

**A descriptive study of the role of informers in abalone poaching investigations in
Port Elizabeth, Eastern Cape**

by

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This dissertation is dedicated to my mother, Hendrien, who has been my inspiration and driving force throughout my academic career. I couldn't have completed this dissertation if it wasn't for her, who encouraged me to continue and complete this dissertation.

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ABBREVIATIONS

ANPR	AUTOMATIC NUMBER-PLATE READER
CCTV	CLOSE CIRCUITTELEVISION
CI	CRIME INTELLIGENCE
CIAC	CRIME INFORMATION ANALYSIS CENTRE
CIG	CRIME INFORMATION GATHERING
CPA	CRIMINAL PROCEDURES ACT 51 OF 1977
CPF	COMMUNITY POLICE FORUM
DAFF	DEPARTMENT OF AGRICULTURE FORESTRY AND FISHERIES
DPCI	DIRECTORATE FOR PRIORITY CRIME INVESTIGATION
HUMINT	HUMAN-INTELLI.GENCE
K9	PORT ELIZABETH NDOG UNIT
SA	SOUTH AFRICA
SAPS	SOUTH AFRICAN POLICE SERVICE
UNISA	UNIVERSITY OF SOUTH AFRICA
VIS	VEHICLE IDENTIFICATION AND SAFEGUARDING UNIT
VISPOL	VISIBLE POLICING

DECLARATION

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A descriptive study of the role of informers in abalone poaching investigations in Port Elizabeth, Eastern Cape.

I declare that the above dissertation 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 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.

A handwritten signature in black ink, appearing to be 'Rudi van Zyl', written in a cursive style.

SIGNATURE

A DESCRIPTIVE STUDY OF THE ROLE OF INFORMERS IN ABALONE POACHING INVESTIGATIONS IN PORT ELIZABETH, EASTERN CAPE

ABSTRACT

The aim of this research was to examine the role that informers play in the investigation of abalone poaching in Port Elizabeth (now Gqeberha), Eastern Cape. Definitions are provided of key theoretical concepts, including “informers”, “organised crime”, “abalone”, and “poaching”. Moreover, the investigation of crime, the objectives of a crime and the elements of a crime are discussed in detail. A pragmatic approach was adopted for the study, which suited the qualitative design well. Empirical data on the use and value of informers within an investigative and intelligence gathering context in Port Elizabeth were gathered by means of interviews. Since the research was conducted at a time when COVID-19 restrictions were in force in South Africa, the interviews mostly took place online. The research findings show that informers are a vital and valuable resource with which to address abalone poaching in Port Elizabeth. The findings also highlight that, in some instances, it is not possible to address crime without their involvement. Several challenges were also identified through the research. These challenges are reported on in chapter 3. Since abalone is such a valuable commodity in South Africa, the recommendation made on the basis of the research is that a more collaborative and collective strategy should be developed to address not only the crime of abalone poaching but also the societal problems that drive it.

’n BESKRYWENDE STUDIE OOR DIE ROL VAN INFORMANTE IN DIE ONDESOEK NA PERLEMOEN STROPERY IN PORT ELIZABETH, OOS KAAP.

OPSOMMING

Die doel met hierdie studie was om die rol van informante in ondersoeke na perlemoenstropery in Port Elizabeth (tans Gqeberha) in die Oos-Kaap te ondersoek. Hierbenewens is ’n misdaadondersoek asook die oogmerke en elemente van ’n misdaad in besonderhede bespreek. ’n Pragmatiese benadering, wat met die kwalitatiewe ontwerp van hierdie studie strook, is in hierdie studie gevolg. Met behulp van onderhoude is empiriese data ingesamel oor die nut en waarde van informante tydens ondersoeke en intelligensie-insameling in Port Elizabeth. Aangesien die navorsing onderneem is toe streng COVID-19-inperkings in Suid-Afrika van krag was, is die meeste onderhoude aanlyn gevoer. Daar is bevind dat informante ’n noodsaaklike en waardevolle rol in die stryd teen perlemoenstropers in Port Elizabeth speel. Ook dat dit somtyds onmoontlik is om misdaad sonder hulle medewerking te bestry. Verskeie uitdagings het in die navorsing aan die lig gekom. Hulle word in hoofstuk 3 bespreek. Aangesien perlemoen so ’n waardevolle kommoditeit in Suid-Afrika is, word op grond van die navorsing aanbeveel dat ’n kollektiewe strategie wat op samewerking berus, ontwikkel word om perlemoenstropery en die maatskaplike euwels onderliggend daaraan te bekamp.

Teroetiese konsepte: informante, georganiseerde misdaad, perlemoen, stropery.

UPHONONONGO OLUCHAZAYO NGENDIMA EDLALWA NGOONTAMNANI KUPHANDO LOKUBULAWA KWE-ABALONE EBHAYI, EMPUMA KOLONI

ISICATSHULWA

linjongo zolu phando yayikukuphonononga indima edlalwa ziimpimpi/ oontamnani kuphando lokubulawa kwe-abalone eBhayi (ngoku eyiGqeberha), eMpuma Koloni. linkcazo zinikiwe ngeekhonsepthi ezingundoqo zethiyori, kubandakanywa “oontamnani”, “ulwaphulo-mthetho olucwangcisiweyo”, “iabalone”, “nokuzingela ngokungekho mthethweni”. Ngaphezu koko, uphando lolwaphulo-mthetho, iinjongo zolwaphulo-mthetho kunye neempawu zolwaphulo-mthetho zichazwa/ zixoxwa banzi..Indlela yepragmatiki yamkelwa kuphononongo, eyalufanela kakuhle uyilo lomgangatho. linkcukacha zobungqina malunga nokusetyenziswa kunye nexabiso loontamnani kuphando kunye neengqokelela zobuntlola eBhayi zaqokelelwa ngodliwano-ndlebe.Njengoko uphando lwenziwa ngexesha apho izithintelo ze-COVID-19 zazisebenza eMzantsi Afrika, udliwano-ndlebe ubukhulu becala lwenzeka kwi-intanethi. Iziphumo zophando zibonisa ukuba oontamnani bangumthombo obalulekileyo noxabisekileyo ukuze kuqwalaselwe ukubulawa kwe-abalone eBhayi.

Iziphumo zikwabonisa ukuba, kwezinye iimeko, akunakwenzeka ukujomgana nolwaphulo-mthetho ngaphandle kokubandakanyeka kwabo. Imingeni emininzi nayo ichongiwe ngophando.Le mingeni kunikwe ingxelo ngayo kwisahluko sesi-3. Njengoko i-abalone iyimveliso exabiseke ngolona hlobo eMzantsi Afrika, isindululo esenziweyo ngokusekelwe kuphando sesokuba isicwangciso esinentsebenziswano ngakumbi nesiqukayo kufuneka siphuhliselwe ukujongana hayi kuphela ulwaphulo-mthetho lokuzingela ii-abalone ngokungekho semthethweni kodwa kwakhona zijongane neengxaki zoluntu.

ezikuqhubayo.

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CHAPTER 1: GENERAL INTRODUCTION

1.1 Introduction and Problem Statement

The problem statement helps the reader understand the research (Denscombe, 2012:51) and it is essential to the research process (Kumar, 2014:38). A research problem needs to be clear and well-formulated to help the reader understand the purpose of your research because it serves as a foundation of your study.

Port Elizabeth is situated in the Eastern Cape of South Africa and lies on Algoa Bay of the Indian Ocean. The warm water on the coast is a suitable habitat for abalone on the rocky shores. Abalone is a luxurious seafood in high demand in Asia. It is illegal to harvest abalone without a permit. Abalone poaching hurts the economy and the coastal socio-ecologies of the Republic of SA (DAFF, 2018:3). The Department of Agriculture, Forestry and Fisheries, South Africa (DAFF) explains abalone is known as shellfish and is called *Haliotis midae*, the most sought-after species in SA. *Haliotis midae* is one of five types of abalone in SA and is expensive in China because of its popularity.

Abalone poaching increased incrementally during the mid-1990s, within the context of great social, political, and economic changes in South Africa, as the apartheid era was brought to a close. Decades later, abalone poaching is still a great concern in South Africa. Van As, du Preez, Brown, and Smit (2012:435) mention that the illegal trade in abalone affects the economy of South Africa and causes widespread degradation of its marine reef system habitat. Permits are required for harvesting wild abalone, and number limits are stipulated in the 2019 Abalone Ranching Permit. The Department of Agriculture, Forestry and Fisheries in South Africa announced on 6 April 2019 the decision to expand the abalone quota from 50.5 tons per annum to 96 tons per annum to fight unlawful poaching (DAFF, 2019).

According to the Crime Information Analysis Centre (CIAC) at the Walmer Police station in Port Elizabeth, the internal statistics for the possession of abalone without a permit for the period 1 January 2017 to 30 December 2019 shows that only 11 cases were reported

for the Walmer Police station area (CIAC, 2019). These statistics reflect incidents where suspects were arrested, and abalone found in their possession was confiscated.

The researcher is currently employed at the Visible Policing Unit (VISPOL) of the Walmer Police station in Port Elizabeth and has attended several complaints of abalone poaching at Willows in Marine Drive, Port Elizabeth. Visible Policing (VISPOL) members usually search suspicious vehicles, but they find no evidence of illegal activities and, therefore, nothing with which to link the suspects to abalone poaching. Abalone poaching is a type of organized crime, and these syndicates use different role players to succeed in their activities.

Divers will dive for abalone, remove it from the shell and place it into bags. They hide the bags in the water behind the rocks, where runners later move them closer to a prearranged pick-up point. A driver then will transport the abalone without the runners to a local drop-off point, house, or the buyers, known as the market of the leader of the group. The group leader is also known as the crime boss, criminal mastermind, the high-flyer, or kingpin (Boyd & Carter, 2014:121). In most cases where arrests are made, the runners and spotters do not know the kingpin. Spotters are members of the group that monitor the entrance and exit routes for police presence in the area where poachers operate.

Abalone poaching is a profitable business. The current price per kg is R700.00. Runners and spotters are normally paid R300.00 per bag. In a recent case, three suspects were arrested during level three of COVID 19 National lockdown, and they were found in possession of 70 kg of abalone with a street value of R49 000.00 and detained at Walmer SAPS, Port Elizabeth. In a similar incident, the Abalone Task Team and SAPS VISPOL members arrested poachers after they were chased by SAPS while transporting abalone.

The problem is that in most cases, only the suspects on the ground level are arrested, and the high-flyers (Kingpins) walk free and continue with the smuggling of abalone due to the lack of evidence linking them to the activities. What would the law be without a voice to tell? How will a case be solved if no information is available? Someone must provide information to SAPS to ensure the successful conviction of the perpetrators. For

this reason, the researcher decided to investigate to what extent informers can contribute to investigating abalone smuggling in Port Elizabeth.

1.2 Aim of the Research

According to Du Plooy-Cilliers, Davis, and Bezuidenhout (2014:73), the research aims to determine to a large extent, the process, and the outcome of the research. Mills and Birks (2014:204) believe that the aim forms the anchor point of the research. The research aim is something one plans or does (De Vos, Strydom, Fouche & Delport, 2011:94).

This research aimed to discuss the role played by informers during the investigation of abalone poaching in Port Elizabeth, Eastern Cape.

It is believed that the research results will be of use to guide investigators and other SAPS officials who are involved in the prevention of abalone poaching, as well as the members of the Abalone task team, to recruit informers to investigate the syndicates involved.

1.3 Objectives of the Research

According to Bairagi and Munot (2019:2), a research objective is a simple, succinct, declarative assertion articulated in the current tense and typically focuses on one or two variables in the study to find solutions to unsolved problems.

The study's objectives were to determine to what extent informers can add value to the investigation of Abalone poaching incidents and explore what role informers can play in the investigation of illegal abalone activities in Port Elizabeth, Eastern Cape.

1.4 Purpose of the Research

According to Creswell (2014:124), the purpose is how a study aims to explore and inspire and is an indicator of the research's emphasis and direction. It provides criteria for assessing the research's outcome.

This research aimed to explore and describe informers' role in abalone poaching investigations in Port Elizabeth, Eastern Cape.

1.5 Research Question

A research question is a beacon that directs a researcher with an emphasis on getting answers to the question during the research. In a question format that indicates a delineated, focused, and detailed inquiry, it describes what intrigues one, focuses on what will be studied, and expresses the essence of the research issue (De Vos et al. 2011:90). Creswell (2014:139) and Silverman (2013:66) highlight that a research question stipulates what the researcher is investigating.

In this research, the focus was to answer the following question:

What is the role of informers in abalone poaching investigations in Port Elizabeth, Eastern Cape?

1.6 Key Theoretical Concepts

Leedy and Ormrod (2014:119) state that the purpose of defining key concepts is to prevent misunderstanding. This is emphasised by Maree (2016:32) who underscores the value of clarifying how the researcher will operationalise often used concepts. The following concept definitions were utilised in this study.

1.6.1 Informers

An informer can be defined as "... a person who provides information regarding criminals, criminal activities, or specific criminal activities to an investigator for a reward or other motives" (South African Police Service, 2004:2).

1.6.2 Organised crime

Edelbacher, Kratcoski, and Dobovsek (2016:8) define organised crime as a "...structured group of three or more criminals with a corporate structure, whose primary objective is to obtain money and power through illegal activities".

1.6.3 Abalone

Lucas, Southgate, and Tucker (2019:25) explain abalone as shellfish and the common name given to the genus '*Haliotis*'. They are marine gastropods.

1.6.4 Poaching

Lucas et al. (2019:25) clarify poaching as any unauthorized capture or harvest of livestock or marine animals such as abalone without a valid permit for total permitted annual fishing quotas.

1.7 Preliminary Literature Review

According to Du Plooy-Cilliers et al. (2014:101), a literature review includes searching for, reading, reviewing, and summarising as much as possible of the available literature that directly and indirectly relates to the research subject. The researcher must conduct a literature review to find out what others have found in response to study questions (Jesson, Matheson & Lacey, 2011:10; Nieuwenhuys, 2016:88).

