

**THE VALUE OF DOCKET ANALYSIS IN STRANGER RAPE INVESTIGATIONS:
A CASE STUDY IN PORT ELIZABETH**

by

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SUMMARY

In this research docket analysis is evaluated as an investigative tool in stranger rape cases. Owing to the fact that serial rapists mostly reside within the category of stranger rape cases, the researcher attempted to test the value of docket analysis in the identification of patterns and similarities among such cases which could be indicative of serial rape activity. A rape matrix was used as a docket analysis tool to analyse the content of 184 stranger rape cases which was closed as 'undetected'. In addition to investigative shortcomings in the case dockets, the researcher identified 15 stranger rape cases which presented six unique patterns among them. These identified patterns could be indicative of serial rape activity.

KEY WORDS

Criminal investigation; Crime analysis; Docket analysis; Rape; Stranger rape; Serial rape; Modus operandi; Signature; Fantasy; Case linkage; Identification of crime patterns

PREFACE

In this research the main purpose of the researcher was to evaluate the use of docket analysis in the investigation of stranger rape cases. Owing to the fact that serial rapists mostly reside within the category of stranger rape cases, the researcher attempted to test the value of docket analysis in the identification of patterns and similarities among such cases which could be indicative of serial rape activity. From the results of this study the researcher anticipates that docket analysis will become an established tool in the investigation of all rape cases in South Africa which effectively contributes to the standardised approach to both the collection of evidence and the analysis of information for investigative purposes.

Forensic investigation can be described as a systematic step-by-step process which aims at obtaining evidence which will either prove or refute allegations that a crime was committed. Forensic investigation therefore requires the investigator to discard any preconceived ideas about a crime situation and to focus on facts. Docket analysis is one of many tools which could be used in the process of forensic investigation, and by its methodical nature it could guide investigators through the step-by-step process of comprehensive evidence gathering.

It is the belief of the researcher that investigators responsible for stranger rape investigations will benefit from the findings of this research, and that the heinous nature of these crimes will spur them on to use every possible tool at their disposal to bring justice to these victims.

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- Rod Fick, whose friendship and quest for justice and righteousness will always be remembered by those he left behind;
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DECLARATION

Student number 3732997-9

I, Marcel van der Watt, declare that THE VALUE OF DOCKET ANALYSIS IN STRANGER RAPE INVESTIGATIONS: A CASE STUDY IN PORT ELIZABETH is my own work and that all the sources that I have used or quoted have been indicated and acknowledged by means of complete references.

SIGNATURE

(MARCEL VAN DER WATT)

DATE

LIST OF ABBREVIATIONS AND ACRONYMS

CAS	Crime Administration System
CIAC	Crime Information Analysis Centre
DNA	Deoxyribonucleic Acid
FCS	Family Violence, Child Protection and Sexual Offences
ID	Identity
IPU	Investigative Psychology Unit
MO	Modus Operandi
PEP	Performance Enhancement Process
SAPS	South African Police Service
UNISA	University of South Africa

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CHAPTER 1

GENERAL ORIENTATION

1.1 INTRODUCTION

Statistics released by the South African Police Service (SAPS) revealed that 52 617 rape cases were reported for the 2006/2007 period (South African Police Service, 2007:46). Pure rape statistics for the post-2007 period are currently unavailable (South African Police Service, 2010:11). However, research conducted by the Crime Information Analysis Centre (CIAC) over the past decade has confirmed that in 75 per cent of rape cases the victims and perpetrators are known to one another (South African Police Service, 2010:7). This leaves 25 per cent of rapes in South Africa being committed by offenders who are unknown to the victim. It is in this category, labelled 'stranger rape', that serial rapists exist (Psychologically Motivated Crimes Course Learner Guide, 2009:75). These cases typically draw intense media attention, heighten public anxiety and, due to the heinous nature of these crimes, call for the speedy apprehension of the offenders. It is for this reason that docket analysis could prove useful as an investigative tool.

Stranger rapes, which for the most part are bizarre and sadistic, defy understanding and leave the victim with a sense of bewilderment and astonishment (Clark, 2008:30; Holmes & Holmes, 2002:37). This sense of bewilderment is also experienced by those who have to investigate such cases and the investigator is often left with questions, such as 'who would do such a thing?' and 'why would someone do such a thing?' These are the typical questions that surface in a stranger rape investigation. The media is often swamped with police reports of an unidentified offender that is suspected of a series of rapes, frequently occurring in a small area or community. In these cases there is usually a pattern and/or similarities in the type of victims targeted, the methods used by the offenders to lure victims, and the sexual acts inflicted on victims (Carlisle, 2010:7; Mphande, 2007:1; Viljoen, 2005b:2). These patterns can be used to link the various stranger rape cases.

1.2 PROBLEM STATEMENT

The issues regarding the nature of stranger rapes, as well as the accompanying investigative challenges makes up the problem being explored in this research and ties in with the concern raised by Pistorius (2005:271), who criticised the SAPS of linkage blindness in their investigation of the serial child rapist Dan Matebula. Dan Matebula was convicted of nine rapes after using the same method of operation in a relatively small area in Mabopane, yet many of the dockets showed no efforts by detectives to identify or trace the ‘unknown’ suspect. Similar to comments made by Pistorius (2005:271), Conradie and Tanfa (2005:4) in their study of 96 rape dockets in Gauteng province identified various problems with most cases, such as poor police investigations, procedural errors and suspects not being apprehended. A reason for this could be that police officials were so overloaded by the high volume of cases assigned to each person that crucial rape investigations did not get the attention they deserve (Viljoen, 2005a:2). Consequences of the high caseloads among detectives include ineffective investigative strategies in crucial rape investigations, unlawful arrests and cases being struck from the court roll (Mphande, 2005:1-2). Another highly publicised problem faced by the criminal justice system in South Africa is the major backlog in deoxyribonucleic acid (DNA) testing at police forensic laboratories. DNA results, currently viewed as a ‘luxury’, play an important role in the successful conviction of offenders. This backlog in DNA results causes many suspected rape offenders to walk free (Loewe, 2006:1; Makunga, 2008:1).

Considering that many of these ‘free-walking’ suspects may be serial offenders, other means are necessary to narrow down the scope of investigation among the high volume of rape cases. According to Santtila, Junkkila and Sandnabba (2005:88), the processing of physical evidence, such as DNA, can be both time-consuming and expensive, and they suggest that the linking of offenders to rape cases in other ways may prove useful. From these statements it is inferred by the researcher that a need exists for an investigative tool that:

- Facilitates information management and identifies shortcomings in investigative strategies;

- Narrows down the scope of a rape investigation where the perpetrator is unknown or where the identity is in dispute;
- Assists in the identification of patterns, similarities and distinctive behaviour in stranger rape cases and thereby contributing to the linking of multiple rape cases committed by the same offender; and
- Facilitates the identification of physical and non-physical evidential material in rape cases and facilitates effective court-driven investigation strategies.

1.3 RESEARCH AIMS

According to Denscombe (2002:11), the principle aim of scientific research is to merge the power of rational thought and systematic investigation to produce new knowledge. Additional aims include the understanding of properties and relationships and the confirmation of findings by other researchers.

This research was demarcated to Port Elizabeth and conducted by analysing stranger rape dockets reported in Port Elizabeth for the period between 1 January 2007 and 31 January 2008. The researcher resides and conducts investigations into stranger rape cases in Port Elizabeth and therefore chose Port Elizabeth as the geographical area of research. This also simplified access to various sources of information. The timeframe between 1 January 2007 and 31 January 2008 was selected by the researcher as he started his research in mid-2008 and selected a 13 month period as it is usually sufficient in identifying patterns and similarities in stranger rape cases which could be indicative of serial rape activity (Labuschagne, 2008).

The overarching aim of this research was to determine the value of docket analysis in stranger rape investigations. The researcher aimed to establish what shortcomings could be identified in stranger rape investigations by using docket analysis and thereby verifying whether the available resources, aids and experts were used during the course of the investigation. The researcher should thus be in the position to establish how well these cases were managed in terms of investigative decision making. Finally, the researcher aimed to establish whether docket analysis could narrow down the scope of a stranger rape investigation by evaluating its usefulness in the

identification of similar patterns, similarities and distinctive behaviour and thereby linking those cases to a specific offender. By accomplishing the latter aim, the researcher would be able to make a finding on the value of docket analysis in the identification of possible serial rape activity.

1.4 PURPOSE OF THE RESEARCH

According to Denscombe (2002:25), the focus and direction of the research is indicated by the statements of purpose and provision of criteria for the evaluation of the outcomes of the research. In other words, there must be a reason for doing the research. Criminal justice research serves many purposes which may include explanation, exploration, description and application (Maxfield & Babbie, 2005:19, 21). These purposes are not intended to be mutually exclusive and might have elements of more than one purpose (Mason, 1996:18; Maxfield & Babbie, 2005:19, 21). It is also emphasised by Terre Blanche and Durrheim (1999:40) that there is no agreement in the social science research community about what exactly counts as exploratory, descriptive and explanatory research.

The purpose of this research project was:

- To explore how docket analysis is used by the South African Police Service and to determine its validities and abilities (Maxfield & Babbie, 2005:19);
- To apply a docket analysis in stranger rape investigations in order to evaluate the efficacy of the method. This purpose corresponds with the example used by Maxfield and Babbie (2005:20) where an intervention designed to have a desired impact on a crime situation can be evaluated to confirm whether or not it had the intended effect;
- To develop good practice by using the findings of the research constructively. The researcher is of the opinion that if he can prove the value of effective docket analysis through this research, then investigators may use it more readily as an investigative tool. This could ultimately increase the detection rate of offenders in stranger rape cases and increase the overall cases-to-court rate (Denscombe, 2002:27); and

- To assist with the training of detectives who are part of the SAPS Detective Learning Programme by highlighting the potential of docket analysis as an investigative tool (Denscombe, 2002:27). The researcher has gained knowledge and insight by conducting research on docket analysis and has acquired an in-depth knowledge of the practical analysis of case dockets and its viability as an investigative tool.

