was that police could no longer rely on confession orientated interrogation. This protection of a suspect’s basic human rights through legislation as well as the general police officer’s inability to adapt to the new policing environment led to a general collapse in successful police investigations. This is still today evident in the low success rate in police investigations in South Africa.

There were many disputes about the extent to which these changes improved the protection of suspects in practice, but they had an effect in spurring police officers to seek other forms of evidence before making an arrest.

According to Ratcliffe (2006), an Australian expert on crime intelligence, intelligence-led policing was originally articulated as a law enforcement operational strategy that sought to reduce crime through the combined use of crime analysis and criminal intelligence. This
strategy was implemented to determine crime-reduction tactics that concentrate on the enforcement and prevention of criminal offender activity, with a focus on active and recidivist offenders. This approach emphasises information gathering through the extensive use of confidential informants, through offender interviews, and the analysis of recorded crime, and calls for service delivery, surveillance of suspects, debriefing of sentenced offenders, and community sources of information.

All of these sources of crime information are analysed so that law enforcement managers can determine objective policing tactics (for example through crime intelligence initiatives). While still retaining the central notion that police should avoid getting bogged down in reactive, individual, case investigations, intelligence-led policing is evolving into a management philosophy that places greater emphasis on information sharing and collaborative, strategic solutions to crime problems at local and regional levels (Ratcliffe, 2006).

In Ratcliffe’s experience initially most police forces were too focused on investigating crime that had already been committed to devote significant resources to the development of intelligence systems, even where they accepted the possibility that the predictive ability of good intelligence systems might eventually help to reduce the level of crimes being perpetrated. A further reason for the lack of emphasis on the development of intelligence systems was that police forces were reluctant to take a leap of faith in engaging in the new concepts of intelligence gathering, intelligence exploitation and intelligence-led policing in a formal sense (Flood, 2004:40).

Despite its slow start, intelligence-led policing has gradually established itself as the modern approach to crime combating or crime management.
Flood (2004:50) is of opinion that there are essentially four things which can be done to manage criminal activity through intelligence-led policing:

- the targeting of individual criminals or criminal groups and networks (instead of trying to police the entire community);
- the identification and management of crime and disorder “hot spots”; 
- the identification and investigation of “crime series”; and
- the application of a range of preventative measures, which may include a wide range of things from requirements for legislative and policy changes, neighbourhood watch schemes, Closed Circuit Television (CCTV) systems and directed patrols, to innovations such as restorative justice programmes.

The use of intelligence-led policing has been extended to many countries, including Australia, New Zealand, and continental Europe, and, since 11 September 2001, it has become increasingly common in the USA (Ratcliffe, 2006).

**The South African situation**

It is however evident from recent research projects in which I was involved in as a researcher or supervisor that the understanding of the value off and the use of crime intelligence is not yet fully apprehended by the general police officer in South Africa. Even though the Crime Intelligence divisions within SAPS have made great efforts to introduce crime intelligence
and intelligence led initiatives to all levels of policing in South Africa the SAPS still have a long way to go before this goal will be achieved. A recent study in the Eastern Cape indicated for example that there is still a void as far as national instructions are concerned in the collection, processing and analysis of crime intelligence on organised crime.

To compound the problem various crime intelligence units within the Eastern Cape used different criteria in establishing crime series and serial crimes with the result that some of the units are not able to detect such series or serial crimes. This is for example the case when a criminal commits a series of murders but at intervals longer than 3 months apart. The current crime intelligence system then tends not to be able to link these crimes as series of crimes committed by the same person.

Within this context, research on crime investigation and intelligence led initiatives should be a continuous and ongoing process. This is unfortunately not the case and very little research on especially crime intelligence is conducted in South Africa.

After discussions with the former head of detectives of the South African Police Service, Commissioner Johan de Beer, I decided to conduct research for my masters on the value of incarcerated offenders of motor vehicle hijackers as a source of crime intelligence. Thereafter I conducted for my doctoral degree a research project on sentenced and incarcerated house robbers as a source of crime intelligence.

The reason for choosing these topics were, amongst other things, to compile a profile of these offenders, assisting in understanding the crime better, as well as determining the modus operandi of these offenders. This information could then be converted into crime intelligence, which could be used within an intelligence-led policing initiative to combat house robberies and hijackings more successfully. Both of these studies yielded a large volume of new information on these crimes and offenders. Copies of both the research reports were handed over to SAPS for them to utilise as an additional source of information.

The recommendation of the study on motor vehicle hijackings for example contributed to the establishing of the special investigation units and courts to deal with motor vehicle hijackers. These initiatives together with other initiatives introduced by SAPS significantly reduced the levels of motor vehicle and especially truck hijacking. The rest of the presentation will focus on the findings of these studies. The latest research project I have been involved in is a study on effective community safety networks in South Africa. This study focuses on the role of
communities (or neighbourhoods) in a multi agency approach in combating crime. Some of the findings in the study include the concepts of an integrated database to be used for crime intelligence that could benefit both SAPS and communities. The research report on this study will be released on Wednesday, the 3rd of August 2011.