Historically, there has been much criticism in relation to the use of informers during the investigation of crime. Authors such as Broodryk, Joubert, Nel, and Struwig (2001:323), argued 2 decades ago that the use of informants to deter, track, or prosecute a crime is of little benefit to SAPS. Woods (2013:247) agreed and notes that informers are manipulators and mentally unstable. Many informers are prone to exaggeration and seldom possess good information. He further states that naïve investigators have wasted resources buying useless information from these manipulators.

Conversely, Pena (2000:144) and Broodryk et al. (2001:323) disagree. Penna (2000:144) argued that using informants as a critical and productive aid to law enforcement has long been recognized. Supportive of Pena (2000:114), the authors Billingsley, Nemitz, and Bean (2013:1) posit that an informer offers useful information regarding matters that the police could not otherwise obtain.

The booming illicit trade of abalone, the most valuable shellfish in the world, is fuelling a South African social and environmental crisis (Steyn, 2017:1). Warchol (2018:4) states

that criminologists study abalone poaching because of the awareness that abalone poaching affects more than wildlife. It has implications for economically developing countries and involves international organised crime. Poachers are profiting from illegal abalone fishing and are inciting violence in South Africa (Patta, 2020:7). More than 2000 tons of illegal abalone are fished every year. In China, where abalone is considered a delicacy, there is an increased demand for it.

Gangs who dry abalone until it is smuggled to Hong Kong operate abalone poaching groups in SA. de Greeff (2018:5) states that abalone is dried before being sent to Hong Kong in clandestine cookhouses in South Africa. It is then smuggled to Hong Kong through neighbouring African countries with laxer borders and no laws for the police to prevent the trade in abalone. Abalone is carried in trucks with fake compartments or concealed between dried fruit in boxes. It is a strange supply chain, spanning from South Africa's beaches to China's plates. Meticulously air-dried Japanese abalone is considered the best, followed by South African abalone. There is nowhere else to find South African abalone species because they are indigenous to the shores of SA hence the high demand.

Evans (2018:10) estimates that in the past 17 years, poachers have taken at least 96 million units of SA abalone and attempts to curb the illegal trade have utterly failed and resulted in the loss of valuable commodities worth R628 m per year. Evans also states that this is not just an issue with fisheries; several other organizations must be involved in solving the problem.

The criminal activity of abalone is an organized crime connected to gangs and linked to the drug trade. There are also detrimental socio-economic effects related to it. Steyn (2017:5) further argues that approximate 40,000 tons of abalone were plucked from the waters of SA between 2001 and 2017. Norton (2018:5) notes that to combat the illicit trade in abalone, the government must, among other things, eliminate corruption in the Department of Agriculture, Forestry, and Fisheries.

Norton further suggests that the government must re-instate the Green Courts to deal with environmental crimes, and the small-scale fisheries policy needs to be assessed for its capacity to uplift communities.

During the literature study, existing material was used to record the different views of different authors relating to the problem. Books and news articles on the internet were used to obtain literature on the topic. Some authors criticise informers, and others argue that informers are an essential tool in investigating crime. The opinions of authors were recorded concerning the steps that need to be taken by the South African government to deal with environmental crimes after literature confirmed abalone poaching as problematic.

Literature is available about informers and "undercover" operations and theft of precious metals investigations, but no literature could be obtained about the role of informers in the investigation of the illegal harvesting of abalone. It is the opinion of the researcher that different crimes require different investigation methods to gather court-directed evidence for successful prosecution. The exact role of informers in abalone investigation is unclear, so research through interviews addressed the gap.

1.8 Research Methodology

1.8.1 Research design

According to Mouton (2015:107), research designs are collections of guidelines and instructions for addressing a research question. Fouche and Delpont (2016:142) describe a research design as the process of directing one's attention to a specific study. Creswell (2014:15) agrees by suggesting that a research design is like software that directs the researcher in the observation collection, study, and interpretation process.

In this research, the researcher used a pragmatic design to answer the research question. Morgan (2014:27) states that pragmatists believe people's experiences differ; therefore, their worldviews can also not be the same. Creswell and Creswell (2018:41) describe pragmatism as the consequences of actions, and it is problem-orientated, pluralistic, and real-world practice-oriented. A methodological pragmatism as a type of pragmatic research was used because methodological pragmatism is based on knowledge through action. Pragmatic research is, therefore, knowledge, experience and action driven. This is the most suitable design because participants with experience in abalone investigations

and informer handling were chosen to conduct research on the topic and answer the research question.

1.8.2 Research approach

According to Creswell and Creswell (2018:45), the broad research approach is the strategy or idea to conduct research. Qualitative, quantitative, and mixed methods are the three primary research approaches. Marshall and Rossman (2016:99) concur by saying that an approach to analysis provides a plan for the conduction of the report. The researcher chose a qualitative approach for this study because a qualitative approach made it possible to interview and review documents thoroughly. According to Harrington and Voehl (2016:238), the benefits of qualitative research are that it examines challenges and motives and creates a deep understanding of latent needs. The disadvantage of qualitative analysis is that the study does not allow for statistical data collection.

Creswell and Creswell (2018:43) explain qualitative research as a method of examining and investigating social or human issues assigned to individuals or groups and includes evolving questions and procedures. Qualitative research emphasizes inductive research methods, introspective analysis, and reporting the complexity of a situation.

1.9 Target Population and Sampling

Levy and Lemeshow (2013:1) state that the population is the sum of all units to be studied. The population of this study is all the investigators and law enforcement agencies who are tasked with the prevention and investigation of abalone poaching in South Africa. While it may be beneficial to study the entire population, it is not practical. In such a situation, a target population is selected. Babbie (2017:199) defines a target population as those entities, objects, or substances that satisfy certain conditions for inclusion in a sample, technically defined aggregations of the inclusion in a study. Polit and Beck (2012:273) explain a target population as all the cases in which a researcher is interested. Since the origin of the identified problem is contextualised to Port Elizabeth, the police and other law enforcement agencies tasked with the prevention and investigation of abalone poaching in Port Elizabeth will be considered the target population for this study.

Illegal abalone activities in Port Elizabeth are investigated by members attached to several different units and organisations. These are the Directorate for Priority Crime Investigation (DPCI), Crime Intelligence Gathering (CIG), DAFF (Department of Agriculture, Forestry and Fisheries), Black Water Operations unit, and detectives attached to Walmer SAPS Crime Investigation Department (CID) who conduct investigations within the Walmer SAPS policing area, and Port Elizabeth Dog unit (K9) who assist during abalone investigations. The target population for this study will be members attached to these units. These units are involved in either anti-poaching operations or the resultant investigations of incidents of abalone poaching. In addition, it is also cost-effective for the researcher because the researcher is employed at Walmer SAPS in Port Elizabeth.

Sampling is a technique used by researchers to extract specific participants from a larger group. In the qualitative paradigm, the primary approach to sampling is a non-probability approach. The specific sampling technique used for this study was purposive sampling (Nieuwenhuys, 2016:86). It is most effective for exploratory studies. The non-probability sampling technique was considered ideal for this research, and the purposive sampling method (which is a type of non-probability sampling method) was used in this research to select the participants for their interviews.

Samples chosen for this research were based on members with experience in abalone investigations and/or members using informers to conduct investigations into different types of organised crime activities and to gather information about these activities. Since not all the members of the units involved in abalone investigation's actively used informers during abalone investigations, it was decided to learn from other investigations to what extent informers may play an active role in abalone investigations.

The research aimed not to test a hypothesis about a broad population but to develop an initial understanding of a small population group. Leedy and Ormrod (2014:183) define purposive sampling as the systematic selection of respondents based on their ability to elucidate a particular subject, idea, or phenomenon. Participants are purposefully chosen because they have rich information on a particular topic. The principles of a pragmatic enquiry are the importance of actionable knowledge, the acknowledgement of the

correlation between experience, knowledge and acting, and the view of inquiry as an experience-based procedure (Morgan, 2014:27).

In the initial proposal, the researcher mentioned how many participants were to be selected from each sample, and he also mentioned the individual samples involved. In hindsight, this was not in the best interest of the participants involved. The composition of some of the units is of such a nature that it may be relatively simple, especially for an individual who is familiar with the structure of these units, to be able to identify who participated in the study. When one considers the principles of non-maleficence and beneficence, this situation was not in the interest of protecting the identity of the participants.

After consultation with his supervisor and being mindful of the parameters of the Ethical Clearance obtained for this research from the College of Law Ethics Committee, and the permission granted by the SAPS to conduct this research, it was decided to anonymise the sample for this study in its entirety. This was done by clustering the entire sample into one group and not the individually named samples as per the original proposal.

The researcher approached the different commanders of the units mentioned above and obtained name lists from each of them with the names of the members who are involved in crime intelligence gathering, abalone investigations or anti-poaching operations. The names were arranged so the researcher could identify who had the most experience per unit or section in abalone investigations or dealing with informers.

The researcher combined the names (from all the samples) into one list in no particular order. The researcher started at the top of the list and began with the interviews. Sometimes, a specific participant could not honour a scheduled interview due to either personal or operational commitments. Then the researcher simply proceeded to the next participant. He continued doing this until he had done 20 interviews within the combined sample selected. He did not place pressure on anyone to participate in the research.

Therefore, the resultant sample for this study was drawn from a collective list of names comprising the different units and sections involved in either crime intelligence gathering, anti-poaching operations or the investigation of illegal abalone poaching in Port Elizabeth area.

It is worth noting that due to operational and other reasons, in some instances the researcher was only able to interview very few participants from a specific unit, or very few, were able to participate in the research. The researcher will not identify these units because this will make it easier to identify possible participants by way of elimination.

1.10 Data Collection

According to Bairagi and Munot (2019:24), data can be gathered anew, known as primary data, or already gathered and utilized, referred to as secondary data. The data collection methods used for this study were available literature on the topic and data collection via interviews. According to Creswell (2014:145), data means "... securing approval, executing a successful qualitative sampling technique, designing means of documenting information, preserving the data, and anticipating ethical problems that might emerge".

1.10.1 Interviews

According to Neuman (2014:217), two strangers meet briefly to exchange particular knowledge. According to Creswell (2014:181), the aim of interviews is to capture views and experiences. The researcher used a semi-structured interview method to interview participants to speak from experience and knowledge of their work. An interview guide was used to obtain data from the participants to address this research study's problem statement and research question.

According to Creswell (2014:88), semi-structured interviews are one-on-one meetings between the interviewer and the interviewee that attempt to obtain specific information about the interviewee's experiences. With a pre-determined list of questions, the interviewer directs the discussion, thus giving the interviewee some space to travel in various directions.

The interviews were conducted personally by the researcher, with the strictest adherence to COVID regulations as per the instructions from the University. Leedy and Ormrod (2014:156-59) suggest the following guidelines for performing productive interviews. The researcher used the instructions as follows:

- Identify any questions in advance: According to the interview guide, all the interview questions/themes to be covered were drawn up in advance. These were structured to evoke the awareness and expertise of the researcher about the research issue and the research question.
- Interviews with multiple individuals were conducted: interviews were conducted with participants from the units/sections which are involved in anti-poaching operations, abalone investigations and crime intelligence gathering in the Port Elizabeth area.
- Find a convenient location: In some instances, the interviews were conducted at the participants' offices, strictly adhering to the relevant COVID guidelines. Other interviews were conducted telephonically with members that were out of town, and some participants answered the questions in an electronic format and emailed their responses to the researcher.
- Create and sustain interest: By maintaining eye contact and other interview skills such as not interrupting the participant and positive body language, being mindful of social distance and other COVID requirements, the researcher ensured that he retained the interest of the participants.
- Obtain permission: Before performing any interviews, the researcher obtained Ethical Clearance from the College of Law Ethics committee and then obtained approval from SAPS and the participants. These are attached as per Annexures A, B and C.
- Focus on the actual rather than the intellectual or hypothetical: the questions focused on the real-life scenarios.
- Avoid inserting words in people's mouths: the researcher avoided comments such as 'and then', which may have encouraged participants to add unnecessary information.
- Record replies verbatim: The participants' exact responses were registered word for word, and none were distorted or influenced. The verbatim quotes were used in the text of the content chapter to underscore discussion points.
- Be respectful and calm: During the interviews, the researcher was relaxed and calm and ensured that he respected each participant during the process.

Prior to conducting the interviews proper, the researcher conducted a pilot study of the instrument. The purpose of a pilot study is to verify the usability of the data gathering instrument (Creswell, 2013:165). The academic supervisor of the researcher checked the interview guide to ensure correctness. The researcher tested the interview guide on 5 general investigators who were not part of the survey but still worked to locate any shortcomings with informants. Feedback from these interviews were discussed with the supervisor. Some adjustments were made to the interview guide before it was used.

1.10.2 Literature review

Literature was obtained through library visits, where the researcher gathered information about the topic. Books, journals, articles, newspapers, and the internet were used to obtain information from international and local sources. Statistical data was obtained from SAPS internal databases about reported cases of abalone activities in the Walmer SAPS area. These documents are in the possession of the researcher. The researcher could not find literature on the exact research topic. The researcher used keywords from the research topic to search for literature: abalone, informers, and investigation. The keywords were used to guide the researcher in compiling the interview schedule. The literature was explained in chapter 2 and compared with the participant's answers to their questions in the interview schedule. The use of two or more techniques is known as triangulation. Triangulation is about multiple sources of data that will all converge to support a hypothesis or theory (Leedy & Ormrod, 2014:103).

1.11 Challenges

The researcher has experience challenges during his research. Not all selected members in the samples were available to participate in the research study. This is discussed extensively under para 1.10 above. Not all participants in the study had access to MS Teams or Zoom or were simply not technologically knowledgeable about using these platforms. Therefore, some interviews were conducted face-to-face and telephonically. All face-to-face interviews were conducted with the strictest adherence to the COVID

protocols set in place by the SAPS and the University of South Africa at the time of the research.