1.5 RESEARCH QUESTIONS

One of the important qualities of conveying the purpose of the research is that it directs focus on to the research questions (Mason, 1996:15). The research questions should communicate the fundamental nature of the enquiry which is ultimately addressed by the anticipated research (Denscombe, 2002:31; Mason, 1996:15).

The research questions of this study centred on the following:

- What is docket analysis?
- What is the value of docket analysis in stranger rape investigations?

1.6 KEY THEORETICAL CONCEPTS

Researchers define terms in order to assist readers in understanding the precise meaning of the terminology employed in the study, particularly if the reader is not someone who is familiar with the particular field of study (Creswell, 2003:143). The following concepts are therefore defined:

1.6.1 Docket

A ‘docket’ is an official document in which a record is kept of a reported crime and the investigation conducted into such a crime (Docket Analysis Learner Manual, 2002:2).

1.6.2 Docket Analysis

Docket analysis is the analysis of information contained in police dockets (Docket analysis learner manual, 2002:2). ‘Analysis’ refers to the detailed examination of the elements or structure of something (South African Pocket Oxford Dictionary, 2007:27).

1.6.3 Signature

A signature is a personal stamp or ritual, symbolic or compulsive in nature, which an offender leaves behind at a crime scene. It evolves from a psychological need on the part of the offender to develop a personal fantasy, which is acted out in reality during the commission of the offence (Pistorius, 2005:29).

1.6.4 Modus Operandi

‘Modus operandi’ is a characteristic pattern of methods observed in a repeated criminal act which can be used to identify the culprit (Modus Operandi Law and Legal Definition, 2008:1).

1.6.5 Rape

Section 3 of the Criminal Law (Sexual Offences and Related Matters) Amendment Act (Act No. 32 of 2007) provides that a person is guilty of the offence of rape if he or she unlawfully and intentionally commits an act of sexual penetration with a complainant without his or her consent (South Africa, 2007:20).

1.6.6 Stranger Rape

‘Stranger rape’ is defined as a rape in which the victim does not know the rapist (The Free Dictionary, 2008:1).

1.7 RESEARCH DESIGN AND APPROACH

The design for a research project is described by Berg (2004:31) and Mouton (2001:55) as a literal plan or blueprint of how the study will be conducted. According to Berg (2004:31) the design stage of the research is also concerned with a series of important decisions regarding the research idea or questions that will be answered by the research. According to Durrheim (1999:29), a research design is a strategic framework for action that serves as a bridge between the research questions and the execution or implementation of the research.

In this study the researcher conducted an empirical study because it was deemed the most suitable to answering the stated research questions which involved human beings with their

actions, social interventions, institutions and organisations (Mouton, 2001:52). Empirical research also enhances the production of knowledge based on experience or observation and is described by Maxfield and Babbie (2005:6) as a way of learning about crime and criminal justice.

According to Du Plooy (2002:37), the approach applied by a researcher will be directed by the research goal and the objectives of the study. In this research project the researcher used a combination of qualitative and quantitative research approaches (mixed methods) to test theoretical assumptions in more than one way and to increase the reliability and validity of any observations, analyses and findings (Du Plooy, 2002:39-40). The rationale for this approach is discussed below.

1.7.1 Qualitative Approach

Qualitative research produces social explanations to intellectual puzzles. It is anticipated that these social explanations can be generalised in some way (Mason, 1996:6). In Berg's view (2004:2 & 114) qualitative research procedures are fruitful in that they add a depth of understanding to the chosen topic. According to Durrheim (1999:43), qualitative research is both naturalistic and holistic and is therefore commonly used to inductively explore phenomena and provide 'thick' descriptions thereof. The researcher chose a qualitative approach because it allowed the use of in-depth interviews and extensive examination of documents. Since the likelihood exists that contextual effects may arise, the researcher anticipated enhancing the validity of his interpretations by drawing on the experiences of those most involved in the research setting itself (Schneider, Ervin & Snyder-Joy, 2001:369).

1.7.2 Quantitative Approach

According to Du Plooy (2002:82), a quantitative design is suitable when a researcher wishes to count and/or measure variables. The objectives of a quantitative design are to predict, describe and explain quantities, degrees and relationships, and to make generalisations using a sample from the population by collecting numerical data. A variety of methods and techniques can be used to collect the numerical data, such as surveys, using self-administered questionnaires and experimental designs (Du Plooy, 2002:82-83). For the purpose of this research, the researcher

made use of a self-administered questionnaire known as a 'rape matrix' or 'docket analysis' form. The rape matrix consists of predetermined questions which were directed at the sampled case studies. The researcher used the rape matrix for the same purpose as it is used by the Investigative Psychology Unit (IPU) of the SAPS when directing it to the sampled case studies.

According to Labuschagne (2008), the rape matrix is used by the IPU to identify patterns and relationships in stranger rape cases. The purpose of this is to detect possible serial rape activity, link similar cases and confirm if these types of investigations can possibly be streamlined by using the rape matrix as a docket analysis tool.

1.8 POPULATION AND SAMPLING

The 'population' encompasses the entire collection of units from which the researcher wishes to make conclusions (Welman & Kruger, 2001:18) whereas the 'target population' is the population the researcher ideally would like to use to generalise his results (Welman & Kruger, 2001:119). Sampling and selection are principles and procedures used to identify, choose and gain access to relevant units which will fit in or relate to the relevant wider population or universe and be used for data generation by any method (Mason, 1996:83). The main concern in sampling is selecting a sample that is representative of the population (Durrheim, 1999:44). For the purpose of this research, the researcher made use of three samples: Sample A (Detectives at the Port Elizabeth Family Violence, Child Protection and Sexual Offences Unit, known as the FCS Unit), Sample B (IPU), and Sample C (experts in docket analysis).

1.8.1 Sample A

The wider population from which Sample A was drawn included all detectives in the SAPS attached to the FCS units because they are responsible for the investigation of rape cases in South Africa.

Because of the high volume of detectives attached to these units in the SAPS and that they are spread over a large geographical area, as well as the anticipated logistical challenges, the researcher decided not to use the whole population for this study. The research was therefore

demarcated and the target population consisted of just the detectives attached to the FCS Unit in Port Elizabeth.

The researcher decided on the Port Elizabeth FCS Unit as he had been stationed at this Unit and was aware of the high number of unsolved stranger rape cases being handled by the detectives. The researcher was transferred away from the Unit in late 2008. The researcher was acquainted with detectives working at this Unit and access to participants, case dockets and relevant information at the Port Elizabeth FCS Unit was therefore uncomplicated. Despite the researcher's familiarity with the Unit and its detectives, he maintained a professional relationship during the course of this research. He focussed only on the questions and facts at hand and did not become involved in any discourse with participants that could adversely affect their responses or the integrity of the research.

There are currently 46 detectives attached to the FCS Unit in Port Elizabeth all of whom have experience in stranger rape investigations. Although none of the detectives at the FCS Unit in Port Elizabeth were charged with the responsibility of docket analysis as part of their investigative duties, it was accepted by the researcher that all detectives have a basic understanding of the concept of docket analysis as it is a concept employed by SAPS management as an initiative that 'should' be used by detectives during special operations and provincial inspections focusing on suspect apprehension. All 46 detectives were personally interviewed by the researcher to establish their years of experience in investigating rape cases. The years of experience in rape investigations of each detective were then recorded.

A minimum of three years experience as investigator at the FCS Unit served as a cut-off point in selecting the participants. The three-year experience criteria ensured that the participants who were selected had sufficient exposure to a wide range of rape investigations, including stranger rape, and accumulated a reasonable body of knowledge and insight into these cases. Once the researcher applied the minimum criteria (of three years FCS investigative experience) to the target population, only 30 detectives remained. Of these 30 detectives, a further 10 could not be included in the final sample as a result of sick leave, an unwillingness to participate in the research or because some detectives were transferred or promoted to other units.

One participant was sampled purposively as an expert and was also excluded from the sample (see 1.9.4). Sample A therefore consists of 19 detectives. Sample A was therefore not selected by means of any research methodology selection process, but by eliminating participants from the target population based on their experience. Sample A is therefore not representative of the target population due to the elimination of those investigators with less than three years experience in rape investigations. The findings in terms of Sample A are therefore only relevant in terms of the investigators that participated in the study.

The following table depicts the years of experience of each participant in investigating rape cases:

TABLE 1.1: Participant experience (years) in rape investigations

Participants nr	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
Years experience in rape investigations	6	3	3	7	5	3	12	5	3	6	13	4	4	4	3	4	4	6	10

(Compiled from information supplied by Sample A participants, 2009)

This information was verified by the researcher through consultation with senior officers and administrative personnel attached to the FCS Unit in Port Elizabeth.

An interview schedule, specifically designed for these detectives, was also perused and evaluated by the researcher's supervisor and all points and uncertainties were rectified. The researcher conducted a pilot study with five investigators to test the clarity of the interview schedule before commencing with the actual research. According to Strydom (2000:178), the pilot study forms an integral part of the research process. Its function is to assist with the exact formulation of the research problem, and to serve as a tentative plan for the method and range of the investigation to be undertaken in the wider study. The five investigators used for the pilot study were not included in Sample A as they had less than three years experience in rape investigations, one of the main selection criteria for Sample A. No complications or uncertainties were experienced during the pilot study. All questions appeared to be clear and understandable.

1.8.2 Sample B

Another important unit relevant to this study is the IPU of the SAPS based at Head Office, Pretoria, which formed Sample B. This Unit specialises in psychologically motivated crimes such as serial rape and serial murder with their jurisdiction covering the entire country. They conduct docket analysis in cases where it is suspected that a serial offender might be active. Information gathered from the docket analysis is used by the IPU to compile an offender profile and a linkage analysis which will serve as an investigative tool for the investigating officer. The Unit currently consists of three functional members. Two of the members were included in Sample B while the remaining member was excluded and purposively sampled as an expert (see 1.9.4). The interview schedule for Sample B was tested with the supervisor and approved. The researcher deemed this a sufficient measurement to test the correctness of the interview schedule. No pilot study was conducted with Sample B as there were no other functional members besides the participants that were included in the sample. No selection process was followed for the selection of the two participants in Sample B. Sample B is therefore representative of target population.