The following information is a summary of findings of note with regard to the studies on hijackings and house robberies

**BRIEF OVERVIEW OF FINDINGS**

- Analysis of international best practices in obtaining information
- Detailed profile
- Motives of house robbers and hijackers
- Spatial analysis of house robberies and hijackings
- Corruption
- Willingness of incarcerated robbers to provide information
- Type of crime information willing to disclose
- Circumstances, conditions and time span under which they were willing
- Value of incarcerated robbers as additional source
MODUS OPERANDI

- Element of greed
  - “quick” money and more lucrative (83%)
  - Luxuries, greed, negative role models
- Only 16% (h/jack) to 35% (h/rob) of money spent on “survival”
- No syndicate involvement in house robberies
  - Gangs consists of friends (people they can trust)
- Largely syndicate involvement in hijackings:
  - Largely hijacks luxury vehicles for which a prior order has been received (74.07%) and sells to syndicates, specific clients or simply out-of-hand sales to buyers

FINDINGS PROFILES

- Majority are South African citizens (83%) (h/rob)
- targets all race groups
- between 19 and 26 years old
- possesses a Grade 8 or 12 qualification (76% - h/rob; 66% h/jack)
- and only 20% completed matric - no post matric
- 70% % of h/robbers were unemployed
  - 17% resigned to get involved in h/robberies
- 47% of hijackers were unemployed (47%), an artisan (17%) or a scholar (13%)
- from so called “broken homes” (70%)
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- 47% of hijackers were unemployed (47%), an artisan (17%) or a scholar (13%)
- from so called “broken homes” (70%)
- Selection of target house
  - Mainly on “inside” information received (53% to 77%)
- Choose neighbourhoods with low or inadequate security

Modus operandi

- 86% hijacked when driver stops
- Most hijackings take place at entrance to yard or in neighbourhood (stop streets, traffic lights, shopping malls etc.)
- Commits the hijacking within as maximum radius of 30-45 minutes drive from his house (93,33%)
- Day, time, and place of the hijackings
  - Between 06:00 – 20:00
    » Peak during peak hours and midday
- 56% in residential neighbourhoods
  » At residences, when either followed or after surveillance
FINDINGS

- Desired conduct of the victim to avoid escalation of violence
- How to safeguard against house robberies or hijackings
- Market for stolen goods
- Where police can possibly trace suspects
- Who will most likely provide police with information
- What will help sentenced offenders not to return to a life of crime

WHAT CAN WE DO?
WHAT SHOULD BE DONE BY THE PUBLIC

- Hughes (1998) is of the opinion that crime is caused by a shortage of integrity within a nation
- Institutions to promote multi-agency, situational and social strategies
- Change of attitudes and values needed (public campaigns)
  - Change reasons why people get involved in crime
  - Communities not to tolerate criminals
  - Communities to provide information on criminal to SAPS
- Encourage establishment of Community Safety Networks
  - Remove obstacles for examples issue about green lights on vehicles
- Establish a forum for community safety networks to communicate and share information on best practices

WHAT SHOULD BE DONE BY PROFESSIONALS

- Utilise all available resources to collect comprehensive crime information
  - Police then one of the clients in receiving reliable intelligence
  - Examples of Sabric and Pierre van Rynvead Park
- Establish integrated databases (multi agency but also public)
- Effective intelligence-led policing model
  - Proactive vs. reactive
  - Focus on criminal and not crime
  - Crime prevention vs. crime displacement
- Counter through tailored made programs
  - For example; When, Where to patrol
- More research on crime and practical solutions
OWN INVOLVEMENT

- Young people should especially be targeted to prevent them from getting involved in crime

PRACTICE WHAT YOU PREACH
- My own involvement changed due to my studies

OVERVIEW OF OWN INVOLVEMENT
- Vice President of the South African Professional Society on the Abuse of Children (SAPSAC)
  - Organize annual conference
  - Provide input/comment on issues regarding child abuse
  - Take legal action if necessary
  - Act as friend of the court
  - CARSA: Accredited journal
  - Host website with relevant legislation and other information on child abuse matters

OWN INVOLVEMENT

- The Foundation for a Safe South Africa (FSSA)
  - Invited by Mr Roelf Meyer to serve on Executive Board
  - FSSA established and manages 19 Youth Zones in SA, Mozambique and Zimbabwe
  - Longitudinal research project on impact on crime (Unisa and FSSA agreement)

OVERVIEW IN PICTURES
Thank you