1.12 Data analysis

In qualitative science, data collection consists of arranging and assembling data for processing, then minimizing the data into topics by coding and condensing the phase of codes, and eventually representing the data in a debate (Creswell, 2014:180). Polit and Beck (2012:379) define data analysis as "... the systematic organization and synthesis of research data". After the researcher transcribed all the data, he commenced with the analysis portion of the study.

The spiral definition represents the truth of the challenges faced in creating structures (Creswell, 2014:197). The researcher followed the steps described by Creswell (2014:198) in the spiral technique as follows:

- Organise the data. Data gathered from the interviews were scanned, and the relevant information was used in the study.
- To get a sense of what it comprises as a whole, use the dataset many times. Data were scanned to assess both the importance and relevance of data in the study.
- Identify patterns and acceptable grouping of sub-data. The data was divided into portions relevant to headings for discussion in chapter two of the dissertation.
- Integrate and summarise reader data. The researcher integrated and summarised literature and interview information so readers could readily interpret it.

Thematic analyses were used, the data were examined and categorised into themes, and the relevant data were presented in either tables or narrative discussions in chapter two of the dissertation.

1.13 Methods to Ensure Trustworthiness

Nieuwenhuis (2013:123) explains that trustworthiness is the most important aspect to consider in qualitative research. It is the acid test of your data analysis, findings, and conclusions. Leedy and Ormrod (2014:13) explain that in the qualitative paradigm,

researchers talk about the trustworthiness of the research in the context of credibility, transferability, confirmability, and dependability. Thus, the researcher will address how each of these elements was addressed in the study.

1.13.1 Credibility

A trustworthy researcher addresses questions such as: how valid are the findings Nieuwenhuis (2013:123)? How can the researcher guarantee that the reader will accept the conclusions? This requires adopting well-established research methods, an appropriate research design, and a theoretical foundation that explains all the findings. Fitzpatrick and Kazer (2012:41) state that the credibility of the interpretations is reinforced by the triangulation of data collection methods, negative case reviews, and testing interpretations with the participants themselves. To increase trustworthiness, the researcher used strategies such as the Triangulation approach. Triangulation requires using numerous and distinct approaches, investigators, and references to collect corroborating evidence.

1.13.2 Transferability

Gatrell and Elliot (2015:116) suggest that transferability is the compatibility of research results beyond the circumstance of analysis and is analogous to the principle of generalizability in quantitative science. Fitzpatrick and Kazer (2012:41) point out that transferability indicates whether the study results match the current literature. It is also worth noting that qualitative research is undertaken to understand an aspect under study and avoid generalizations.

Nieuwenhuis (2013:124) suggests that the transferability of a study can be improved through a thick description. The thick description refers to the researcher providing the reader with a detailed account of the context, participants, and research design so that the reader can make their own determinations regarding the study's transferability. The researcher ensured transferability by asking all the participants attached to different units within the sample collection the same research questions. The researcher believes that

this study's results may be transferable to other similar policing areas where similar challenges are experienced.

1.13.3 Confirmability

Kumar (2014:185) defines confirmability as the degree to which others can affirm or corroborate the findings of the analysis. Kumar (2014:185) notes that comparable results must be collected from other researchers by pursuing a similar analysis method in a similar setting to assess compatibility. Gatrell and Elliot (2015:116) note that confirmability refers to the degree to which the researcher's interpretations are affected by beliefs, motives, desires, or opinions and is analogous to objectivity in quantitative analysis. Confirmability is reached where the evidence confirms the observations, conclusions and recommendations and the audit trail is evident. Triangulation increases confirmability in a study and reduces researcher bias (Nieuwenhuis, 2013:125).

Confirmability was ensured by recording data in detail. The researcher ensured that the data and interpretations of findings were based on the interviews and not on the inquirer's imagination. The researcher refrained from bias by purposively bracketing himself during the data collection and data analysis phases.

1.13.4 Dependability

In qualitative research, the concept of *dependability* is used in preference to reliability, demonstrated through the research study's design and implementation, the data collection's operational details and the project's reflective assessment. Your original research design may change as you conduct your study, and you may incorporate new data sources and data-gathering techniques to enhance your findings. Other researchers can follow the reasoning behind your conclusions by keeping a journal during the research process, especially in relation to data collection and analysis (Nieuwenhuis, 2013:124).

1.14 Bracketing

Bracketing refers to the concept where the researcher withholds his experience to take a renewed vision toward the phenomenon under investigation (Creswell, 2013:80). Akerlund (2018:149) further states that a bracketing process assures that the preconceptions of the researcher are not intruding on findings and tampering with participants' understandings. Bracketing can be accomplished through memos, bracketing interviews, or a reflective journal. The researcher ensured bracketing by not sharing personal experiences with the participants during the interviews and by not permitting his own views, experiences, and opinions to colour the data collection and analysis phases.

1.15 Ethical Considerations

The Code of Conduct, as defined in the Policy on Research Ethics, of the University of South Africa (Unisa, 2013), was observed by the researcher and was adhered to throughout the research process. The researcher respected the privacy and confidentiality of the participants and obtained the participants' approval for their inclusion in the analysis. The Code of Ethics of UNISA seeks to ensure that the ethical and scientific academic community prevails among its workers and students. The Code of Conduct contains the constitutional ideals of individual rights, freedom, social justice, and fairness to all. The researcher did not compel the participants to perform acts that were disrespectful, inhumane, or embarrassing or that might have harmed their self-esteem to immoral testing methods. The researcher avoided plagiarism and applied for ethical clearance from the college of law and permission from the SAPS Research office at the National Office to conduct research and interview its members.

Leedy and Ormrod (2014:120-124) point to the following ethical values researchers should uphold.

- Security from injury: studies should not reveal physical or psychological harm to subjects in a sample.

- Educated consent: To be part of a sample, participants gave consent, and it was voluntary. The privacy interests of participants were protected. During the study, no sensitive details were recorded.
- Honesty with knowledgeable colleagues: the researcher thoroughly and objectively reported his data without misrepresenting what was done or knowingly misleading others about the nature of the study.
- Obtaining consent and approval: before any interviews were carried out, the researcher will obtain the approval of unit commanders.

The Singapore statement address four principles: honesty, accountability, professionalism, and stewardship. The researcher's responsibilities include trustworthiness in the research, being aware of policies and regulations, employing appropriate research methods, keeping records of the research, sharing research findings promptly, and taking responsibility for their contributions. In addition, the researcher must acknowledge publications in the research of all the contributors, disclose any conflict of interest, limit public communication during the application of research findings, reporting and responding research misconduct to rectify the research record, and recognise their ethical obligation to weigh societal benefits against the risk inherent in their work and research institutions must encourage integrity through education, clear policies and reasonable standards (World Conference on Research Integrity, 2010).

The Belmont Report (1979:1-11) addresses the basic ethical principles, including respect for persons, beneficence, and justice. Respecting persons means protecting those with diminished autonomy. Beneficence involves treating participants in an ethical manner to prevent them from being harmed and maximise possible benefits and minimize possible harm. Justice refers to the equal treatment of participants according to an equal share, individual need, individual effort, societal contribution, and merit. Applying basic principles in research leads to informed consent, risk or benefit assessment and the selection of subjects for research. Plagiarism was prevented by the acknowledgement of any information that was used in this research. Information from sources was correctly recorded, and sources were referenced and acknowledged in this research.

1.16 Research Structure

The dissertation consists of three chapters. The layout of the chapters is as follows:

Chapter 1: General Orientation

In this chapter, the researcher contextualised the problem statement and explained the methodological aspects relevant to the research.

Chapter 2: The Value of Informers in Abalone Investigation

In this chapter, the researcher addressed the term investigation, objectives of an investigation, principles of crime, the difference between an informant and informer, type of informers, the motives of informers, information, intelligence, and the value of informers in abalone investigations. Feedback from participants in this research is recorded in this chapter.

Chapter 3: Findings, Recommendations, and the Conclusion

In this chapter, all primary and secondary findings in the study were recorded, recommendations by the researcher were made, and the conclusion was drafted.

CHAPTER 2: THE VALUE OF INFORMERS IN ABALONE INVESTIGATIONS

2.1 Introduction

Sennewald and Tsukayama (2014:3) advocate that an investigation is the perusal, scanning, exploration, tracking, and collection of information that answers questions or solves problems. Lochner (2014:4) adds that law enforcement carries out a criminal investigation using all the resources available to the government. The primary investigation is initiated when an individual or entity has been disobedient with the laws and may have prosecution potential. Turvey and Crowder (2017:9) highlight that it is the responsibility of an investigator to conduct a formal inquiry, and an investigation is a comprehensive investigation of an individual, group, organization, or a topic. The investigator has a myriad of tools at their disposal to find and collect evidence. The use of informers is but one such tool.

Van As et al. (2012:435) state that the illegal trade in abalone affects the economy of South Africa and causes widespread degradation of its marine reef system habitat. An abalone syndicate is challenging to investigate because, in most cases where arrests are made, the runners and spotters do not know the kingpin. The criminal group or syndicate's leader is called the "kingpin". Spotters are members of the group that monitor the entrance and exit routes for police presence in the area where poachers operate. They warn the poachers of approaching law enforcement.

This chapter will consider and discuss the following concepts: investigation, objectives of an investigation, principles of crime, the difference between an informer and informant, the different types of informers, the motives of informers, information, intelligence, and the value of informers in abalone investigation. Discussions from the literature were juxtaposed against the data forthcoming from the empirical data sourced by the researcher. This was done to determine to what extent the research participants' knowledge and experience about the value and use of informers during investigations can be relevant and of value during abalone investigations. To underscore the discussions in the text, the researcher used verbatim quotes from the participants. The

reporting in this chapter does not follow the sequence in which the questions were asked in the interview guide, but rather the flow of the information follows the flow of the chapter.

2.2 Investigation

A criminal investigation starts when the investigator identifies physical and biological evidence and gathers and preserves the evidence (Fish, Miller, Braswell & Wallace, 2015:4). Reilly (2019:1) advocates that the practice of investigating criminal behaviour began when the society's members charged with maintaining and assisting the rule of law started looking into what happened, why it happened, and how it was done, and to identify the perpetrator. To enable an investigator to undertake these tasks, they must have extensive knowledge of how to investigate: this requires intensive training (Benson, Jones & Horne, 2015:18).

Benson et al. (2015:18) explain criminal investigation is to determine if a crime was committed and to collect and preserve physical evidence at a crime scene to identify and link an individual to the specific crime. Osterburg and Ward (2013:2) define criminal investigation as the "... collection of information and evidence for identifying, apprehending, and convicting suspected offenders". From this discussion, it is evident that an investigation is not a superficial mundane task to be undertaken lightly, without much thought to the actions contained therein.

All the participants are involved in investigations and have been exposed to some form of investigative training and should therefore be intimately familiar with the activities contained within this concept. However, the researcher felt it pertinent to determine at the outset to what extent the participants are still familiar with what an investigation entail. To this end, the participants were asked: *What in your opinion is crime investigation?*

The understanding of an investigation as reflected by the literature is tabulated below to provide an overview of overlaps, similarities, and differences. The empirical data are then added to illustrate to what extent the participants are familiar with the meaning of an investigation.

Table 2.1: What is an investigation?

Osterburg and Ward (2013:2)	Fish et al. (2015:4)	Benson et al. (2015:18)	Reily (2019:1)	Responses from the participants
The collection of information and evidence.	To identify physical and biological evidence and gather and preserve the evidence.	To determine if a crime was committed and to collect and preserve physical evidence at a crime scene.	The author did not address this aspect.	16 participants agreed by saying crime investigation is to collect evidence against culprits involved in committing crimes.
For identifying and apprehending offenders.	The author did not address this aspect.	To identify an individual to the specific crime.	To identify the perpetrator.	Five participants agreed that crime investigation is when you identify the suspect involved in the crime for successful prosecution.
The author did not address this aspect.	The author did not address this aspect.	The author did not address this aspect.	Analysing criminal conduct to determine what happened and why.	Only one participant mentioned that criminal investigation establishes the motives for committing an offence and the method used.

More than half of the participants indicated that an investigation is to determine if a crime had been committed, to collect evidence, and to identify and arrest the suspect. The minority indicated that an investigation is a search for the truth and highlighted that:

Crime investigation is the gathering of information and converting it into intelligence (P3, 2021).

An investigation is where one first identifies if a crime has been committed and if so, what the crime is ... then you identify and collect the evidence to link to suspect to the scene (P5, 2021).

Crime investigation is to find the root of the crime, establish modus operandi, and prevent continuous occurrence through an arrest (P6, 2021).

From the discussion, it is evident that collectively the participants have a sound understanding of the investigation, but individually their understanding of an investigation is narrow. This narrow or myopic view of what an investigation entails might have a detrimental impact when they are engaged in their duties. They may omit to look for clues that speak to the Modus operandi of a suspect, thereby losing a potential investigative advantage.

In the next section, the discussion will focus on the objectives of an investigation.

2.3 Objectives of an Investigation

Stelfox (2013:95) explains that the objective of an investigation is to collect, assemble and describe facts regarding criminal incidents. Osterburg and Ward (2013:2) explain that the objectives of an investigation include establishing whether an offence has been committed and then determining if that offence was committed within the jurisdiction of the investigator. After that, the investigator should try to discover all the facts through a comprehensive collection of physical evidence and a thorough investigation of all clues. Additional objectives include retrieving stolen property, which aids in the identification of the perpetrator, resulting in the location and apprehension of the suspect, and supporting the legal proceedings through effective testimony and the provision of admissible evidence in court.

Similarly, Benson et al. (2015:19) propose that the objectives of an investigation are to establish if a crime has been committed and to identify the type of the crime through investigation of the crime scene and the questioning of complainants and possible witnesses. This is followed by the identification and collecting of evidence for processing. Once the evidence is processed, it is possible to individualize and arrest the suspect and, where possible, retrieve stolen property. The arrest of the suspect culminates in court, where the investigator is to assist the prosecutor by presenting truthful testimony, which is supported by the evidence collected during the investigation process.