1.8.3 Sample C

The third sample consisted of eight participants who met the criteria for inclusion as set by the researcher. The criteria for inclusion in Sample C required of the participants to be experienced and trained in the use of docket analysis as an investigative tool and performing docket analysis as a primary function in priority crimes in the Port Elizabeth area. Six of the eight participants performed duties at the Crime Information Management Centre in Port Elizabeth and were sampled after the researcher made enquiries at the Crime Information Management Centre. The researcher was then supplied with the details of the six members who met the criteria set by the researcher for inclusion in Sample C. These members (six of the eight participants) were stationed as follows:

- Three participants were stationed at the Crime Information Management Centre regional office at Mount Road Police Station;

- Two participants at Walmer Police Station; and
- One participant at Swartkops Police Station.

The two remaining participants (two of the eight participants) performed duties at the Organised Crime Unit in Port Elizabeth. These two participants met the criteria for Sample C and both performed duties as information managers and crime analysts at the Organised Crime Unit. The two participants were sampled while the researcher performed duties at the Organised Crime Unit in Port Elizabeth and both met the criteria for Sample C. No selection process was therefore followed for Sample C. The interview schedule used for Sample C was sent to the researcher's supervisor for evaluation and was approved. No pilot study was conducted as the participants are the only practitioners of docket analysis and made up the whole population for the sample. Sample C is therefore representative of the target population. The interview schedules used for Sample A, Sample B and Sample C were not the same and therefore unique to each sample.

1.9 DATA COLLECTION

Data is the basic material with which researchers work (Durrheim, 1999:45). Data sources are vital to the success of any research, and therefore access to documents, people and places are a prerequisite (Denscombe, 2002:70). The researcher made use of a combination of qualitative and quantitative data. Qualitative data enables the researcher to understand the underlying ascribed meanings of interactions, events, or other phenomena (Pope, Lovell & Brandl, 2001:11). It can therefore be deduced that qualitative data has the potential to enrich and contextualise sources of data, abstract thoughts and concepts that are often difficult to document.

The researcher made use of an interpretive inquiry in the form of a semi-structured interview as a means of data collection. Data collected in this way is termed 'primary data'. According to Welman and Kruger (2001:35), a 'primary source' is the written or oral account of a direct witness of, or a participant in, an event. Primary sources represent first-hand evidence of what happened and therefore the researcher attempts to use original sources as far as possible. This researcher collected data by means of an analysis of the available literature on stranger rape and semi-structured interviews using an interview schedule.

Quantitative data was collected through a rape matrix, which was self-administered to case dockets. The use of these multiple methods is also referred to as 'triangulation'. Triangulation reflects an attempt to secure an in-depth understanding of the phenomenon in question (Denzin & Lincoln, 2000:5) whereby various data-collection methods are used to address the problem from different angles.

1.9.1 Literature Search

A keyword and topic search on concepts, such as 'docket analysis', 'serial' and 'stranger rape', 'case linkage' and Port Elizabeth as the geographical area of the research, was conducted. This was because literature on precisely the same topic as this dissertation could not be found.

According to Mouton (2001:88), a variety of bibliographic tools have been developed to assist researchers in the identification of suitable literature. The internet was particularly useful in this regard. The 'Google' search engine was used by the researcher to carry out a scholarly search for journal articles. The details of these articles were then forwarded to the University of South Africa (UNISA) library catalogue and requested.

A library search form with the abovementioned keywords was also completed by the researcher and forwarded to the UNISA library for assistance. The UNISA library responded with limited sources on the keyword 'docket analysis'. The available sources were requested. The Oasis search engine was also used to request published books.

Subject-specific books, journals and articles published in the field of crime investigation, law and criminology were consulted as was the training material compiled by the Detective Academy, IPU and the Crime Intelligence Unit of the SAPS. None of these sources provided information on the same topic as the current research.

The following types of documents were used by the researcher as literature due to their accessibility in the public domain. These documents are among those discussed by Bryman and Bell (2007:553-570) as potentially valuable sources of information:

- Public documents: These documents included textual material such as Acts of Parliament and official reports and statistics related to the different concepts covered by the research topic.
- Mass media outputs: These documents used by the researcher included newspaper and magazine articles. Information was obtained from these sources using the principle of qualitative content analysis in an attempt to identify the themes related to the research topic and to contextualise the discussion with relevant examples.

The questions in the interview schedules (for Samples A, B and C) were used as a standard when gathering literature. These questions were determined by the researcher identifying loopholes and shortcomings in current investigative strategies pertaining to stranger rape cases. The questions used in the interview schedule were therefore fundamentally based on the research questions. Different concepts referred to in the interview schedule were used in the keyword search when using the bibliographic tools described by Mouton (2001:88). The researcher used the responses from the interviews to reveal the differences and similarities between literature and practice.

1.9.2 Documents

A ‘document’ is defined by the South African Pocket Oxford Dictionary (2007:259) as ‘a piece of written, printed or electronic matter that provides information or evidence’. Documents can therefore cover a wide variety of different sources. Bryman and Bell (2007:566) refer to organisational documents as a ‘heterogeneous group of sources’ due it being found either within the public domain or outside of the public domain. The researcher made use of organisational documents that were outside of the public domain. By implication these documents were therefore inaccessible to the general public and its use generally being confined within the structure of the organisation. It is for this reason that they are discussed separately as ‘documents’ and not as literature. Organisational documents used by the researcher included SAPS national instructions, training material, internal correspondence and policy statements related to the research topic being studied by the researcher.

The researcher's decision to use documents synergises with Mason's (1996:73) view. Mason states that documents can be used alongside several other methods of data generation. These documents were used by the researcher to verify and contextualise other forms of data derived from interviews, literature, case studies and experience. Furthermore, the researcher adhered to the guideline provided by Robson (2000:82) and used documents with the intention of finding answers to the research questions rather than 'proving' what he thought he already knew. The researcher is mindful of the fact that the documents used by him were originally drafted and collected for purposes other than his research. Care was therefore taken by the researcher to consider the original purpose of the documents that was used for this research (Robson, 2000:101).

By studying the organisational documents, the researcher attempted to answer the following questions based on the research aims and research questions:

- Are there any guidelines, instructions or operating procedures which guide an investigator in conducting stranger rape investigations?
- What are the responsibilities of investigators in terms of optimal resource utilisation?
- Does the use of docket analysis feature as an investigative tool that could or should be used in stranger rape investigations?

1.9.3 Interviews

An interview is defined as a personal and intimate sharing of confidence among people (Morse & Field, 2002:72). According to Mason (1996:39), interviews are one of the most commonly recognised methods of conducting research. Individual, semi-structured, face-to-face verbal interviews were conducted with the research participants by the researcher. A semi-structured interview, according to Robson (2000:90), is one where the interviewer has worked out in advance the principal areas he wishes to cover, but which allows him to change the exact wording of questions as well as their sequence. The researcher took cognisance of Robson's position (2000:90) and kept the momentum of questioning going when participants ventured into new areas in response to questions. The process followed during semi-structured interviews is

flexible in nature (Bryman & Bell, 2007:475; O’Leary, 2005:116) and has the potential advantage of generating unexpected and interesting data (O’Leary, 2005:116). An interview schedule for each of the samples was separately compiled, each with its own questions related to the official duties of the participants from each sample and relevant to the research questions. (The interview schedules for Samples A, B, and C can be found in Appendices A, B, and C, respectively.)

The researcher adhered to the requirements for a productive interview as stated by Leedy and Ormrod (2005:147). The procedures followed by the researcher are outlined below:

- Questions were identified in advance. Questions were formulated based on the research questions and included in the interview schedule well before the interviews were conducted. The researcher was well prepared when the interviews were conducted;
- A suitable interview location was used. The interviewing room at the FCS Unit in Port Elizabeth was used when interviewing Sample A. It was suitable for conducting the interviews as it was both private and familiar to the participants. No disturbances were experienced;
- The interview schedule for Sample B was emailed to sample members for completion owing to the logistical implications of this sample being based in Pretoria, whilst the researcher was based in Port Elizabeth. The completed interview schedules were then returned to the researcher, after which the responses by the participants of Sample B were perused by the researcher in order to identify any problems. The researcher subsequently attended the Psychologically Motivated Crimes course in Pretoria, presented by the IPU, during which the participants of Sample B were individually interviewed by the researcher to clarify their answers. Participants attached to Sample B were individually interviewed in a lecture room after the end of the course lectures. The lecture room was private, familiar to the participants and no disturbances were experienced;
- The same principles of productive interviewing were followed with six of the eight participants in Sample C. The interview room was therefore suitable for interviewing and

both private and familiar to the participants. Owing to time constraints and work commitments on the part of the remaining two participants of Sample C, the interview schedule was handed to them as a questionnaire which was then completed. The researcher then personally visited the remaining two participants and the answers were personally discussed with them upon completion of the interview schedule;

- Written consent was obtained to conduct interviews. Besides the consent granted by the SAPS Research Component to conduct the research, each participant gave consent and signed the interview schedule that was used to conduct the interviews as confirmation thereof;
- The researcher concentrated on facts during the course of the interviews. The questions posed to participants were unequivocal. Participants were given leeway to respond to questions as they felt comfortable, but were reminded by the researcher to focus on the question whenever they deviated towards irrelevant discussions; and
- Responses from the participants were not be influenced by the researcher and the researcher did not react negatively towards responses given by participants which did not meet his approval.

The semi-structured interviews with detectives (Sample A) focused on gathering information with regard to the challenges experienced by them in stranger rape investigations and how docket analysis could address some of these challenges. In doing so the researcher attempted to gain understanding of the investigative decision making in stranger rape cases and whether docket analysis could contribute to the successful investigation of these cases.

During the discussion with participants in Sample B, it was confirmed that they were united in their understanding and response to the questions in the interview schedule. No problems or uncertainties were raised by participants in Sample B. During the pre-interview consultation with participants in Sample C, it was established that neither rape in general, nor stranger rape are crimes prioritised for docket analysis in Port Elizabeth. Priority crimes analysed by Sample C include aggravated robberies, housebreakings, vehicle theft and other syndicate-related crimes.

However, the participants of Sample C emphasised that they may be approached to assist with docket analysis in rape or stranger rape cases.

Participants of Sample C also stated that the universal principles of docket analysis can effectively be applied to stranger rape cases and this served as the platform from which they responded to the questions in the interview schedule.

1.9.4 Purposive Sampling

Purposive sampling enables the researcher to choose those participants who best meet the purpose of the research by using his own judgement (Bailey, 1987:94). Referring to purposive sampling, Welman and Kruger (2001:63) state that the ingenuity and experience of the researcher will dictate which units of analysis are deliberately chosen for the research. Two participants were sampled purposefully for their expertise in their respective fields and interviews were conducted with them. Captain Michael Shanagan of the Port Elizabeth FCS Unit was excluded from Sample A but purposefully interviewed in his individual capacity as a knowledgeable source on how stranger rape investigations are approached and managed at the Port Elizabeth FCS Unit. Colonel (Professor Extraordinarius) Gerard Labuschagne, Commander of the IPU of the SAPS, was excluded from Sample B but purposefully interviewed in his individual capacity as expert in using information generated by docket analysis to identify serial offenders in, amongst others, rape and murder investigations.

1.9.5 Case Studies

According to Yin (1994:13), a case study is a comprehensive research strategy which comprises an all-encompassing method with the logic of design incorporating specific approaches to data collection and data analysis. Case study research can include both single- and multiple-case studies (Yin, 1994:14). Case studies involve systematically gathering enough information about a particular person, social setting, event or group to permit the researcher to understand effectively how the subject operates or functions (Berg, 2004:251). The case study is not a methodological choice but a choice of what is to be studied (Stake, 2000:435).

The use of case studies assisted the researcher in evaluating whether docket analysis could make a contribution in stranger rape investigations in Port Elizabeth by identifying possible serial rape activities and identifying similar cases. A total number of 1 705 rape cases were reported in Port Elizabeth for the period 1 January 2007 to 31 January 2008; of the 1 705 rape cases, 418 cases were closed as ‘undetected’ on the SAPS Crime Administration System (CAS).

Each of the 418 ‘undetected’ rape cases was then perused by the researcher, after which 184 cases were selected that satisfied the following criteria:

- Rape dockets closed and filed as ‘undetected’;
- Female victims; and
- Unknown male offenders (stranger rape).

Table 1.2 (see Appendix D) indicates all the cases closed as ‘undetected’, with the fifth column representing the 184 stranger rape cases that were used in this research.

TABLE 1.2: Categorisation of identified cases closed as ‘undetected’

1. STATION 14 Stations in Port Elizabeth	2.TOTAL: All dockets closed as undetected: 01-01-2007 to 31-01-2008	3.CLOSED: Suspects known but not arrested / could not be traced	4.CLOSED: Victim disappeared; Mentally ill (No statement given); Duplicate or docket closed; Unfounded.	5.CLOSED: Suspect(s) are strangers and could not be traced, linked or identified
TOTAL	418	130	104	184

(Compiled from information gathered from docket analysis, 2009)

According to Labuschagne (2008), a period of between eight and 12 months is usually sufficient to identify serial rape activity among stranger rape cases. These cases were analytically studied (Stake, 2000:435) by means of a rape matrix currently used by the IPU of the SAPS to identify possible serial rape activity and similar cases. The rape matrix has recently been used in the

investigation of both the Fochville and the Port Shepstone Sunrise serial rapists (Labuschagne, 2008) and is therefore an established tool.

The rape matrix was used by the researcher as a docket analysis tool to obtain relevant information from the selected cases (dockets). The information extracted from the dockets was then captured under the relevant headings of the rape matrix, which was compiled on an Excel spreadsheet (see Appendix E). By conducting the docket analysis, the researcher attempted to answer the following questions based on the aims of this research:

- What is the value of docket analysis in stranger rape investigations?
- What are the shortcomings in stranger rape investigations that can be identified by means of a docket analysis?
- Can docket analysis verify how well stranger rape cases are managed in terms of investigative decision making and if available resources, aids and experts were used during the course of the investigation?
- Can docket analysis assist with narrowing down the scope of a stranger rape investigation by identifying the most likely offender(s)?
- Can docket analysis be useful in identifying patterns, similarities and distinctive behaviour among stranger rape cases and linking those cases to a specific offender?

A key to the rape matrix (see Appendix F) was included as an annexure to the research as it elaborates on the variables identified in the case studies.

1.9.6 Experience

The researcher has been involved in the investigation of stranger rape cases since December 2005 and has received various commendations for the investigation of crime, including a nomination as a finalist in the Police Star of the Year 2008 competition. The researcher has also received awards for his work in addressing crimes against women and children from Rotary International and ADT Security, as well as an unreserved endorsement from E. Benjamin

Skinner, fellow at the Harvard Kennedy School CARR Center for Human Rights Policy (Massachusetts, USA) and author of 'A Crime So Monstrous'. The ineffective manner in which stranger rape cases are approached by the FCS Unit in Port Elizabeth contributed to the research topic chosen by the researcher.

The researcher attended the following courses that are relevant to this research:

- Family Violence, Child Protection and Sexual Offences Investigators Course: Hammanskraal, 2006-11-06 to 2006-11-24 (*Best Student*);
- Detective Learning Programme: Port Elizabeth, 2007-08-13 to 2007-11-30 (*Best Student*); and
- Psychologically Motivated Crimes Course: Hammanskraal, 2009-08-17 to 2009-09-04 (*Best Student*).

1.10 DATA ANALYSIS

According to Neuman (2000:426), data analysis means the search for patterns in data, such as recurrent behaviours, objects or a body of knowledge. Similarly Mouton (2001:108) states that the analysis of data involves 'breaking up' the data into manageable themes, patterns, trends and relationships.

1.10.1 Qualitative Data Analysis

In qualitative data analysis the researcher should be able to account logically for the stages in data analysis and should base his final conclusions on generated data. The researcher must also be able to utilise reasoning strategies, such as analysis, induction, synthesis, bracketing and intuiting to be able to identify themes, categories and subcategories. There is no one way of performing data analysis (Poggenpoel, 2000:344,352). With the analysis of qualitative data, the researcher used the example of Berg (2004:39), who defines data analysis as consisting of three concurrent flows of action: data reduction, data display, and conclusions and verification.

1.10.1.1 Data reduction

After the researcher had collected all the data, the volume of information was narrowed down by using the research questions as a point of departure. This allowed for a more manageable form of data from which themes and patterns could be identified and grouped. The researcher made use of this data-reduction process from the outset of the research by discarding useless and irrelevant information, which is in accordance with Berg's statement that the data reduction and transformation process occurs throughout the span of the research (2004:39).

1.10.1.2 Data display

Index cards similar to the two-card method described by Berg (2004:24) were used. The researcher used various types of index cards to display data as an organised, compressed assembly of information which allows the researcher to draw conclusions analytically. Types of index cards included author and topic cards, plus cards displaying contradictions and contentious issues. The information was then formally grouped, after which it was displayed alphabetically for easy access.

1.10.1.3 Conclusions and verification

After the data-reduction and data-display processes, conclusions by the researcher began to emerge and become clearer. Verification consists of confirming conclusions to ensure that they are real and not just wishful thinking on the part of the researcher (Berg, 2004:40). Verification was achieved by the researcher retracing the steps used to arrive at the conclusion. The researcher also recorded the procedures used to reach the conclusion in order to ensure, should the need arise, replication of the study.

1.10.2 Quantitative Data Analysis

The different categories contained in the rape matrix were captured on an Excel spreadsheet and consisted of 37 variables, which were extracted from the relevant stranger rape dockets. What was created is what Marsh (in Bryman & Bell, 2007:59) referred to as a 'rectangle' of data where each cell in the matrix contained usable data. This process simplified data analysis as observable patterns began to surface in a cross-sectional manner. The researcher could furthermore establish

whether variables of interest were present or absent in the case dockets as pre-empted in the research aims. The data analysed by the researcher was discussed with the IPU of the SAPS, which assisted with the interpretation of results.

1.10.3 Summary of Historic Information of Samples

The following discussion serves as a breakdown of the historic information obtained from participants of Samples A, B and C.

1.10.3.1 Sample A: FCS Unit in Port Elizabeth (19 participants)

In terms of gender, there were 12 male participants and seven female participants. Participants had an accumulation of 215 years of experience in investigations, with an average of 11.31 years of experience per participant. Participants had an accumulation of 105 years of experience in the investigation of rape and other sexual crimes against women and children, with an average of 5.52 years' experience per participant.

In terms of training 12 participants had attended the Detective Learning Programme; two participants had attended the Basic Detective Course; 17 participants had attended the Family Violence, Child Protection and Sexual Offences Investigators course; and one participant had attended the Psychologically Motivated Crimes course. One participant had attended a docket analysis course.

Of those participants who had tertiary qualifications, 10 participants had a National Diploma in Policing; one participant had a BA (Hons) Degree in Psychology; and one participant had a BA Degree in Education.

1.10.3.2 Sample B: Investigative Psychology Unit (two participants)

Sample B had one male and one female participant. Participants had an accumulation of 17 years' experience at the IPU, with an average of 8.5 years' experience per participant. Participants had an accumulation of 25 years of experience in the investigation of psychologically motivated crimes (i.e. serial murder and serial rape), with an average of 12.5 years' experience per participant.

Both participants in Sample B had received Basic Investigative Psychology, Advanced Investigative Psychology, and Interviewing and Interrogation training. They also both had received Docket Analysis (in-service) training. One participant had attended the Detective Learning Programme and one participant had participated in Forensic Assessment training.

In terms of tertiary qualifications, one participant had a National Diploma in Policing. One participant had a BA (Hons) Psychology and one participant a BA (Hons) Criminology. Only one participant had a Diploma in Criminal Justice and Forensic Auditing.