The participants in this study were asked:

What, in your opinion, are the objectives of an investigation?

As reflected by the literature, the objectives are tabulated below to provide an overview of overlaps, similarities, and differences. The empirical data are then added to illustrate to what extent the participants are familiar with the different objectives of an investigation.

Table 2.2: Objectives of an investigation

Stelfox (2013:95)	Osterburg and Ward (2013:2)	Benson, Jones and Horne (2015:19)	Responses from the participants
The author did not address this aspect.	Establish whether an offence has been committed within the jurisdiction of the investigator.	To establish if a crime has been committed and the type of the crime. This is done by investigating the crime scene and questioning complainants and possible witnesses.	2 Participants mentioned investigating if a crime was committed.
Collect, assemble, and describe facts regarding criminal incidents.	Discover all facts about the complaint. This is done by gathering and preserving all physical evidence and developing and following up on all hints.	Collecting evidence which applies to the investigation and to determine the truth. The evidence includes physical evidence left behind at the crime scene.	13 Participants mentioned gathering court-directed evidence, arresting, and bringing the suspect before a court for successful prosecution.
The author did not address this aspect.	Locate and apprehend the perpetrator.	To individualize the suspect. This means comparing all available information to identify and arrest the suspect	2 Participants mentioned identifying suspects, gathering evidence, and strengthening criminal cases.
The author did not address this aspect.	Retrieve stolen property.	To retrieve stolen property that will restrict the loss of the victim's losses and be used as physical evidence during court proceedings.	2 Participants mentioned seeing if all the elements of the crime are present and doing an investigation before arresting suspects. All evidence must be available for court purposes to secure a conviction.

The author did not address this aspect.	Support the offender's judicial actions by supplying admissible evidence of guilt in court. Effectively testify in court as a witness.	To assist the prosecutor in the prosecution process by presenting the collected evidence in court. This includes physical evidence as well as statements from witnesses.	There were no responses for this element.
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More than half of the participants mention the objectives of an investigation is to gather court-directed evidence, arrest, and bring the suspect before a court for successful prosecution.

The following participants added:

To see if all the elements of the crime are present, do an investigation before arresting suspects. All evidence must be available for court purposes to secure a conviction (P4, 2021).

To prove beyond reasonable doubt that a perpetrator committed a crime. Abalone poaching is very well planned and is controlled by organized crime syndicates not only in SA but abroad. Without good information and proper planning arrests and successful convictions can be very difficult (P1, 2021).

To get the truth and to secure a conviction (P15, 2021).

From the discussion, it is evident that collectively the participants have a sound understanding of the objectives of an investigation, but individually their understanding of the objectives of an investigation is narrow. This narrow view of an investigation's objectives might be detrimental when they are engaged in their duties as investigators.

In the South African Criminal Justice System, before a person can be charged with an offence, there must be a law stipulating what that person did was a crime. This is referred to as the principle of legality. In the next section, the researcher will briefly discuss the elements of a crime in this context.

2.4 The Elements of a Crime

South African criminal law is the frame of national law relating to crime in South Africa. According to Ebbe (2013:26), an act must be linked to the following essentials before it can qualify as a crime.

- Actus reus:

There must be an act or an omission to act before a crime is said to have been committed. An act of crime indicates a voluntary act to commit a crime or a culpable intent. Concurrence between the *actus reus* known as the voluntary act and the culpable intent known as *men's rea* is an indication that the act was a result of culpable intent. Marchuk (2014:112) describes *actus reus* as the detectable principle of a crime that requires a deed or an action of some kind.

- The legality of the act:

The act must be prohibited by law for the act to be a crime. In the legal environment, this is referred to as the principle of legality. This means that the act must already be considered a criminal offence when it is committed.

- The harm caused by the act:

The act needs to cause harm to someone or society before it can qualify as a crime.

- Causation:

Ebbe (2013:26) explains causation as the relationship between the act and the harm caused by the offender. Monaghan (2020:35) concurs and adds that the two main rules of causations are: the state must prove that the accused was the factual cause of the result and the legal cause of the result. There must be a link between the result and the accused's culpability.

- Men's rea:

There must be a culpable state of mind of the offender. The offender must have intent and knowledge of what he has done during the offence. *Men's rea* is not required in crimes where recklessness and negligence are present. Allen and Edwards (2019:76) explain that "*men's rea*" refers to the mental element necessary for a particular crime.

- Concurrence:

There must be concurrence between the “*actus reus*” and the “*men’s rea*”, but the “mental state” of the offender must cause the act.

- Punishment:

Then the severity of the punishment indicates the classification of the offence as serious or nonserious. It helps to distinguish between civil and criminal charges. All elements need to be present in an act for an act to be a crime.

No questions about the principles of crime were asked to the participants in the study.

Evans (2018:10) estimates that in the past 17 years, poachers have taken at least 96 million SA units of abalone and attempts to curb the illegal trade have utterly failed and resulted in the loss of valuable commodities worth approximately R628 m per year. Evans also states that abalone poaching is an organized crime connected to gangs and linked to the drug trade. There are also detrimental socio-economic effects related to it. The researcher believes that SAPS needs additional information to address illegal abalone activities. Information to identify the markets or buyers of the abalone or the premises used to dry and store the abalone. In addition, if the SAPS were to be assisted by local government and informed where abnormally high amounts of electricity are being used, these premises may be surveilled by Crime Intelligence, or a person who works there may be recruited as an informer/ or approached and asked (out of apparent curiosity) what happens there and if there are jobs available - all to determine whether it is an abalone drying premises or not.

Clearly abalone poaching and the offences related with it can be classified as crime.

2.5 The Difference between an Informer and an Informant

The literature shows that there are various views and opinions about these two concepts (informer and informant) and that the authors seldom can agree on which is which. Informers are considered part of human intelligence (HUMINT). HUMINT is the oldest form of intelligence and consists of a study and analysis based on human sources such as informers (Ronczkowski, 2011:8). HUMINT is further described as "... a category of

intelligence derived from information collected and provided by human sources and includes debriefing of friendly forces, source operations and interrogation operations." (Thomas & Barry, 2014:34).

In addition, an informant is someone who supplies information but only as a victim or a witness. Conversely, an informer is an accomplice or criminal associate who supplies information for financial gain or to assure another advantage, such as a reduced sentence or exemption from prosecution (Billingsley et al. 2013:13). Informers are also considered to be any person who supplies information to law enforcement, and it can include an accomplice, concerned citizen, anonymous tipster, or a paid-off mafia boss (Shamas, 2018:1178).

The South African Police Service (SAPS) defines an informer as "... a person who provides information regarding criminals, criminal activities, or specific criminal activities to an investigator for a reward or other motives" (South African Police Service, 2004:2). In 2013, the South African Police Service issued National Instruction 3 of 2013, which addressed the implementation of Sector Policing.

The SAPS issue National Instructions as a form of Policy within the Police to set guidelines and minimum standards for particular aspects of their mandate: thereby ensuring uniform conduct in these areas. National Instructions must be complied with, and failure to do so may result in a member being disciplined. National instructions are used as a monitoring and evaluation framework in SAPS.

National instruction 3 of 2013 deals with enhancing crime detection, decreasing crime, and enhancing visible and accessible policing by police officers. The improvement of response times to complaints, the improvement of investigation, the creation of effective informer networks, and the enhancement of community interaction and Sector Policing. The National Instruction highlighted the importance of recruiting and registering informers to infiltrate hotspot areas and penetrate crime syndicates for remuneration by SAPS (SAPS 2013:1). The term *informant* is not used in the National Instruction; therefore, the researcher will use the term informer and not informant in this study.

The participants in this study were asked:

How would you define what an informer is?

More than half of the participants indicated an informer is a person who gathers information on a crime for the SAPS in return for money if the information proves positive [produces effective results for an investigation]. Less than half of the participants mentioned that an informer is a human source who supplies law enforcement with information. Four participants highlighted that:

An informer is someone that can give you information about something that he has experienced, personally or another person's experience. Information can only be obtained from a person that is part of the group. A good informer is someone that can give information from inside the syndicate to the outside (P11, 2021).

An informer is someone who has infiltrated or who has access to criminal activities and reports to law enforcement about the crime (P7, 2021).

Is a trustworthy source (P10, 2021).

Informers are all volunteers who give information to another person to make sure that a certain crime is being stopped from continuing (P19, 2021).

From the discussion, it is evident that less than half of the participants refer to an informer as a human source. More than half of the participants have a sound understanding of the meaning of an informer. However, knowing what an informer is without knowing what motivates them is unwise. One participant indicated that an informer is a trustworthy source. The researcher disagrees because a criminal can also be an informer who supplies trustworthy information to eliminate competition. The criminal's motive can lead to trustworthy information, but the criminal as an individual cannot be trusted because he is also involved in crime and therefore will only supply information to SAPS for his reasons and benefit. Some of the participants measured the trustworthiness of informers on the value and accurateness of the information received from their informers, which may be problematic. The following section will discuss the various motives that may drive informers.

2.6 Different Types of Informers

Girod (2014:17) explains when intelligence is gathered through human informers, it is known as Human Intelligence (HUMINT), and it is gathered via inter-personal contact rather than technical intelligence and involves the gathering of secret or confidential information without the permission (or knowledge) of the holder of the information. HUMINT also includes the use of agents to gather intelligence, but it does not fall within the scope of the study to address this type of information source other than to advise that agents can be used to confirm the accuracy and reliability of information supplied by an informer. Like the literature that addresses informers and informants, literature is rife with explanations from authors covering the different types and kinds of informers. Again, there is little agreement between authors around these concepts. Below is a brief expose from the literature.

Fitzgerald (2015:45) identifies three types of informers. The Confidential informers, Cooperating witnesses, and the Private or good citizens.

2.6.1 Confidential informers

Fitzgerald (2015:25) states that a confidential informer is any person who supplies valuable information to a law enforcement agency regarding a crime and from whom the law enforcement agency expects more information on the crime in the future without exposing the informer. They are used for intelligence gathering only and will not testify as a witness in court. Therefore, their identity should be kept a secret. Similarly, Boire (2012:68) describes a confidential informer as someone that is part of a criminal network and supplies information for various motives. They often have information that would be almost impossible for the police to obtain on their own. Confidential informers are informers with the understanding that their identity will not be disclosed.

2.6.2 Cooperating witnesses

The main difference between a confidential informer and a cooperating witness is that the cooperating witness needs to testify in the legal proceedings (Fitzgerald, 2015:25). Cooperating witnesses are also used in long-term undercover operations and can assist

with the infiltration of agents into the syndicate. An agent will be used as an operative during the investigation. An operative is a person who gathers information from criminals during an investigation. Operatives will record the syndicate's activities using various technological tools at their disposal after applying for permission through court, and the recordings become evidence if permission was obtained. The operative will testify in court after the investigation is finalised. A cooperative witness's name and identity may be revealed in court processes. The downside of this type of informer is the credibility of his testimony because of his admission to committing a crime.

2.6.3 Private citizens

Biegelman (2013:96) remarks that private citizen informers supply information because they believe in good citizenship or are victims or witnesses of a crime. Private citizens or public informers convey information when it comes to their attention and not permanently.

2.6.4 Conventional, non-conventions, active and passive informers

Smith (2019:14) categorises informers into four broad categories. These are conventional, non-conventions, active and passive informers.

Conventional informers: These informers supply information to law enforcement for personal gains, such as financial gain, reduction of a sentence, or any other personal gain.

Non-conventional informers: They supply information to the police on behalf of another person, for example, a spouse cooperating to favour their spouse to get a suspended sentence or reduction in charges.

Active informers: These informers are actively involved in police operations and act undercover. They gather information after being briefed by a handler or investigator about the target being investigated and can be part of the criminal group.

Passive informers refer to people who work with an active informer without knowing that they are working with a person who is supplying the police with information. It is also

known as an unwitting informer or someone who cannot be actively involved but has information about a specific target or criminal group.

Fitzgerald (2015:45) identifies three types of informers. The confidential informers, cooperating witnesses, and the private or good citizens. Smith (2019:14) differs by referring to conventional informers, non-conventional informers, active informers, and passive informers.

In this study, the participants were asked:

Do you think that there are different types of informers? Please elaborate.

More than half of the participants indicated that there are different types of informers. They elaborated and addressed the different categories mentioned above.

One participant agreed with Fitzgerald and classifies them as citizen informers and confidential informers.

Citizen informers are people who witness or have knowledge about a crime and approach SAPS with that information without expecting anything in return. Confidential informers are people who provide information in return for compensation (P13, 2021).

Less than half of the participants also mentioned there are different levels of informers. A first level is someone who can only give you information regarding what he observed. A second level is a person that operates within the syndicate that can provide information to a certain level, and then the third level is an informer that is in place that will be able to provide information on the entire syndicate (P2, P3, P7, P11 and P15 2021). (P5, P6, and P7 2021) referred to the different types of informers as in-place informers, which would seem similar to a second or third-level informer. Participants 9 and 12 describe the different types of informers as temporary informers who would see something happen and share that information and permanent informers who are involved in other people's activities and give that information.

There are different types of informers. The first source is used to give tactical/disruptive information that is the source which is called the perry ferry source. The second source is a strategic source that gives information on a

specific threat and target. This is a source that is focused on strategic / network investigations. Then there is an "in-place" source that is part of a syndicate that gives pro-active information and not post factor (P5 2021).

Informers are divided into different levels. Level one informer: This informer can only give information on the outer perimeter of a syndicate. Level two informer: This informer can give you more information as to who the runners are or the possible movements of the abalone. Level three informer: This informer is someone that is working with the main target. He can supply information regarding all operations of the syndicate (P1, 2021).

Yes, some informants supply information to receive a reward/ financial gain, due to a sense of duty/ A concerned citizen (P16, 2021).

The participants in the study used different terms when referring to an informer. During the interviews, participants call informers informants, contact persons, or a source. For the sake of accurate reporting and to remain true to what the participants shared, the researcher will not amend the terms so used when quoting specific participants.