1.10.3.3 Sample C: Experts in docket analysis (eight participants)

Three participants of Sample C were males and five were females. The participants had an accumulation of 56 years' experience in docket analysis, with an average of seven years' experience per participant.

There was a broad range of training across this sample, with six participants having attended the Crime Information Management and Analysis Course (Docket Analysis); five participants having undergone the Detective Learning Programme; one participant having attended the Murder and Robbery Investigators course; and one participant having attended the Sexual Offences Course. In addition, one participant had received training in research methodology.

This sample also showed a range of tertiary qualifications. Three participants had a National Diploma in Policing; one participant had a BA Degree in Political Sciences; one participant had a BA (Hons) Degree in Criminology; and one participant had a Diploma in Theology.

1.11 METHODS TAKEN TO ENSURE VALIDITY

Validity concerns the accuracy of the questions asked, the data collected and the explanations offered. Generally it relates to the data and the analysis used in the research (Denscombe, 2002:100). It is argued by Mason (1996:147) that the researcher should think about demonstrating the validity of method and analysis in at least two ways.

1.11.1 Validity of Data-generation Methods

A wide literature search was conducted by the researcher and a sufficient number of sources were used. The researcher used the latest data sources and acted in accordance with the suggestions of Welman and Kruger (2001:35), who state that the further the present source is removed from the primary source, the greater the possibility that biases and other inaccuracies may creep into the report about what happened originally. Information from case dockets was used as a primary source. Information obtained from case dockets and participants was not manipulated or used in any adverse manner.

1.11.2 Validity of Interpretation

According to Mason (1996:149), the validity of interpretation involves asking how valid the researcher's data analysis is and the interpretation derived from it. The researcher disclosed the steps followed before coming to a specific conclusion or interpretation of data. Questions asked to participants were based on the research questions and aims. The questions were recorded on an interview schedule and the responses from participants were written down. The researcher repeated the responses from participants to them in order to capture the true meaning and ensure accuracy. A practical guideline is offered by Durrheim and Wassenaar (1999:62), who suggest asking: 'How could I be wrong?' when evaluating the validity of the anticipated findings and conclusions. The researcher asked the latter question during the course of the research cycle. The validity of the researcher's interpretation was increased by the use of triangulation as the researcher supported his interpretations with converging evidence from different sources (Kelly, 1999:421).

The data obtained from case dockets was discussed with the IPU of the SAPS, which assisted when the results were interpreted. The researcher considers the questions in the interview schedules as being valid due to the fact that their appropriateness was confirmed during the pilot study and discussion with the researcher's supervisor. The interview schedules also effectively address the research questions. Although Sample A is not representative of the target population, the premise and process followed by the researcher for inclusion of the participants in the sample was disclosed. Participants included in Sample B and Sample C made up the whole population

for the sample and the samples (B and C) are therefore representative of the target population to which the researcher would ideally like to generalise his results.

1.12 METHODS TAKEN TO ENSURE RELIABILITY

Reliability relates to the methods of data collection and the concern that they should be consistent and not distort the findings. Generally it consists of an evaluation of the methods and techniques used to collect the data (Denscombe, 2002:100). According to Mason (1996:145), there is an assumption that methods of data generation can be conceptualised as tools, and can be standardised, neutral and non-biased. Therefore measuring the same phenomena more than once with the same 'tool' should result in the same measurement. In the dissertation the researcher explained how data was collected, how sampling was carried out, how data was analysed and how conclusions were made so that the study could be replicated if the need arose.

The researcher did not influence the participants during the course of the interviews. Three different interview schedules were compiled, one for each sample (Sample A, B and C), with a unique set of questions per interview schedule. Participants in the interviews were the most reliable sources in the particular field because they had been trained in the investigation of the particular type of cases/the use of a specific analysis tool. The researcher referred to the relevant sources that were used and gave acknowledgement to the relevant authors. The rape matrix which the researcher used in the analysis of the case dockets is an established 'tool' used by the IPU of the SAPS (Labuschagne, 2008). Copies were made of the case docket covers and dockets used for the purpose of case analysis are available. Deductions made and information obtained from these dockets were checked with experienced staff members and the IPU of the SAPS to increase their reliability.

The researcher made use of the following two types of triangulation (Janesick, 2000:391) in an attempt to increase the reliability of the research:

- Data triangulation: The researcher used a variety of data sources in the study, namely literature, interviews, case studies and personal experience; and

- Methodological triangulation: The researcher used multiple methods to study the research problem, i.e. qualitative and quantitative research methods.

1.13 ETHICAL CONSIDERATIONS

According to Mouton (2001:239), ethical issues arise from our interaction with other people and the environment. The idea of ‘ethics’ is closely linked to the concept of morality and at a practical level deals with what ought, and ought not, to be done (Denscombe, 2002:174-175).

In dealing with participants, the researcher took note of the following ethical implications as stipulated by Leedy and Ormrod (2005:101):

- Protection from harm: The researcher did not expose research participants to undue physical or psychological harm. Interviews were conducted in a safe environment and in the comfort of their workplace. No pressure, tacit or implicit, was exerted on participants to participate or answer in a specific manner. All participants had the approval of management to participate in the interviews.
- Informed consent: The researcher informed the participants of the nature of the study to be conducted and gave the participants a choice of participating or not. The researcher informed participants of their right to withdraw from the study at any time.
- Right to privacy: The researcher showed respect for the participants’ right to privacy and did not disclose responses received from the participants. The researcher protected the identity of participants by referring to them as ‘participants’ in the dissertation (Denscombe, 2002:175). A number was also allocated to each of the participants.
- Honesty with professional colleagues: The researcher reported his findings completely and honestly. The researcher made no misrepresentations pertaining to the research and did not mislead others about the nature of his findings. The researcher also took cognisance of, and guarded against plagiarism, which is seen as a form of academic fraud and which entails the presentation of the work of another author as to provide its reader reasons to think such work to be one’s own (Repanovici, Barbu & Cristea, 2008:74). The

researcher therefore gave the necessary credit to the authors' work used in this research. The research is the own and original work of the researcher.

The researcher studied the UNISA policy on research ethics (UNISA, 2007:1) and adhered to the following aims of the policy:

- To contribute to an ethical and scientific intellectual culture of UNISA;
- To ensure that the rights and interests of human participants are protected. This is particularly important where information gathered has the potential to invade the privacy and dignity of participants, and where participants are vulnerable owing to their youth, age, poverty, disease, ignorance or powerlessness. The researcher made every effort to protect the identity of victims during the analysis of case dockets. Victims in rape cases were referred to as 'victim number 1' and 'victim number 2' etc. No personal particulars of victims were revealed;
- To ensure that the research is ethical in the increasingly diverse research areas of qualitative and quantitative research; and
- To ensure that the ethical and scientific soundness of the research is not compromised where lack of funding limits opportunities for research and forces cost-saving procedures.

Data obtained from case dockets was not illegitimately used or manipulated. Sources were referenced in accordance with the prescribed UNISA reference method (UNISA, 2004).

1.14 RESEARCH STRUCTURE

The report is divided into the following chapters in which the research questions are discussed, the research design presented and the findings of the research interpreted:

Chapter 2: Docket analysis – The chapter discusses the concept of docket analysis, its validities, abilities and shortcomings.

Chapter 3: The value of docket analysis in stranger rape investigations – The focus of this chapter is on Port Elizabeth as the geographical area of study.

Chapter 4: Findings and recommendations – This chapter provides the findings of the study and makes recommendations based on these findings.

CHAPTER 2

DOCKET ANALYSIS

2.1 INTRODUCTION

Staggering arrays of methods to reduce the level of criminal activity in society have been generated by professionals, politicians and lay people in the so-called ‘fight against crime’. One such method is docket analysis, which is an information-driven tool that can be used to narrow the focus of investigations into crime (Docket Analysis Learner Manual, 2002:2). In this chapter the researcher explains what docket analysis entails and discusses its viability as an investigative tool. The researcher also discusses the validities, abilities and shortcomings of docket analysis. The chapter begins with a detailed discussion of the meaning of investigation and the different types of investigation employed, and moves on to an elaboration of the terms ‘rape’, ‘stranger rape’ and ‘serial rape’ to provide a context for the focus of the study.

2.2 INVESTIGATION

Gunter and Hertig (2005:1) state that the term ‘investigation’ refers to a ‘systematic fact finding and reporting process with a multi-disciplinary characteristic covering, amongst others, the law, sciences and communications’. Investigation is defined by Carrier and Spafford (2004:2) as a process that develops and tests hypotheses to answer questions about events that occurred. The questions that an investigation attempts to answer could include ‘What caused the incident to occur?’, ‘When did the incident occur?’, and ‘Where did the incident occur?’ Nowadays ‘investigation’ is divided into two concepts: criminal investigation and forensic investigation. These concepts are discussed below.

2.2.1 Criminal Investigation

Marais (1992:1) states that criminal investigation involves the lawful tracing of people and instruments which may, directly or indirectly, contribute to the reconstruction of a crime situation and supply information about the people involved in it. He continues by stating that in reality crime investigation is a process of identification of people and physical objects from the

time the crime is committed until the guilt of the perpetrator is either proven or disproven in court. Stelfox (2009:1) gives a more elaborate explanation and states that criminal investigation involves locating, gathering and using information to bring offenders to justice, or to achieve the objectives set for it by the police service.

Various authors such as Du Preez (1996:4-7), Genge (2004:1-135), Marais (1992:3), Van Rooyen (2004:18) and Zinn (2002:238-275) refer directly or indirectly to the following steps or processes of investigation.

2.2.1.1 Preliminary investigation

The crime scene should be viewed as the focal area during the preliminary investigation phase and is defined by Technikon SA (2001:3) as the area or place where there will be direct or indirect proof that a crime has been committed. Proof of the fact that a crime was committed can be furnished by collecting evidential material or evidence that is then used in court (Joubert, 2001:331). This may include physical evidence, such as blood, hair, semen, saliva or weapons. The injuries or wounds to the body of the victim also form part of the crime scene. Physical evidence found at the crime scene can be scientifically analysed and can provide the court with entirely objective information, which according to Zinn (2002:246) cannot be prejudiced by a witness' own beliefs or inability to recall facts after a long period of time.