The researcher will, however, continue with the term informer during the study. From the discussion, it is evident that most participants agree that there are different types of informers. A small minority could not elaborate on the question. Collectively the participants have a sound understanding of the different types of informers. A small minority of the participants also divided informers into different levels and unpacked each of these levels, as explained above. This highlights that their understanding and use of informers within the law enforcement context may be at a superior level to other participants in this group.

During the interviews, it was found that a small minority of the participants confused the type of informers with the motives of informers. During an investigation, law enforcement must know the types of informers for information-gathering purposes. An investigator must utilize the most suitable informer for a specific task. A good citizen might not be able to supply the same information as a cooperating witness. Similarly, it is also very important that the investigator is aware of the various reasons or motives that people have for approaching law enforcement with information.

2.7 Motives and Trustworthiness of Informers

All people who supply law enforcement with information are motivated by something. Miller (2011:214) states that four types of motivations have been identified: The hammered informer, the mercenary informer, the vengeful informer, and the police buff. These classifications are not to be confused with the different types of informers discussed in para 2.6 supra.

The hammered informer is recruited during arrest and agrees to become an informer due to legal duress. In some literature, this is called a confidential informer (CI). This person has been caught for something illegal and is literally 'hammered' into becoming an informer. The mercenary informer is motivated by financial gain. The vengeful informer cooperates to realize revenge against other citizens or criminal groups. Police buffs and eccentric citizens are persistent in their desire to assist law enforcement and are not part of a criminal group.

A police officer needs to know the motivation behind an informer's 'willingness' to supply information (Biegelman, 2013:105). This motivation will help the handler (the person who works with the informer) work more effectively with the informer.

Biegelman (2013:105) states that revenge, jealousy, fear of jail, good citizenship, repentance, financial gain, elimination of competition, and police buffs are motives of informers. Similarly, Shamas (2018:1179) mentions fear of criminal associates or revenge, fear of imprisonment, civic duty, repentance for previous crimes, and money as informers' motives.

Shamas (2018:1179) and Biegelman (2013:105) explain the motives for people becoming informers in the table below, and the participants in this study were asked:

Why do they think people became informers? What motivates them?

Table 2.3: Informer motives

Biegelman (2013:105)	Shamas (2018:1179),	Responses from the participants
Revenge became a motive when an individual, previously part of the criminal group, was kicked out of the group.	Fear of criminal associates or revenge as a motive.	11 Participants mention revenge as a motive.
Jealously is a motive when an individual within the criminal group is jealous of their leader.	The author did not address this aspect.	None of the participants mentions jealousy as a motive.
Fear of jail, resolution of a criminal charge, or working off a case can be a motive for an individual to become an informer.	Fear of imprisonment.	None of the participants mentioned a fear of jail as a motive.
Good citizenship is a motive of the ordinary citizen who wants to give information as a law obedient citizen.	Civic duty.	9 Participants mention civic duty as a motive of informers.
Repentance is the motive of an individual who wants to satisfy their desire to reform their criminal life.	Repentance for previous crimes and furloughed prisoners.	2 Participants mention that the motive of an informer can be to change their life.
Financial gain is a motive of an individual to become an informer.	Money.	16 Participants mention financial gain as a motive for people becoming informers.
Elimination of competition is a motive of another criminal to get rid of competition in an area to obtain a monopoly over the commodity. They supply valuable information about other criminal groups to benefit from their criminal activities.	The author did not address this aspect.	3 Participants mention eliminating competition as a motive.
Eccentric citizens and police buffs.	The author did not address this aspect.	None of the participants mentions eccentric citizens or police buffs as a motive.

More than half of the participants indicated that the motives were financial gain and revenge. Less than half of the participants mentioned civic duty, eliminating competition, or when they were affected by crime. A small minority of the participants mention eliminating competition and changing their criminal life.

From the discussion, it is evident that collectively the participants have a sound understanding of the motives why people became informers. The motives are important because they will guide the investigator to determine if the informer is trustworthy and if the information received is of any value. From the researcher's experience, some people will supply information to SAPS to mislead law enforcement to continue their criminal activities. The motives of an informer may indicate the trustworthiness of an informer, but the handler should never fully trust an informer. Always verify or confirm the information that they supply.

The participants were then asked whether they think informers are trustworthy.

More than half of the participants indicated that informers could be trustworthy, and less than half mentioned no informer is reliable. The participants added...

Not all informers are trustworthy. Informers are mostly trustworthy when they are registered, and information supplied and tested to be true and correct. Some informers will supply information to promote their interest or supply unconfirmed information due to pressure to see if all the elements of the crime are present and do an investigation before arresting suspects (P1, 2021).

Yes, they can be trustworthy because informers give information intending to be rewarded and the information, they give can influence the reward. An example where informers are not trustworthy is when they give information intending to distract the attention away from themselves (P15, 2021).

From the discussion, it is evident that collectively the participants have a clear opinion about the trustworthiness of informers. When reliable information is received from an informer, that informer will be seen as valid and trustworthy. Informers who supply information that is vague or unconfirmed information are seen as untrustworthy.

When working with informers, the investigating officer must remember that informers are often criminals supplying information for selfish reasons. For this reason, when it becomes necessary to identify and recruit an informer, these factors must be kept in mind. Because honest and ethical informers are very few and far between.

2.8 Identification, Recruitment, and Management of Informers

Billingsley et al. (2013:20-29) explain intelligence and information remain key components of law enforcement and policing. A successful informer programme requires the protection of informers, particularly during the trial stage. The handling of informers can be a tricky business. There is often a thin line between what is acceptable and what is not acceptable behaviour. The best informers are those actively involved in crime, which are referred to as participating informers. For an investigator to identify, recruit and manage an informer effectively requires skill, patience, and experience. Many eager investigators have encountered informers who approached them with 'reliable intel' only to be used as a diversion when committing a crime at another place.

Eterno and Roberson (2017:195) state that handling informers require skill and integrity on the handler's part. This must be supported by strong management and clear organizational guidelines.

- If society is to be safeguarded from criminals, the police must be permitted to deploy informants in appropriate circumstances, and they must be protected within reasonable bounds. The law should clearly define to which degree an informer may participate in a crime.
- No police officer or informant shall direct, instigate, or facilitate the commission of a crime.
- The police must not take a path that requires them to hide facts from or mislead a court to protect an informer.
- Good administration by superior and skilled officers in the use of informers is required, and specific attention must be given to the tutoring of detectives in the field.

The briefing and debriefing of informers should be done in a safe place to prevent the exposure of your informer. The briefing of informers is to inform the informer about a crime and target and give instructions or taskings to an informer to gather information on a specific target or group. Debriefing is done to get feedback from an informer on the taskings to compile an information report and to task informers on any outstanding taskings. The briefing of informers will be discussed below.

The participants were asked *whether they make use of informers during their abalone investigations or any other investigations.*

Most of the participants indicated that they do make use of informers in their investigations. This includes abalone-related investigations and any other criminal cases.

Yes, I do make use of informers. I will only register an informant if he can give reliable information. The success of a good investigator is not measured by the total of informants registered but by the quality of information supplied by the informant (P11, 2021).

Yes, I do make use of informers in abalone cases. I have 12 active informers. Some informers became inactive for a while and will return later with information as they need money. Other informants just supply SAPS with information as law-abiding citizens (P8, 2021).

From the discussion, it was established that informers are used for investigations, whether abalone or other. The researcher probed further to determine how informers are selected.

The participants were asked,

What makes one person a better informer than the other? What characteristics do you look for?

More than half of the participants indicated that the accuracy, quality, and reliability of the information received from the informer and trust are the characteristics they are looking for in an informer and less than half of the participants mentioned the value of the information provided and is it proactive, the level of accessibility within the syndicate as well as the willingness to work with SAPS.

You get different levels of informers. Informers that are in the background, supply you with vehicle registration numbers that can be used as observation, and then you get informers that move with the criminal group and then an informer that is in place with the syndicate or your suspect. He can supply you with information about your target. He can give you an intelligence profile, details of the suspect's wife or girlfriend, family tree, vehicles used by him all contact numbers, and his associates. You must look for an informer that you can trust and feel comfortable with. Characteristics are he must be part of a criminal group with the necessary knowledge about the syndicate (P4, 2021).

Yes, I do make use of informers in abalone cases. I have 12 active informers. Some informers became inactive for a while and will return later with information as they need money. Other informers just supply SAPS with information as law-abiding citizens (P8, 2021).

The best informer is a person that knows the offenders or a person who knows the activities of a certain criminal group (P15, 2021).

The discussion shows that the participants have differing views of what makes one informer better than another. Their differing views add much food for thought and could be shared collectively to inform the rest of the participants. One individual only mentions that a person's appearance is a characteristic that he is looking for, without elaborating on his opinion. The researcher agrees with this participant because general appearance has nothing to do with knowledge about a syndicate. The researcher believes that even convicts in prison clothes can supply SAPS with information.

In any labour environment, when one works with people, effective communication is a vital skill. Communication between the handler, detective, or any other law enforcement official and the informer is of utmost importance. The debriefing of informers will be discussed in the next section.

The participants were asked,

How do they debrief their informers?

More than half of the participants indicated that debriefing could take place employing any of the following or a combination of the following activities:

- Personal meetings or telephonically interviews.
- The informer must be interviewed in a safe place and not in public because the informer can be exposed.
- Clear tasking and instructions should be given.
- Ask him if there is any feedback on the previous tasking

The remainder of the participants added....

Find out by him if there are any changes in the group that he focusses on. If any new members joined the group or any changes in their modus operandi. You must have a plan in action to protect the informer when giving information leading to operations. You must prepare your informer to answer questions that might be asked by other members of the criminal group in order not to blow up his identity as an informer (P1, 2021).

I debrief my informers through an interview and yes, it is always necessary to verify information (P10, 2021).

I normally debrief my informers in person straight forward, to the point. Yes, information must be verified to cancel out any mistakes that could be made. I do it through research, interviews, and cross-questioning of the informer (P6, 2021).

From the discussion, it is evident that individually and collectively, the participants understand the importance of debriefing and how to conduct it. They are also informed about the safety of informers.

The participants were asked,

Do you think it is necessary to verify information?

All the participants indicated that it is necessary to verify information received from an informer. A small minority of the participants added ...

Yes, information must be verified to cancel out any mistakes that could be made. I do it through research, interviews, and cross-questioning of the informer (P6, 2021).

Yes, I do think it is necessary to verify the information from informants. Names should be verified. You should know the area or foot plan. All information needs to be obtained to secure the safety of yourself and others (P15, 2021).

Where possible information must be confirmed, especially court-directed information where police action is utilized. Information can be confirmed via social media, Historical intelligence reports, Previous reported information, From other sources or contacts, Personal experience/ modus operandi, and associates, etc, other police/ Law enforcement, corporate databases, Research, Interviews of arrested suspects/ profiling, Data analysis (P1, 2021).

From the discussion, it is evident that individually and collectively, the participants agree that it is important to verify the information to test if it is truthful and to decide how the information will be utilized. Information is a vital component of investigations, and without it, an investigator does not make progress. Intelligence is also a vital component. The investigator must be familiar with these two concepts to determine whether what is being received may be classified as information and whether it has intelligence potential.

2.9 Information and Intelligence

In an investigative context, information and intelligence are vital commodities. But these two commodities are by no means equal. Radvanovsky and McDougall (2013:50) explain information is evaluated on completeness, precision, and repeatability at one stage in terms of confirming the data and reliability and integrity at another. Reliability describes

whether the source of the information can compile, gather, and display it, and credibility refers to the ability to corroborate the information from other sources.

Buckley (2017:155) and Matarazzo and Pearlstein (2017:818) state that the traditional and fundamental development of a Crime Intelligence (CI) programme is the Intelligence Process or the Intelligence Cycle. It is used in civilian or military intelligence organizations or law enforcement as a closed path composed of repeating nodes. The intelligence cycle includes stages such as decision-makers issuing requirements, intelligence collecting, processing, evaluating, and circulation. The process is complete when decision-makers provide feedback and revised requirements. In terms of security, the intelligence cycle is the process of gathering, evaluating, and assessing information concerning threats to an organization to eliminate or lower threat levels. Buckley (2017:155) explains the purpose of the intelligence cycle is to assist in the understanding of intelligence management, and the stages include:

- Planning and direction of the activity.
- Buckley (2017:155) explains that this stage determines what to collect. This will be determined by a decision-maker in the organization.
- Collection or gathering of data and information.

According to Smith and Brooks (2013:188), collecting information is the second but also the most important step in the intelligence cycle because there can be no intelligence if no information is collected. This can be obtained through a wide variety of sources. Information on its own is of little use, but when combined with other information, it may become valuable. Registered sources (informers) can collect information. Bacon (2016:153) concurs by stating that informers within criminal environments can be used to gather information to better understand how syndicates are compiled and arranged.

- Processing of data and information.

Buckley (2017:155) explains that processing is the conversion of information into intelligence. Newburn, Williamson, and Wright (2012:206) advocate the view that refining information and data during the collection stage potentially generates intelligence. Newburn et al. (2012:206) stipulate that in the process of converting information into intelligence, it is critical to be as certain as possible that the information is correct and that

the source can be trusted. Phythian (2013:12) concurs with Newburn et al. (2012:206) by stating that information is not intelligence; it must be converted into intelligence before it can be used. The processing and analysis processes must be completed before the raw data may be used. Processing is the stage before analysis in which raw data is filtered for analysis using various methods such as decryption, language translation, and data reduction. Phythian (2013:12) argues that processing data and information is mostly a technical stage, and this organised data is translated into intelligence during the analysis stage.

- Analysis to produce meaningful intelligence.

Phythian (2013:13) describes analysis as the centre point of the intelligence process and is the process by which information is transformed into intelligence. Information is divided into tactical, strategic, and operational intelligence. Operational intelligence focuses on deploying resources to specific areas at specific times to focus on specific crime types. Phythian (2013:14) explains that tactical intelligence is the output of analysis that produces information that requires immediate action or operations. Tactical intelligence may be either pro-active or reactive. Strategic intelligence focuses on strategic priorities. This involves long-term planning to reduce crime in an area.

- Dissemination of intelligence to clients.

Newburn et al. (2012:209) explain that distribution ensures that the finished intelligence output gets to the people who need to view it. An intelligence product needs to be circulated to reach the primary objective, which is to influence decision-making. Intelligence is of no value if it is not dissemination. Dissemination is informed by the principles of “who has the right to know”, who “needs to know”, and “who has the right to release”.

- Feedback to intelligence producers on the quality of the intelligence.

Buckley (2017:155) explains feedback to intelligence producers is when the client or decision-maker in the initial stage provides feedback to the team. Siegel and Worrall (2016:228) agree with Newburn et al. (2012:209) and emphasize that intelligence is fluid and constantly subject to change.

The participants in the study were asked:

What type of information do informers supply pertaining to abalone syndicates? The researcher probed by asking whether they supply information on other syndicates and, if so, what do they do with this information?

More than half of the participants replied that informers would give information regarding the syndicate and its operations. This includes information about the runners, vehicles, cell phone numbers, close associates of the syndicate, and how they work. Other information on other syndicates or crimes will be followed up and investigated or forwarded to the relevant units for investigation if the handler or investigator is not familiar with the crime, for example, information on the theft of motor vehicles. This information will be shared with the Vehicle Identification and Safeguarding Unit (VIS) for further investigation and police action.

A small minority added...

Most informers supply information according to the quality of debriefing of an informer. This method ensures that most information obtained from an informer adheres to the standards of information reporting. Informers do supply information on other abalone syndicates. My duty is to collect information about abalone smuggling and develop the information (actional information) to support operational members (P1, 2021).

An informer will only be able to give reliable information about the syndicate that he is involved in ... an informer will not be able to give valuable information on other syndicates (P11, 2021).

From the discussion, it is evident that individually and collectively, the participants clearly understand the type of information informers can and presently do provide.

Crime intelligence is the second vital commodity in the investigative context.

Section 1(vii) of the National Strategic Intelligence Act 39 of 1994 defines crime information as " ... intelligence utilized in the prevention of crime, or to conduct investigations and produce evidence for law enforcement and prosecution of offenders" (Republic of South Africa, 1994). Ratcliff (2012:92) explains that crime intelligence

describes the result of analysis, offender interviews, and confidential human sources. Similarly, Radvanovsky and McDougall (2013:50) explain intelligence is used to describe information that has been gathered, collated, analysed, and prepared for dissemination. The difference between intelligence and information is the important process of evaluating the validity and assessing the significance of such information. When the evaluation and integration process of information with all other information is complete, it is known as intelligence.

Buckley (2017:32) explains that identifying the material that can be examined for intelligence value is made possible by good information gathering and can be used in intelligence-led policing. Harekrishna and Hakikur (2013:16) advocate the view that intelligence gathering is an ongoing process, and it is based on information generated through the establishment of management control systems in reactive, pro-active, and predictive modes of evaluation. Intelligence gathering can be for strategic, tactical, or operational intelligence.

Strategic intelligence focuses on law enforcement agencies' long-term goals. It examines new trends in criminal activity as well as dangers to public safety and order. This is usually a high-level type of intelligence as it impacts management decision-making and budgetary allocations. Operational Intelligence provides an investigative team with the where and when of operational deployment in addition to the *what* part of criminal conduct is to be focused on. Operational crime intelligence is often proactive and meets the crime prevention outcome (Prunckun, 2019:16).

Tactical intelligence may be either proactive or reactive. The logical analysis of traces furnishes precise, punctual, and operational information for detecting offences, identification, localization, and apprehending offenders. The approach is short-term and case-by-case orientated. Reactive actions respond to outside forces such as external environment threats or contentious actions. This reactive approach supports the real-time decision-making of frontline police officers and presents investigative leads at the case level. Proactive tactical intelligence arranges planned investigations into criminal activity and anticipates and predates environmental threats or actions (Masys, 2014:3).

The participants were also asked:

What in your view is the difference between information and intelligence? The researcher probed by asking: what is intelligence used for, and what is information used for?

More than half of the participants indicated that information is raw leads and not confirmed to be true. Intelligence is confirmed information. Information is used as leads to follow up during the investigation. They added that intelligence is used to solve the crime and used as evidence in court.

Less than half of the participants mentioned that information is personal data and intelligence is the mental ability to do things. A small minority of the participants added ...

Information is coming from informers that need to be verified through observation and intelligence is information that I received from SAPS. Cell phone billing, Government departments, and banking details through a 205 application. Information is coming from informers and an informer will not testify about it (P14, 2021).

Information is focused on a specific subject whereas intelligence consists of enriched or confirmed information about the subject. Information is used for compiling intelligence reports. Intelligence is a product consisting of confirmed and reliable information (P1, 2021).

From the discussion, it is evident that collectively the participants have a sound understanding of the difference between intelligence and information but individually, their understanding of intelligence is narrow. This narrow view of what intelligence entails might have an impact when they are engaged in their duties. Information needs to be confirmed before the SAPS can act on it. Intelligence can also not be used as is in court – it must meet the evidential requirements as set out in the Criminal Procedure Act. Civil claims can be the result if SAPS members act on unconfirmed information.

2.10 The Value of Informers in Abalone Investigation

Pink and White (2016:80) advocate the view that environmental crime investigations are challenging to do. Several challenges confront national wildlife agencies, including insufficient legislation, lack of equipment, limited training opportunities, difficulty gaining access to modern enforcement tools, and limited understanding of seriousness of wildlife crime among prosecutors and judges.

Illegal abalone activities only reflect where arrests have been made, for example, the illegal possession or transportation of abalone. SAPS relies on information from informers to succeed in this respect. It is evident through media reports that informers can be valuable in abalone investigations. The following successes were reported after information was received from informers:

Richardson (2019:1) reports that two suspects were arrested on Saturday, 10 August 2019, after abalone was found in a house in Table View, Capetown. The SAPS acted on the information, and abalone to the value of R1200000.00 was confiscated. Similarly, Francke (2021:1) reports that the SAPS arrested two foreign nationals on Tuesday, 13 April 2021, after they acted on information about a store used to dry abalone in the industrial area of the airport of Bishop Lavis in Cape Town. Abalone and drying equipment to the value of R3 million were confiscated. Blume (2021:1) reports that two suspected abalone poachers were arrested in Gqeberha (Port Elizabeth) on Friday, 7 May 2021, after SAPS responded to information regarding a suspicious vehicle in Marine drive. SAPS managed to recover 69 units of abalone, a wetsuit, and a Ford Bantam bakkie used to transport the abalone. Without the information provided by the informers, none of these successes would have been possible.

In the above incidents, the arrests made in Table View and Bishop Lavis, were at the end of the criminal syndicate. This implies that in these two instances the divers, the runners, poachers, and drivers were not caught. But those caught were closer to the kingpin in the chain and further arrests (up the criminal chain) will be probable. In the latter arrest, the poachers and drivers were caught. Information from informers made these arrest possible.

The participants were then asked, *from their perspective, whether an abalone investigation was challenging to do.*

More than half of the participants replied yes, abalone investigations are challenging to do. They mentioned the lack of manpower, resources, and skills in SAPS and other departments are challenges.

Less than half of the participants mentioned that abalone investigations are challenging as they involve large amounts of money, corruption within government departments plays a big role, and the actual fieldwork involves tracking poachers and retracing their steps. The kingpin does not get his hands dirty. It is more difficult to investigate the Kingpin as not everyone within the group knows who the big boss is. Normal transporting or possession of abalone cases is straightforward and is easier to investigate than investigating a syndicate.

Abalone poaching is very well planned and is controlled by organized crime syndicates not only in SA but overbroad. Without good information and proper planning arrests and successful convictions can be very difficult (P1, 2021).

The abalone syndicate function on a “need to know basis”. The diver only hands the abalone to the runner and every department within the syndicate operates alone. If the police arrest a runner or diver, they will not be able to supply information that can lead to the arrest of the entire chain as the knowledge is limited. An arrest of the transporter or runner will never lead you to the head of the syndicate (P5, 2021).

From the discussion, it is evident that abalone investigation is not simple, and numerous challenges are faced by those investigating these crimes. Some of these challenges fall outside the purview of this research, but they remain noteworthy. Other challenges spoke to the intricacies involved when a syndicate is investigated. Unfortunately, the minority of the participants mentioned these aspects. However, it is important to note that these challenges may be addressed to a large extent with an effective informer network. For this to happen, skilled and experienced investigators must be deployed in these areas.

The participants were asked:

In your experience, can one effectively investigate a syndicate without the use of informers?

More than half of the participants indicated that they could not investigate a syndicate effectively without the use of an informer, and less than half of the participants replied that syndicates could be investigated without informers by using alternative investigation tools and technology, but it is just time-consuming. A small minority of the participants added the following:

You need an informer especially when you do not know anything about the syndicate. It is better to use agents that can infiltrate the syndicate. Deep cover or shallow informer. An informer will not testify in court, but an agent is a compellent witness and can testify during trial after the project on a target is finalised (P14, 2021).

There must always be a whistleblower or informer that can explain who is, the leader of the syndicate and how money laundering takes place. Without an informer, you will not be able to investigate a syndicate. You need an informer to bring in an agent in the investigation (P11, 2021).

Information gathering employing human sources is an unconventional method of collecting crime intelligence, for this reason, you need informers to investigate organised crime (P1, 2021).

From the discussion, it is evident that the participants collectively agree that it is impossible to investigate a syndicate without an informer, but individually some participants believe that syndicates can be investigated through technology.

In the researcher's experience, both approaches are more beneficial than just one. A combination of the HUMINT (informers and agents) and ELECINT has proven globally to be a superior approach when addressing organised crime and criminal syndicates. An agent's identity will remain secret during the investigation, but he will testify in court after the operation is finalised and an arrest has been made.

In this study, the participants were asked:

How do you view the role of an informer in an abalone investigation? What should this person do or not do?

More than half of the participants indicated an informer plays a vital role in abalone investigations. The informer must supply valuable and detailed information about the syndicate. Abalone poaching includes other crimes like money laundering, drugs, and gangsterism. An informer must not be exposed and commit any crime. He must not play a double role against the police.

The minority indicated that an informer must be able to provide detailed information, and most of the time, he must be involved in crime, for example, transporting abalone. He cannot be involved in crime without the necessary protection. A Section 252A application needs to be in place to authorise him to do something illegal to obtain your goal of the investigation. Only the Provincial Directorate of Public Prosecutions in Port Elizabeth can issue authority.

An informer must not take part in any criminal activities without the necessary permission through a section 252A application of the Criminal Procedure Act, No 56 Of 1997. A section 252A must be in place to authorise him to do something illegal to obtain your goal of the investigation. Only the Director of Public Prosecution in Grahamstown can issue authority (P11, 2021).

The role of an informant who supplies information on abalone smuggling is very valuable as it reveals methods and modus operandi used by smuggling syndicates. Abalone smuggling involves other crimes for example money (P1, 2021).

From the discussion, it is evident that collectively the participants agree that informers can play a valuable role in abalone investigations. Individually not all participants mention the 252A application of the Criminal Procedure Act, 56 of 1997 for the indemnity of prosecution of an informer (Republic of South Africa, 1997). They might be unaware of the process, which is problematic in this investigative context.

Punnose (2015:1) reports that police informers were attacked in Alappuzha in India after the police failed to keep the informers' details discreet. Punnose (2015:1) further states that when informers who provide police with information are assaulted, It's a terrible commentary on the effectiveness of the police force and the public's trust in them. The police, who are responsible for the community's safety, require information from various sources, and if informers are not protected, they will become uncooperative, preventing the police from receiving crucial information. According to Indian law, persons who volunteer information to the police must have their identities revealed in court. India needs an adequate system like the United States that protects those who provide police information on criminal activities. When details of informers are leaked, criminals will not hesitate to kill them and their families. Miller (2016:90) states that there is a serious risk attached to being an informer and a collateral need for strict confidentiality, protection for informers, and their disclosure need to be in place because informers may have to engage in harmful or criminal activities. In South Africa, informers' identities are being kept confidential to secure their safety as stipulated in section 202 of SA Criminal Procedure Act, 56 of 1977.

The participants were asked:

Do you think informers put their lives at risk to give information to law enforcement? Please elaborate.

All the participants in this study replied yes. Informers put their lives at risk by giving information to law enforcement because as soon as they are exposed, informers' and their families' lives can be in danger. After all, abalone poaching is an international crime. Syndicates won't hesitate to harm or kill a person they suspect of providing information about them. Abalone poaching involves other serious crimes like money laundering, robberies, carjackings, and gangsterism.

If law enforcement fails to protect the informers, they may refrain from providing vital information on criminal activities, making it much harder to investigate them.

2.11 Summary

In this chapter, the objectives and principles of an investigation were discussed. The participants indicated that an investigation is to determine if a crime had been committed, to collect evidence, and to identify and arrest the suspect. The participants were not all clear about the principles and objectives of the investigation.

The difference between an informant and an informer was explained. It is important to understand that an informer is any person who supplies valuable information to law enforcement about crime for financial gain or other motives. The participants could give a clear explanation of an informer and their motives. Informers are used for intelligence gathering only and will not testify as a witness in court. Therefore, their identity must be kept a secret. More than half of the participants could comment on the different types of informers. The difference between a confidential informer and a cooperating witness was explained, and the discussion illustrated that there is much variation in the literature about the different types of informers.

The differences between Information and intelligence were highlighted. More than half of the participants know the difference between information and intelligence, albeit at a superficial level. Only one participant could not give a clear explanation. The intelligence cycle process was addressed as part of this discussion.

The chapter concluded with an explanation of the different types of informers, motives of informers, and the role of informers in abalone investigations. More than half of the participants agree that informers are needed to investigate syndicates and that they can provide valuable information to law enforcement. It is also a given that the identity of informers must be protected, not only to protect them from retribution but to encourage others to come forward with similar information on criminal activities.