Carrier and Spafford (2004:2) refer to 'physical evidence of an incident' and state that it is any physical object that contains reliable information that supports or refutes a hypothesis about an incident. To ensure that physical evidence is accepted in a court, evidence regarding the exact location of the object, its condition and its connection with the crime scene is very important (Marais, 1992:13). This is also the essence of crime scene management, where the appropriate resources, aids and experts are crucial in the ultimate reconstruction of the crime scene for court purposes.

Zinn (2002:249-252) refers to a number of resources, aids and experts which investigating officers can call upon during the preliminary investigation of a crime. These include amongst others:

- Fingerprint expert, photographer and video operator;
- Members from the Forensic Science Laboratory (collection of evidence);
- Ballistic experts;
- Uniformed police officers and dog handlers to cordon-off the scene; and
- Medical personnel.

2.2.1.2 Follow-up investigation

During the follow-up investigation the investigator will look for and collect any physical evidence that is still available (Mohamed & Pauleen, 2005:8). According to Van Rooyen (2004:18), this phase involves the investigator or detective conducting follow-up interviews and finding corroborating information with regard to the alleged crime committed. Mohamed and Pauleen (2005:8) state that the information and evidence gathered at this point provide the investigator with an initial sense of the crime situation that has taken place, as well as an understanding of the criminal's modus operandi.

2.2.1.3 Judicial process

The primary reason for the investigator's involvement in the judicial process has to do with the presentation of the information gathered, and making sure that everything and everyone that needs to be present is present at court (Du Preez, 1996:7). The importance of the relationship between the investigator and prosecutor, with their mutual goal of presenting the true facts in court, is emphasised by Marais (1992:202). Van Rooyen (2004:18) concurs with the views of both Marais (1992:202) and (Du Preez, 1996:7) by stating that cooperative investigators will ensure that all witness statements have been taken down, exhibits are presented in court, indications of bail circumstances are available and witnesses are present to give testimony.

Marais (1992:1-2) refers to tactical and technical investigation methods which play a prominent role in criminal investigation.

Tactical investigation methods

These involve the methods employed by the investigator such as searching, interrogation, observation and surveillance methods. These methods are not necessarily expert by nature and their success is directly contingent upon the knowledge, perseverance, attentiveness and ability to communicate effectively of the investigator.

Technical investigation methods

These methods have to do with forensic scientific investigation methods. They involve analytical methods of specific sciences and the application of modern technological aids.

Owing to the relevant training profile, qualifications and experience of the participants in Samples A, B and C in the field of crime investigation and analysis, the question ‘What is criminal investigation?’ was not put to them.

2.2.2 Forensic Investigation

It is not often that one finds a definition purely dedicated to the term ‘forensic investigation’, and those definitions available are often kept exclusive to a particular field of study. An example of this is the definition given by Van Rooyen (2004:7), who states that forensic investigation is more often than not associated with the investigation of computer-related crimes, as well as crimes such as fraud and corruption. Van Rooyen (2004:7) does, however, agree that confusion exists within the investigation fraternity with regard to the true meaning of forensic investigation.

A much broader definition is given by the ‘Longmans Exams Dictionary’ (2006:595), which states that the term ‘forensic’ is only used preceding a noun and relates to the scientific methods used for finding out about a crime. In concurrence with this definition, Du Preez (1996:9) explains that the term ‘forensic’ is often used preceding the description of a particular occupation or function such as a forensic physician, forensic technologist or forensic chemist and refers to a particular skill or activity aimed at serving justice with specific scientific knowledge.

These particular occupations, functions and skills mentioned by Du Preez (1996:9) are referred to by Stelfox (2009:131) as forensic disciplines that vary in relation to the scientific,

technological or procedural knowledge and processes that underpin them. It is noteworthy that all of these disciplines have the same objectives: to locate, gather and interpret material for an investigation.

According to Ramsland (2007:xv), investigations and courtroom protocol are covered under the umbrella term of 'forensic science', which includes everything from the investigation of historic events that have no forensic significance to disciplines of skill that involve little to no science. Ramsland (2007: xv) further states that it is most technically accurate to say that forensic science is the use of scientific data and procedures specifically for the legal system. In addition to this reasoning, Karagiozis and Sgaglio (2005:3) argue that forensic science is the application of the natural sciences to matters of law and further state that the painstaking recognition, identification and individualisation of physical evidence form the core on which every forensic investigation is reliant.

'Forensic investigation' is defined by Carrier and Spafford (2004:3) as a process that uses science and technology to develop and test theories which could be used in a court of law to answer questions about events that occurred. Karagiozis and Sgaglio (2005:vii) give an all encompassing meaning of forensic investigation and state that forensic investigation was once the sole realm of pathologists, but with the scientific advancements of recent years the spectrum of professionals involved in forensic investigation has broadened dramatically. Forensic investigation as a process begins with the first response personnel arriving at the scene of an incident and concludes when all relevant evidence has been presented untainted in a court of law.

Similar to Karagiozis and Sgaglio (2005:vii), who refer to the increasing spectrum of professionals involved in forensic investigation, Van Rooyen (in Botha, 2009:50) refers to 'forensic investigators', who now present themselves (in practice) in the following guises:

- Law enforcement officials, e.g. police investigators;
- Investigators employed by the revenue service;
- Investigators employed by the prosecuting authority;
- Customs officials; and
- Private sector investigators.

Van Rooyen (in Botha, 2009:49) states that the true meaning of the term ‘forensic’ is two-fold:

- It refers to ‘courts of law, juristic or court directed’ and relating to the ‘application of science’ to decide questions arising from crime or litigation; and
- It includes the function of ‘examination or analysing’.

Considering the broad references to the terms ‘forensic’, ‘forensic investigation’ and even ‘forensic science’ by numerous authoritative authors in the field of crime investigation, the researcher argues that one can safely classify ‘traditional detective work’, or at least some of its ever-increasing techniques and scientific methods, as part and parcel of forensic investigation.

In response to the question ‘What is forensic investigation?’ nine participants from Sample A responded by saying it entails investigation at a scene of crime and revolves around the seizure of exhibits and the identification of a possible suspect. The remainder of the group (10 of the 19 participants) responded as follows:

- It has to do with the use of specialised laboratory equipment to analyse exhibits seized at a crime scene (four participants);
- It is the court-driven collection of evidence to prove or disprove allegations (two participants);
- It has to do with obtaining evidential samples (i.e. blood) directly from the victim and suspect for comparison purposes (two participants); and
- Not sure (two participants): These two participants alluded to the fact that the term ‘forensic investigation’ is not used in their everyday execution of duties and therefore they are not sure as to the meaning of the term.

To the question ‘What is forensic investigation?’ participants from Sample B responded as follows:

- The investigation of an alleged crime by scientific means (one participant); and

- An investigation that is court-driven and focused on a subsequent trial (one participant).

To the question ‘What is forensic investigation?’ participants from Sample C responded as follows:

- It is a specialised type of investigation which is reliant on scientific methods and tools to solve crimes (four participants); and
- The process of searching for evidence and the subsequent interpretation thereof during the legal process (four participants).

The feedback from participants on the meaning of forensic investigation, apart from the two participants of Sample A who stated that they are not sure, can be accepted as being fundamentally consistent with the definition of forensic investigation as provided by literature. However, it appears as if participants are more inclined to designate the term ‘forensic’ to activities related to technical investigation methods described by Marais (1992:1-2) as being scientific and technological in nature. The uncertainty of the two participants of Sample A as to the meaning of forensic investigation could be ascribed to the lack of use of the term among detectives. It is also the experience of the researcher that the term ‘forensic(s)’ is usually applied to the functions of expert forensic fieldworkers within the SAPS.

The researcher is in agreement with Van Rooyen (2004:7), who refers to the existing confusion about the term ‘forensic investigation’, and furthermore submits the exponential growth of the industry as a possible explanation for this confusion, i.e. what qualifies and what does not qualify as forensic investigation. The researcher is also of the opinion that the participants’ views on the meaning of forensic investigation are too narrow as evidenced in their oft reference to forensic investigation as being a scientific and specialised ‘type’ of investigation.

2.2.3 Difference between Criminal Investigation and Forensic Investigation

Lambrechts (2001:93) states that forensic investigation entails the use of both scientific and investigative methods and techniques to ensure a sound investigation and to present evidence in a court of law. In harmony with Lambrechts (2001:93), Palermo and Kocsis (2005:84) refer

interchangeably to the concepts of forensic investigators and crime scene investigators, and state that a forensic investigator should have certain professional and personality qualities and should be highly skilled in investigative strategies and interviewing techniques.

Sixteen of the 29 participants in Samples A, B and C stated that there is a difference between forensic investigation and criminal investigation. The participants from Samples A, B and C who stated that there is a difference between forensic investigation and criminal investigation were then asked to list these differences. They responded as follows:

- Criminal investigation are always court-driven whereas forensic investigation could serve other purposes, i.e. research or confirmation of allegations (one participant of Sample A); and
- Criminal investigation entails traditional police methods and is conducted by an ordinary police investigating officer while forensic investigation is of a scientific nature and always involves an expert in a particular field, i.e. pathologists, doctors, fingerprint or ballistic experts (10 participants of Sample A; one participant of Sample B; four participants of Sample C).

According to Stelfox (2009:132), investigators need to identify the opportunities to use forensic investigation in any particular case but they also need knowledge of which techniques are available and what they can contribute. Similar to Stelfox (2009:132) it is argued by Participant One (Sample C, 2010) and Participant Two (Sample C, 2010) that the investigator will ultimately decide which forensic method they will use to complement the more traditional methods of criminal investigation. The investigator will be guided by the type of crime being investigated and what the possible points of dispute might be.