This chapter illustrated how important the investigative resource of HUMINT in the form of informers is and how without it, investigations may be seriously delayed and, at times, hampered.

CHAPTER 3: FINDINGS, RECOMMENDATIONS, AND CONCLUSION

3.1 Introduction

In the study, the aim was to discuss the role played by informers during the investigation of abalone poaching in Port Elizabeth, Eastern Cape. Some authors are not in favour of utilising informers for crime investigation purposes and therefore criticise them. Literature from the past several decades shows fluctuating opinions on the usefulness of informers for law enforcement. At the one end of the spectrum, the use of informers is criticised, and the argument is put forward that there is very little benefit for law enforcement for their use (Broodryk et al. 2001:323). In addition, informers are prone to exaggerate and very seldom possess good information (Woods, 2013:247). The counter-argument proffers that within the law enforcement community, the value of informers as a critical and productive technique in criminal investigations has been a long-standing position (Penna 2000:144). Further, it has been proven countless times that informers can access information on crime and criminals, which the police will not be able to access any other way (Billingsley, Nemitz & Bean, 2013:1; UNODC, 2018).

This research aimed to discuss the role played by informers during the investigation of abalone poaching in Port Elizabeth, Eastern Cape. Thus, this research aimed to explore and describe informers' role in abalone poaching investigations in Port Elizabeth, Eastern Cape. Several objectives were set to achieve this. The study's objectives were to determine to what extent informers can add value to the investigation of Abalone poaching incidents and explore what role informers can play in the investigation of illegal abalone activities. The focus of these objectives is within Port Elizabeth, Eastern Cape.

In this research, the focus was to answer the following research question:

What is the role of informers in abalone poaching investigations in Port Elizabeth, Eastern Cape?

The research question empowers the researcher to focus on the research problem and ensure that findings and recommendations apply to the identified problem.

A sample of twenty (20) participants was chosen from all the law enforcement units tasked in some form or another to address abalone poaching in the Port Elizabeth policing area.

For reasons already mentioned in chapter 1, these individual units/offices will not be mentioned.

In this chapter, the researcher will present and reflect on the data forthcoming from the research. The findings and recommendations that were made correlate with the initial research problem. The researcher believes that the findings underscore the value and importance of using informers for abalone investigations, and therefore recommendations are made in this regard.

3.2 Primary Research Findings

The research findings are based on comparing the secondary data collected from literature sources and analysing the primary data collected from the research participants. The empirical data were compared with the literature, and the researcher drew inferences from this comparison: the comparison discussions are presented in chapter 2 of this study. The primary and secondary research findings presented below are based on the result of these comparisons.

3.2.1 Investigations

More than half of the participant's responses align with what is forthcoming from the literature. The data showed that collectively the participants have a sound understanding of what an investigation is, but individually their understanding of an investigation is narrow. This narrow or myopic view of what an investigation entails might have a detrimental impact when they are engaged in their duties. An investigation is not a superficial mundane task to be undertaken lightly, without much thought to all the actions contained therein.

3.2.2 The objectives of an investigation

The researcher found that collectively the participants have a sound understanding of the objectives of an investigation, but individually their understanding of the objectives of an investigation is narrow. This narrow view of an investigation's objectives might be detrimental when they are engaged in their duties as investigators.

3.2.3 Informers

In the following section, the researcher will present the findings in relation to how the participants understood informers and aspects related to informers.

The difference between an informer and an informant

More than half of the participants indicated that an informer is a person who gathers information on a crime for the SAPS in return for money if the information proves positive (produces effective results for an investigation). Less than half of the participants mentioned an informer is a human source who supplies law enforcement with information. Less than half of the participants refer to an informer as a human source.

More than half of the participants have a sound and comprehensive understanding of what an informer is. This is half of the battle won since these participants comprehend the potential value of an informer to an investigator. However, knowing what an informer is without knowing or being aware of what motivates them is unwise.

The different types of informers

From the data, the researcher found that most of the participants agree and understand that there are different types of informers, and collectively they have a sound understanding of the different types of informers. A small minority could not elaborate on the question. A small minority of the participants elaborated on the different types of informers and explained these in terms of different levels.

- Level 1 informer: This informer can only give information on the outer perimeter of a syndicate through observation.
- Level 2 informer: This informer operates within the syndicate and can provide information to a certain level about who the runners are or the possible movements of the abalone.
- Level 3 three informer: This informer is known as an “in-place” source and works with the main target. He can supply information regarding all operations of the syndicate.

This highlights that their understanding and possibly their use of informers within the law enforcement context may be at a superior level to other participants in this group.

The data showed that a small minority of the participants confused the type of informers with the motives of informers. It is important for law enforcement to have knowledge about the types of informers for information gathering purposes during an investigation. An investigator must utilize the most suitable informer for a specific task.

Motives of informers

More than half of the participants indicated that the motives of informers are financial gain and revenge. Less than half of the participants mentioned civic duty, eliminating the competition or when they were affected by crime. A small minority added that sometimes the motive is when the informer wants to change their criminal life.

From the discussion, it was found that collectively the participants have a sound understanding of the motives why people became informers. The motives are important because they will guide the investigator to determine if the informer is trustworthy and if the information received is of any value.

Trustworthiness of informers

More than half of the participants indicated that informers could be trustworthy, and less than half of the participants mentioned no informer is reliable. It was found that collectively the participants have a clear opinion about the trustworthiness of informers. When reliable information is received from an informer, that informer will be seen as valid and trustworthy. Informers who supply vague or unconfirmed information are often viewed as untrustworthy.

When working with informers, the investigating officer must remember that informers are often criminals supplying information for selfish reasons. For this reason, when it becomes necessary to identify and recruit an informer, these factors (motivation and trustworthiness) must be kept in mind. Because honest and ethical informers are very few and far between.

Identification and recruitment of informers

The data showed that most of the participants used informers in their investigations. These investigations include not only abalone-related investigations but other criminal cases too.

When recruiting an informer, more than half of the participants indicated that the accuracy, quality, and reliability of the information received from the informer and trust are the characteristics they are looking for. Less than half of the participants mentioned the value of the information provided and is it proactive, the level of accessibility within the syndicate as well as the willingness to work with SAPS. All these elements are very valid and very important, albeit at different levels of the spectrum. The data showed that the participants have differing views of what makes one informer better than another. Their differing views add food for thought and could be shared collectively to inform the rest of the participants.

Management of informers

The management of informers speaks to how the informers are tasked (briefed) to gather information or intelligence and how the handler (investigator) debriefs them after this task has been attended to. During this process, the information provided by the informer must be verified.

More than half of the participants indicated that they debrief their informers by means of telephonic interviews or personal meetings in a safe, non-public space because the informer can be exposed. The data showed that during the debriefing, clear tasking and instructions should be given, and feedback on the previous tasking by the informer must be recorded. Information received from an informer must be verified.

From the data, it was clear that collectively the participants understood the importance of debriefing an informer and how debriefing works. They are also informed about the safety of informers and take that very seriously.

The participants agree that it is important to verify the information to test if it is truthful and to decide how the information will be utilized. Information is a vital component of investigations, and without it, an investigator does not make progress. Intelligence is also a vital component, and the investigator must be familiar with these two concepts to determine whether what is being received may be classified as information and whether it has intelligence potential.

3.2.4 Challenging nature of abalone investigations

From the experience of the researcher, the volume of illegal abalone activities only reflects where arrests have been made, for example, the illegal possession or transportation of abalone. To obtain these successes, the SAPS rely on information from informers. This was highlighted in the discussions in chapter 2, para 2.10.

The data showed that most of the participants indicated that abalone investigations are challenging to do. Most participants mentioned the challenges related to the lack of manpower, resources and skills in SAPS and other departments working with them to address this crime. While these challenges do not specifically speak to the issue of an informer, they may have an impact on the ability of the SAPS and other government departments to effectively address abalone poaching using informers. If too few trained and experienced law enforcement officials work with informers to address abalone poaching, the crime will escalate unabated.

Fewer participants related the challenges of abalone investigations to the fact that it involves large amounts of money, corruption within government departments and the actual field work involved (the tracking of poachers and retracing of their steps). The data also showed how the abalone poaching syndicates are structured so that the syndicate leader (kingpin) is not directly involved in illegal activities. When addressing syndicates, the primary objective is to identify and ultimately arrest and prosecute the syndicate leader.

Ultimately, the data showed that abalone investigations are not simple, and numerous challenges are faced by those investigating these crimes. While it appears that some of these challenges (the former mentioned) fall outside the purview of this research, it is important to note them.

3.2.5 The value of informers when investigating syndicates

More than half of the participants indicated that they could not investigate a syndicate effectively without using an informer. Less than half of the participants replied that syndicates could be investigated without informers by using alternative investigation tools and technology. They felt that it was just time-consuming.

Moreover, the data showed that more than half of the participants indicated an informer plays a vital role in abalone investigations since the informer supplies valuable and detailed information about the syndicate. They added that informers could supply valuable information about the divers, runners, and the vehicles used to transport the abalone, but that will not lead to the arrest of the syndicate's leader. An informer can be valuable in the investigation process and used during projects to assist agents in infiltrating the syndicate. The agents will gather information or court-directed evidence for the prosecution process and will testify in court. At the same time, an informer does not testify in court.

From the data, it was found that a minority of the participants mentioned that an informant must be involved in crime, for example, transporting abalone. They underscored the importance of the section 252A application that must be in place to authorise him to do something illegal as part of the investigation. Very few participants mention the section 252A application of the Criminal Procedure Act, 56 of 1997 for the indemnity of prosecution of an informer. They might be unaware of the process, which is problematic in this investigative context.

3.2.6 The role of informers to address abalone poaching

The researcher reflected on the above feedback and what it meant within the context of the study. Using the primary research question as a lens, the researcher is of the view that informers as sources of HUMINT have the potential to play a pivotal role in addressing abalone poaching in Port Elizabeth. While they are used in some instances, informers as a source of HUMINT are not used as a standard operating procedure for abalone investigations.

Informers have access to crime-related information and intelligence, which the police need when conducting investigations. Failure to utilise a technique (such as informers) is not only a poor policing tactic, but it results in burdening police investigators with sourcing information and intelligence through other means: which may not be as effective as when an informer was utilised.

The research argues that the aim of the study has been realised in that the role of the informer to investigate abalone poaching in Port Elizabeth has been described. Moreover, the study objectives set out in chapter 1 as well as the purpose of the research was achieved. Considering the data discussed in chapter 2 and the results presented above, this is a clear illustration that informers can (and do) add value to the investigation of abalone poaching in Port Elizabeth. The role that informers can play was also defined, mindful that not all abalone investigations make use of informers as part of the standard investigative strategy.

3.3 Secondary Research Findings

Information and Intelligence

The data showed that collectively the participants have a sound understanding of the difference between intelligence and information but individually, their understanding of intelligence is narrow. This narrow view of what intelligence entails might have an impact when they are engaged in their duties. Information needs to be confirmed before the SAPS may act.

More than half of the participants in the study mentioned that informers would give information regarding the syndicate and how they operate. This includes information about the runners, vehicles, Cell phone numbers, close associates of the syndicate and how they work. The research revealed that the participants clearly understand the type of information informers can provide during abalone investigations.

The risk involved for informers

The data showed that most participants believe that informers put their lives at risk by providing information on abalone poaching to law enforcement. Furthermore, the data showed that it is very dangerous to be a police informer because abalone poaching is not only problematic in South Africa. Abalone is an international crime linked to other serious crimes like money laundering, robberies, carjackings, and gangsterism. The syndicate members will not hesitate to kill a person if he has been identified as an informer due to the huge amount of money involved in this criminal organisation.

3.4 Recommendations

The following recommendations are made to address the findings in the dissertation:

3.4.1 Primary recommendations

Based on the research findings discussed above, the researcher offers the following recommendations:

Recommendation 1

All members allocated to the Abalone task team or project investigations must undergo a voluntary polygraph test every six months. This includes members attached to the SAPS and DAFF, security officers, and CPF members. This may assist in preventing corruption within these sectors.

Recommendation 2

All SAPS members involved in abalone investigations must be trained to profile informers (through interviewing) and to gain knowledge about their involvement in a crime. The profiling can also guide the handler to establish where an informer can be utilised and to what extent.

Recommendation 3

A basic guideline based on current best practices and official SAPS policy on informer handling must be compiled and be available to other SAPS units and government departments who receive information daily from informers. In the guidelines, the value of an effective informer needs to be communicated. This must be followed with the recruitment steps and the importance of protecting the identity of informers. People will not give information about abalone activities if their identity is revealed. It is also important for handlers and investigators to know when to withdraw your informer from an investigation and when an investigation can become a project and when an agent needs to take over from an informer.

Recommendation 4

Offer specialised training on the legal parameters of undercover work (informers and agents) to all those involved in recruiting informers or handling informers. This includes SAPS, DAFF, and security forces. Informers and agents are not allowed to participate in any criminal activity without permission via a section 252A application.

3.4.2 Secondary recommendations

The Metro police and SAPS Community Policing Forum can be involved in the prevention of abalone poaching at Port Elizabeth's coastline through patrols and observation with the assistance of Neighbourhood watch and other security companies. This will increase the visibility of patrol personnel and prevent poaching in the area.

The CPF can try to involve private business owners of the city through the media for the sponsorship of resources. Rubber ducks for patrolling the coastline, private hand radios and cell phones for communication during patrols and operations, drones, night vision, and installing CCTV cameras and Automatic Number Plate readers on the entrance and exit routes of the coastline. Poachers are normally using false registration plates on vehicles to transport the abalone. The Automatic Number Plate Reader (ANPR) can identify suspicious vehicles, and SAPS can be informed accordingly.

The Department of Justice must implement more harsh sentences for offenders on the ground level. The divers, runners, transporters, and escorts are the root of the syndicate. Imprisonment instead of issuing fines for poachers can serve as a deterrent and may lead to the contraction of abalone poaching.