From the literature it is observed by the researcher that forensic investigation is, in a sense, plagiaristic or derived from criminal investigation. It is therefore the conclusion of the researcher that there is not a significant difference between forensic investigation and criminal investigation as both involve the use of methods and techniques to investigate crime systematically and to bring evidence before a court of law. The conclusion by the researcher is supported by Marais

(1992:2), who states that tactical and technical investigation methods are not indicative of two separate approaches to the gathering of information and evidence, but that the two terrains are inseparable and supplement each other.

From the interviews with the three samples (A, B and C), it is evident that there is a lack of understanding among some of the participants as to the entirety of the meaning of forensic investigation as found in literature. This could be ascribed to a lack of training and the fact that the term ‘forensics’ or ‘forensic investigation’ within the SAPS is most often used when referring to the analysis of exhibits or the duties performed by experts attached to the Criminal Record Centre or Forensic Science Laboratory.

2.2.4 Purpose of Investigation

As previously discussed, Carrier and Spafford (2004:2) refer to questions that an investigation attempts to answer. These include: ‘What caused the incident to occur?’, ‘When did the incident occur?’, and ‘Where did the incident occur?’ The researcher argues that these questions slot in with the purpose of investigation, which entails gathering of objective and subjective evidence about an alleged crime or incident (Van Rooyen, 2008:13) and thereby finding a positive solution to the crime (Du Preez, 1996:1). It is argued by Du Preez (1996:2) that a systematic approach will direct investigative procedures, and eventually assist in proving the guilt of the perpetrator by means of admissible evidence which was gathered in a lawful manner. Similarly it is stated by Carrier and Spafford (2004:2) that the only proof that an event may have occurred is if evidence to that effect exists. If an object that was influenced by such an event still exists, it can be examined for information about the event and about other objects that were causes or effects of the event. All the participants of Samples A, B and C were asked what the purpose of investigation is. The researcher has tabled the views of the participants on the purpose of investigation as follows:

TABLE 2.1: Participants' views on the purpose of investigation

Response	Sample A	Sample B	Sample C
To gather all evidence that proves or refutes an allegation that a crime was committed and to solve a crime	Nine Participants	One Participant	Five Participants
To identify and link a suspect to the crime	Four Participants	One Participant	
To present a culmination of facts to a court of law in order to decide the fate of the suspect	Six Participants		Three Participants

(Compiled from information gathered from interviews with Sample A, Sample B and Sample C participants, 2008, 2009, 2010)

The researcher argues that there appears to be some confusion among participants as to the purpose of investigation. The feedback from 15 participants (nine participants from Sample A, one participant from Sample B and five participants from Sample C) referred to the purpose of investigation as the gathering of all evidence that proves or refutes an allegation that a crime was committed and to solve a crime. This feedback is very similar to the literature which refers to the purpose of investigation as the gathering of objective and subjective evidence about an alleged crime or incident (Van Rooyen, 2008:13) and thereby finding a positive solution to the crime (Du Preez, 1996:1). The remaining participants stated that the purpose of investigation is to identify and link a suspect to the crime (four participants from Sample A and one participant from Sample B) and to present a culmination of facts to a court of law in order to decide the fate of the suspect (six participants of Sample A and three participants of Sample C). Conflictingly, Swanson, Chamelin and Territo (2003:28) refer to the identification and apprehension of the suspect, as well as the subsequent assistance in the prosecution of person(s) charged with the crime as the objectives of investigation.

2.2.5 Objectives of Investigation

Du Preez (1996:4) contextualises his discussion on the objectives of criminal investigation by defining an objective as a more precise commitment which must be attained within a determined time period and according to a specific standard. Du Preez (1996:4-7) continues by referring to the following objectives of criminal investigation:

- Identification of the crime
- Gathering of evidence
- Individualisation of the crime
- Arrest of the criminal
- Recovery of stolen property
- Involvement in the prosecution process

Stelfox (2009:2) alludes to the augmentation of criminal investigation as practice and states that the objectives of criminal investigation now include victim care, community reassurance, intelligence gathering, disruption of criminal networks and managing of a wide range of crime risks. The researcher argues that docket analysis is an investigative tool that can be used to reach these objectives mentioned by Du Preez (1996:4-7), namely gathering of evidence, individualisation of the crime and arrest of the criminal, and by Stelfox (2009:2), namely intelligence gathering, disruption of criminal networks and managing a wide range of crime risks.

To clarify the difference between the purpose and objectives of criminal investigation, the researcher describes the purpose of investigation as the overarching aim or umbrella concept while the objectives of investigation include those very specific sub-activities aimed at accomplishing the purpose.

This discussion on investigation provides a context for the discussion on rape, stranger rape and serial rape, with the latter categories distinguished by the nature of the rape and their relevance in the way in which they are investigated.

2.3 RAPE, STRANGER RAPE AND SERIAL RAPE

This research focuses on stranger rape cases in particular. The researcher will now contextualise the discussion by distinguishing between the concepts of rape, stranger rape and serial rape. It should be noted that when a case of rape is reported to the SAPS, it is officially recorded and referred to as a ‘rape’ case. The concepts of ‘stranger rape’ and ‘serial rape’ merely refer to the nature of the rape, and their relevance is found in the manner in which the investigation of a rape case will be approached.

2.3.1 Rape

Section 3 of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act No. 32 of 2007) provides that a person is guilty of the offence of rape if he or she unlawfully and intentionally commits an act of sexual penetration with a complainant without his or her consent (South Africa, 2007:sec.3). According to the Act (South Africa, 2007: sec.1), the act of ‘sexual penetration’ includes any act which causes penetration to any extent whatsoever by—

- (a)* the genital organs of one person into or beyond the genital organs, anus, or mouth of another person;
- (b)* any other part of the body of one person or, any object, including any part of the body of an animal, into or beyond the genital organs or anus of another person; or
- (c)* the genital organs of an animal, into or beyond the mouth of another person.

To the question ‘What is the definition of rape?’ the participants of Sample A responded as follows:

- When a male person unlawfully and intentionally sexually penetrates another male or female person without his or her consent (15 participants); and
- The unlawful and intentional sexual penetration by a male or female on another male or female without his or her consent. A female can commit rape by sexually penetrating another male or female with a foreign object (four participants).

To the question ‘What is the definition of rape?’ the participants of Sample B responded as follows:

- The unlawful and intentional sexual penetration by a male or female on another male or female without his or her consent. A female can commit rape by sexually penetrating another male or female with a foreign object (two participants).

To the question ‘What is the definition of rape?’ the participants of Sample C responded as follows:

- When a male or female person unlawfully and intentionally sexually penetrates another male or female person without his or her consent (eight participants).

From the response of all the participants from Sample A, Sample B and Sample C, it can be accepted that they fundamentally concur with the definition of rape as stated by the Criminal Law Amendment Act of 2007 (South Africa, 2007:sec.3) and emphasised that this new definition, which came into effect on 16 December 2007, now includes the fact that a male can also be a victim of rape.

2.3.2 Stranger Rape

According to De Wet, Labuschagne and Chiroro (2009:37), there are currently more than 13 000 rapes committed annually by strangers in South Africa. According to Torres and Van der Walt (2009:457), stranger rapists are the least common yet the most feared sexual predators and they illustrate this point with daunting scenarios which present these offenders as the stalkers, ‘the guys in the bushes’, the person you just happen to allow inside your home to do maintenance and the suspects who happen to find a woman home alone. These rapists are further described by Torres and Van der Walt (2009:457) as being prepared, carefully selecting their prey or even being opportunistic, accosting a vulnerable woman during the course of another crime. They emphasise the commonality among these perpetrators to be the fact that they are unknown to the victim.

A stranger rapist is a man who rapes a woman who is unknown to him (Pistorius, 2005:249). To the question ‘What is stranger rape?’ all the participants of Sample A, Sample B and Sample C concurred with Pistorius (2005:249) and stated that stranger rape is where the victim is raped by an offender unknown to him/her. Torres and Van der Walt (2009:457) elaborate on the element of anonymity by stating that stranger rapists often thrive on this element and the fear they instil in their victims. In this context rape is equated to a form of terrorism.

2.3.3 Serial Rape

There is a definite relationship between stranger rape and serial rape (De Wet et al., 2009:37; Pistorius, 2005:249). This relationship is further confirmed by research supporting that ‘a large number of sex crimes against strangers are committed by a relatively small number of serial offenders’ (Warren, Reboussin, Hazelwood, Cummings, Gibbs & Trumbetta, 1998:35). Serial rape was defined by nine participants of Sample A, two participants of Sample B and two participants of Sample C as two or more rapes committed by the same offender with a cooling-off period between the offences. This view is supported by Goldsworthy (2006:166).

The remainder of Sample A (10 of the 19 participants) defined serial rape as follows:

- When an offender rapes more than two or three victims (one participant);
- When an offender rapes more than three victims (one participant); and
- When an offender has many different victims with a pattern in his modus operandi in a certain geographical area (eight participants).

To the question ‘What is serial rape?’ the remainder of Sample C (six of the eight participants) responded as follows:

- When an offender commits three or more rapes using the same modus operandi in the same geographical area (one participant); and
- When an offender commits numerous rapes over a period of time (five participants).

The above responses by the remaining 10 participants of Sample A and the remaining six participants of Sample C are therefore incorrect when considering that an offender already qualifies as a serial rapist when committing two or more rapes. The researcher ascribes this lack of knowledge among detectives with regard to what qualifies someone as a serial rapist to the fact that the topic of serial rape is only studied as part of the Psychologically Motivated Crimes course presented by the SAPS IPU. The researcher attended the Family Violence, Child Protection and Sexual Offences Investigators course presented by the SAPS Detective Academy and serial rape investigation was not part of the curriculum of this course.

According to Hazelwood and Burgess (1987:16), the serial rapist can ‘create a climate of fear in the entire community, who then pressure law enforcement to identify, locate and apprehend the responsible individual in the shortest possible time’. Similarly, this climate of fear created by stranger rapists is also experienced in the South African context, which also places a huge demand on the SAPS to respond accordingly and bring the perpetrators to justice (Carlisle, 2010:7; Clark, 2008:30; Mphande, 2007:1; Viljoen, 2005b:2).