3.5 Conclusion

South Africa's abalone, known as *Haliotis midae*, is one of five types of abalone in SA and attracts high prices in China because of its popularity. Abalone is a luxurious seafood in high demand in Asian countries. Abalone poaching hurts the Republic of SA's economy and coastal socio-ecologies. Abalone is important for future generations; therefore, it is culturally and economically important to prevent abalone from becoming extinct. It is very

difficult to investigate syndicates involved in abalone smuggling. SAPS needs the necessary equipment, resources, and skills to investigate abalone poaching.

HUMINT is the main type of intelligence collection through interpersonal contact and is the starting point of any investigation. Abalone investigations will not be successful without the use of informers. This research has revealed challenges in investigating illegal abalone activities in Port Elizabeth. A lack of resources and corruption within government departments were highlighted as some of the challenges faced during abalone investigations. Getting rid of corrupt officials within SAPS and other government departments is important because it hampers the efforts to curb this crime type.

There is an African proverb that states “If the rhythm of the drum beat changes, the dance step must adapt.” If we want abalone to exist for our future generations, we must look after it now and part of that custodianship is to address the illicit activities more effectively so that criminals may be deterred from such future actions. The government must also consider social justice issues of fishing quotas as a mechanism to ensure employment and the implementation of more abalone farms may be another avenue for sustainability.

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ANNEXURES

Annexure A



UNISA 2021 ETHICS REVIEW COMMITTEE

Date: 2021:03:08

ERC Reference No. : ST18-2021

Dear Rudi van Zyl

Name : R van Zyl

**Decision: Ethics Approval from
2021:03:08 to 2024:03:08**

Researcher: Mr. Rudi van Zyl

Supervisor: Prof B Benson

A descriptive study of the role of informers in abalone poaching investigations in Port Elizabeth, Eastern Cape.

Qualification: MA: Criminal Justice

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

The Low risk application was reviewed by the CLAW Ethics Review Committee on 8 March 2021 in compliance with the Unisa Policy on Research Ethics and the Standard Operating Procedure on Research Ethics Risk Assessment.

The proposed research may now commence with the provisions that:

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



University of South Africa
Pretorius Street, Muckleneuk Ridge, City of Tshwane
PO Box 392 UNISA 0003 South Africa
Telephone: +27 12 429 3111 Facsimile: +27 12 429 4150
www.unisa.ac.za

Annexure B

South African Police Service



Suid-Afrikaanse Polisie

Privaatsak Private Bag X94	Pretoria 0001	Faks No. Fax No.	(012) 393 2128
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Your reference/My verwysing:

My reference/My verwysing: 3/34/2

THE HEAD: RESEARCH
SOUTH AFRICAN POLICE SERVICE
PRETORIA
0001

Enquiries/Navrae: Lt Col Joubert
AC Thenga
Tel: (012) 393 3118
Email: JoubertG@saps.gov.za

R Van ZYL
UNIVERSITY OF SOUTH AFRICA

RE: PERMISSION TO CONDUCT RESEARCH IN SAPS: A DESCRIPTIVE STUDY OF THE ROLE OF INFORMERS IN ABALONE POACHING INVESTIGATIONS IN PORT ELIZABETH, EASTERN CAPE: UNIVERSITY OF SOUTH AFRICA: MASTERS DEGREE: RESEARCHER: R VAN ZYL

The above subject matter refers.

You are hereby granted approval for your research study on the above mentioned topic in terms of National Instruction 1 of 2006.

Further arrangements regarding the research study may be made with the following office:

The Provincial Commissioner: Eastern Cape:

- **Contact Person:** Capt Bangani
- **Contact Details:** (040) 608 7223
- **Email Address :** BanganiP@saps.gov.za

The Provisional Commissioner: Eastern Cape has stressed that the researcher must share the research findings with the SAPS Management Eastern Cape before it is published.

Kindly adhere to paragraph 6 of our attached letter signed on the **2021-03-24** with the same above reference number.


BRIGADIER
ACTING COMPONENT HEAD: RESEARCH
R G J SCHWARTZ

DATE: 2021-06-04

Annexure C



Private Bag X7471, ZWELITSHA, 5600

Fax No: 040 608 8525


Your reference : 3/34/2
Enquiries : Capt P Bangani
AC SS Kwaza
Telephone no : 040-608 7223
E-mail : banganiP@saps.gov.za

THE PROVINCIAL COMMISSIONER
ORGANISATIONAL DEVELOPMENT AND
STRATEGIC MANAGEMENT
EASTERN CAPE
ZWELITSHA
5600

The Divisional Commissioner: Research
South African Police Service
PRETORIA

**PERMISSION TO CONDUCT RESEARCH IN SAPS: A DESCRIPTIVE STUDY OF THE
ROLE OF INFORMERS IN ABALONE POACHING INVESTIGATIONS IN PORT
ELIZABETH, EASTERN CAPE: UNIVERSITY OF SOUTH AFRICA: MASTERS
DEGREE: RESEACHER: R VAN ZYL**

1. Kindly be advised that the application has been conditionally approved as per attached communiqué.
2. Any further enquiries from the Component Head Research can be directed to this office:
 - 2.1 Contact person: Capt P Bangani.
 - 2.2 Contact details: 040 608 7223 (tel.), EC:Prov: OD: BanganiP-Capt
3. Your support is highly appreciated.


**LIEUTENANT GENERAL
PROVINCIAL COMMISSIONER: SA POLICE SERVICE
EASTERN CAPE
LE NTSHINGA (SOEG)**

Date *2021-04-13*

Annexure D

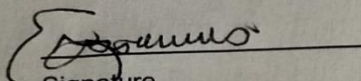


Nicky Erasmus
Dark Water Ops
Port Elizabeth
Tel: 078 715 6027
Email: rassie@darkwater.co.za

To whom it may concern

I, Nicky Erasmus, Ops Director, and intelligence officer at Dark Water Ops, Abalone Anti-Poaching Unit in Port Elizabeth, hereby give consent to Rudi van Zyl with student number 32360703 and ID number 7808095052089 to conduct research with members of our Unit on his topic:

A descriptive study of the role of informers in abalone poaching investigations in Port Elizabeth, Eastern Cape.



Signature

Date: 12 April 2021

Annexure E



environment, forestry
& fisheries

Department: Environment, Forestry
and Fisheries
REPUBLIC OF SOUTH AFRICA

D Mostert
DFFE Fisheries
21 Stanley str
Richmond Hill
Central
Gqeberha
6001

PERMISSION TO CONDUCT RESEARCH AT DAFF PORT ELIZABETH

TO WHOM IT MAY CONCERN

I Dennis Mostert confirm that permission to conduct research at our office in Port Elizabeth was granted by our Head office in Cape Town, Mrs. August to Rudi van Zyl with student number 32360703 at UNISA.

Research on a descriptive study of the role of informers in abalone poaching investigations in Port Elizabeth, Eastern Cape.


D. MOSTERT
Chief Inspector

2021/04/08

Annexure F

ABALONE INTERVIEW SCHEDULE

Topic: A descriptive study of the role of informers in abalone poaching investigations in Port Elizabeth, Eastern Cape.

AIM: The research aims to describe what role informers can play in the investigation of abalone poaching in Port Elizabeth, Eastern Cape.

Research Question:

- What is the role of informers in abalone poaching investigations in Port Elizabeth, Eastern Cape?

You are requested to answer the following questions in the interview schedule. All responses and results will be dealt with in confidentiality. No details of any of the participants will be revealed. I will be bound to my assurances and guarantees by the Unisa research ethics code. I will adhere to the following ethical principles:

- I will respect the autonomy, rights, and dignity of the participants.
- My research will make a positive contribution towards the welfare of the people of South Africa.
- I will not cause harm to the research participants or to people in general.
- Benefits and risks of the research will be fairly distributed among the people of South Africa.

The information you provide will be used in a research project for a Master of Arts in Criminal Justice degree registered at Unisa. The analysed and processed data will be published in the research.

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

Written permission has been obtained from the South African Police Service in advance, to conduct this interview.

I hereby give permission to be interviewed and that information supplied by me can be used in this research. I am aware that I may withdraw from this process at any time before and/or during the research.

.

PARTICIPANT

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

SECTION A: BIOGRAPHICAL INFORMATION: ABALONE
TASK TEAM (SAMPLE A-D)

1. Male or female
2. What is your job title?
3. Where do you work?
4. How long have you worked here?
(5 - 10 years) (10 years or more) years.
5. What are the primary crimes that you are tasked to investigate?
6. Did you undergo specialised training to equip you for this specific job that you are in now? Please elaborate where and when you were trained.
7. Do you make use of informers in your investigations?
8. Did you receive specific training to investigate abalone poaching?

SECTION B: WHAT IS THE ROLE OF INFORMERS IN
ABALONE POACHING INVESTIGATIONS IN PORT
ELIZABETH, EASTERN CAPE?

1. What in your opinion is crime investigation?
2. What in your opinion is the objectives of an investigation?
3. From your perspective as an Intelligence Collection Operator are abalone investigations challenging to do. Elaborate.
 - a. What challenges have you experienced investigating abalone poaching?
4. What in your view is the difference between information and intelligence?
 - a. Probe: what is intelligence used for and what is information used for?

5. How would you define what an informer is?
6. Do you think that there are different types of informers?
Please elaborate.
7. Why do you think some people become informers? What motivates them?
8. Do you think informers are trustworthy? Can you give an example where an informer was trustworthy and where not?
9. Do you make use of informers during your abalone investigations? Or any other investigations? How many active informers do you have? Do you have 'inactive' or off the book informers?
10. What makes one person a better informer than the other?
What Characteristics do you look for?
11. How do you debrief your informers?
12. In your experience can one effectively investigate a syndicate without the use of informers? Please elaborate.
13. What type of information do informers supply pertaining to abalone syndicates? Do they sometime supply information on other syndicates? If so, what do you do with this information?
14. How do you view the role of an informer in an abalone investigation? What should this person do or not do?
15. Do you think informers put their lives at risk to give information to law enforcement? Please elaborate.

The time allocated to conduct interviews will be 30 minutes per participant.

Annexure G



23 June 2022
Pretoria, South Africa

To whom it may concern,

I hereby confirm that I undertook the language editing for the thesis:

A descriptive study of the role of informers in abalone poaching investigations in Port Elizabeth, Eastern Cape

by Rudi van Zyl

The work was well written overall.

A handwritten signature in black ink, appearing to read 'C. Swart'.

Cillie Swart BA (Harvard) MBA (Kuehne)
+27 (0)73 612 0278
pjcswart@transkaroo.net

Annexure H

UNISA COVID 19 GUIDELINES ALERT LEVEL 1

<p>Alert level 1: Most normal activities can resume with certain restrictions, precautions, and health guidelines to be followed at all times.</p> <p>100% of the student population returns with:</p> <ul style="list-style-type: none">○ Physical distancing○ Health protocols○ International students return <p>Age and co-morbidity of staff and students managed</p>	<ul style="list-style-type: none">○ Essential laboratory work with a Unisa permit.○ Telephone and/or online platform interaction with human participants.○ Online quantitative research, e.g., surveys.○ Research that requires physical human participant interaction in close proximity conducted under strict conditions in homes, communities, restricted government facilities, schools, facilities for the aged (Refer to the "toolkit" in section 4 below).○ <i>Postgraduate students that need to proceed with data collection methods involving physical human interaction with participants must inform their supervisors and notify the ERC by completing an amendment form, signed by the supervisor and student – the safety precautions must be clearly described (Refer to the "toolkit" in section 4 below).</i>○ <i>All other researchers that want to proceed with data collection methods involving physical human interaction with participants must notify the ERC by completing an amendment form, signed by the researcher – the safety precautions must be clearly described (Refer to the "toolkit" in section 4 below).</i>
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4. Strict safety and protocol guidelines with human participant contact (alert 1 and 2) – also referred to as the "toolkit":

The following guidelines are recommended to ensure the safety of the researcher(s) and participant(s):

- 4.1 Do not proceed with the intended contact data collection visit or meeting if the researcher and/or participant is feeling unwell.
- 4.2 Telephonic pre-screening before the visit is advised, as well as keeping a register of participants that were involved in face-to-face data collection activities.
- 4.3 The researcher and members of the research team must also be screened before any human participant contact. Keep evidence of the screening data signed by a witness.
- 4.4 Useful Covid-19 guidance is provided on the Department of Health WhatsApp group +27 60 012 3456.
- 4.5 When the visit can go ahead, please be mindful of the following procedures:
 - 4.5.1 Wearing an appropriate cloth mask. Do not touch your face and advise the participants to do the same.
 - 4.5.2 The researcher has to ensure that the research team and participants have masks and sanitizer.

- 4.5.3 In specific contexts, it will be essential to handout sanitiser and sealed cloth masks to the participants.
- 4.5.4 If possible, do a pre-screening by measuring the participants' temperature (including those of the researcher) and ask questions that were not included in the telephonic pre-screening.
- 4.5.5 Keep a physical distance of 2 meters;
- 4.5.6 Sanitize hands with 70% alcohol-based sanitizer or wash with soap and water for at least 40 seconds before commencing any activities.
- 4.5.7 Sanitize all surfaces before commencing activities and again before leaving.
- 4.5.8 Avoid the exchange of paper between participants and researchers, unless the use of paper is ethically or scientifically justified.
- 4.5.9 Use disposable gloves with the handling of hard copies of documents, put it in a paper envelope, and store it away. Researcher and participants to remove the gloves or sanitize your hands since the novel coronavirus can reside on paper for up to 3 days.
- 4.5.10 Store documents for a minimum of 3 days before taking them out.
- 4.5.11 The risk of contagion during the use and exchange of pens, digital devices, smartphones, and tablets must be considered and mitigated. Please refer to the links below, how to clean these devices.
- 4.5.12 No food may be shared. Pre-packed, sanitized items such as chips or water could be handed out if necessary.