The following table clarifies the differences between rape, stranger rape and serial rape:

TABLE 2.2: Difference between rape, stranger rape and serial rape

Rape	Stranger rape	Serial rape
When a male or female unlawfully and intentionally commits an act of sexual penetration with another male or female without their consent. The degree of familiarity between the victim and the offender has no bearing on the definition of rape.	Same elements as rape, the only difference is the fact that the person committing the offence is always unknown to the person being raped.	Same elements as rape, although 'serial rape' refers to two or more rapes committed by the same offender with a cooling-off period between the offences.
Penetration can occur by means of the genitals, any part of the body or a foreign object, including any part of the body of an animal.	The term 'stranger rape' therefore refers to the anonymity of the offender.	The degree of familiarity between the victim and the offender has no bearing on the definition of serial rape; however, it is usually in the category of stranger rapists that serial rapists exist.
Penetration to the genital organs, anus, or mouth of another person satisfies the elements of rape.	Stranger rape accounts for approximately 25% of all reported rapes.	

(Goldsworthy, 2006:166; South African Police Service, 2007:4; South Africa, 2007:sec.3; Torres and Van der Walt, 2009:457)

The police service's capacity to carry out investigations across the wide spectrum of offending it deals with in society, and its ability to respond to new challenges as they emerge, consists entirely of the knowledge, skills and understanding that individual investigators have of investigative practice. Legal, procedural, scientific and technical provisions are important, but without the individuals who are competent to apply them in individual cases they have little effect (Stelfox, 2009:2). It is for this reason that the researcher will now focus on docket analysis as a tool that can be used in the investigation of stranger rape to narrow down the scope of an investigation and to link cases committed by the same offender.

2.4 DOCKET ANALYSIS

It is the experience of the researcher that docket analysis is generally viewed amongst investigators as either an administrative function conducted by those in a supervisory role or a reactive initiative undertaken after a sudden increase in a specific crime has been identified in an attempt to explain the causes thereof. The following discussion will attempt to explain the concept of docket analysis and will serve as a foundational precursor to a practical docket analysis conducted by the researcher in an attempt to address the research aims and to answer the research questions.

2.4.1 The Meaning of Docket Analysis

Police dockets are the case files containing all relevant information about a recorded criminal case and generally include basic facts and demographic information about the incident, statements by victims and witnesses, details of the activities undertaken by the police officers dealing with the case, and the progress of the case through the criminal justice system (South African Law Commission, 2001:92). Docket analysis involves the analysis of this information in police dockets (Docket Analysis Learner Manual, 2002:2). The researcher identified numerous similarities between the meaning of docket analysis and that of crime analysis described by Canter (2000:4) as the collection and analysis of data pertaining to a criminal incident, offender, and target.

Specifically referring to the context of policing, Manning (2008:17) states that crime analysis covers a wide range of practices. Manning (2008:4) alludes to crime analysis as an 'umbrella

concept' and defines it as a family of techniques designed to gather information on the temporal, spatial and social aspects of crime; describe their patterning; make them available generally; and direct police resources in order to reduce the levels shown. Detectives' records for the reporting, investigation and disposition of crime are among the aspects considered in crime analysis (Manning, 2008:4). The researcher concurs with Manning (2008:4) and views docket analysis as one of the techniques that form part of the larger 'family' that contributes to crime analysis.

To the question 'According to your experience, what is docket analysis?' the participants from Sample A responded as follows:

- Analysis of docket content with a focus on statements in order to identify linkages or patterns and similarities in dates and times of the incidents, modus operandi, crime scene, approach taken by the suspect and the verbal interaction between the suspect and the victim (eight participants);
- The reading of dockets to identify serial offenders and linkages between dockets (three participants);
- The screening of dockets for specific predetermined types of information (three participants); and
- The determination of what investigation is outstanding by reading the dockets and to establish priorities for investigative decision making (five participants).

The feedback received from the participants from Sample A can be accepted as being consistent with the literature as to the meaning of docket analysis.

To the question 'According to your experience, what is docket analysis?' both participants in Sample B responded by stating that it is a concentrated study of the content of a sample of dockets in the search of information that could assist in the compilation of a linkage analysis or the identification of patterns and similarities among cases that could be indicative of a serial offender. The feedback received from the participants from Sample B can be accepted as being consistent with the literature as to the meaning of docket analysis.

To the question ‘According to your experience, what is docket analysis?’ the participants from Sample C responded as follows:

- The categorisation of specific information gleaned from dockets in order to prove or disprove a hypothesis about a specific crime situation (two participants);
- Analysis of all the available data obtained from dockets (three participants);
- Subsequent to the reading of the dockets, the identification of links between crimes as well as the association between criminals to enable structured planning to combat and prosecute the perpetrators (one participant); and
- Physical reading of dockets in order to connect crimes and to identify suspects by means of their modus operandi (two participants).

The feedback received from the participants from Sample C can be accepted as being consistent with the literature as to the meaning of docket analysis.

In harmony with the literature, the common theme identified in the responses by the participants is that docket analysis involves the reading and study of dockets for the purpose of obtaining information specified and required by the analyst or ‘reader’ of the dockets.

The question ‘Have you received training on docket analysis?’ was asked to participants from Samples A, B and C. The researcher has tabled the responses of the participants as follows:

TABLE 2.3: Participants trained in docket analysis

Response	Sample A	Sample B	Sample C
Yes	One Participant	One Participant	Six Participants
No	18 Participants	One Participant	Two Participants

(Compiled from information gathered during interviews with Sample A, Sample B and Sample C participants, 2010)

The following table depicts the type of training received by those participants who stated that they had been trained in docket analysis:

TABLE 2.4: Type of training received by participants in docket analysis

Response	Sample A	Sample B	Sample C
Basic introduction during the Detective Learning Programme	One Participant		
In-service training		One Participant	
CIMAC- Crime Information Management and Analysis Course			Six Participants

(Compiled from information gathered during interviews with Sample A, Sample B and Sample C participants, 2010)

Table 2.3 and Table 2.4 were compiled from the historical information supplied by the participants. Participant Two of Sample B and Participants Three and Four of Sample C had not been trained on docket analysis, but stated that they were self-taught and had become more skilled in the technique as they used it. The remaining 18 of the 19 participants of Sample A who were not trained in docket analysis did not use the technique in the course of their duties and therefore had little exposure to the practical application of the technique.

2.4.2 The Purpose of Docket Analysis

According to Mistry, Snyman and Van Zyl (2001:21), docket analysis is often used in criminological investigations and is intended to give an insight into crime, how the crime was investigated and how the case was closed by providing information on the nature and circumstances of the crime, the profiles of the perpetrator and the victim, the relationship between the perpetrator and the victim, previous criminal record of the offender and whether or not the case proceeded to trial.

Similarly, the Docket Analysis Learner Manual (2002:2) states that the primary aim of docket analysis is to increase one's knowledge about crime. Canter (2000:4) argues that one of the most important purposes of crime analysis is to identify and generate the information needed to assist in decisions regarding the deployment of police resources to prevent and suppress criminal activity.

The following example of the purposes for which docket analysis is conducted is contained in the literature:

- To provide detailed information about certain types of violent crimes and to assess the usefulness of police information in adjudicating possible claims for victim compensation (South African Law Commission, 2001:92);
- To evaluate and investigate what contributes to SAPS members killing their spouse or partner (Independent Complaints Directorate, 2008:10);
- To establish the extent and pattern of female homicide in South Africa (MRC Policy Brief, 2004:1); and
- To explore how information relating to a specific criminal case was collected, processed and utilised for investigation purposes and to determine the nature and extent of problems related thereto (Govender, 2008:8).

According to the Docket Analysis Learner Manual (2002:2-3), the results of a docket analysis can serve a number of purposes, which include to:

- Serve as a guideline when resources, manpower, etc. need to be allocated at all levels of command;
- Provide explanations for the causes of crime or giving an indication of factors associated with certain crimes;
- Provide information with a view to focusing on crime-prevention strategies; and
- Identify a common modus operandi which could be indicative of the presence of serial offenders or a group of offenders.

To the question ‘According to your experience, what is the purpose of docket analysis?’ participants from Sample A responded as follows:

- To identify similar modus operandi, link similar cases and identify serial offenders (six participants);
- To determine how, why and by whom a crime was committed (three participants);
- To obtain relevant information which could guide investigative decision making and to establish what investigation is outstanding (five participants);
- To establish crime patterns and crime hotspots as well as the time period during which most crimes are committed (three participants);
- To make an arrest and to get a conviction (one participant); and
- To narrow down the scope of investigation and determine priorities for resource usage (one participant).

To the question ‘According to your experience, what is the purpose of docket analysis?’ both participants from Sample B stated that it is a deliberate search for consistencies in elements such as the modus operandi of the suspect; the type of victim approached; dates and times of offences; and the phases of the crimes, i.e. what happened before, during and after the crime was committed with the ultimate goal of assisting the investigating officer.

To the question ‘According to your experience, what is the purpose of docket analysis?’ the participants from Sample C responded as follows:

- To be of assistance to the investigating officer, to establish patterns and similarities in modus operandi and to identify and link suspects to the crime (five participants);
- To increase knowledge, to provide information and to identify similar modus operandi (two participants); and
- To establish linkages (one participant).

Participant One and Participant Two of Sample C (2010) are in agreement with the Docket Analysis Learner Manual (2002:6) and state specifically that the goal of doing a docket analysis must be ‘predetermined, very specific and not vague’.

From the feedback received from participants (Samples A, B and C) during the interviews it is evident that their viewpoints are similar to those found in the literature with regard to the purpose of docket analysis. From the literature and responses by the participants it is argued by the researcher that the purpose of docket analysis is to serve both strategic and operational levels. Strategically it serves to understand holistically the different dynamics and contributing factors of crime and to fuel policing and investigative decision making. On an operational level docket analysis serves to analyse specific crime incidents in terms of, amongst others, modus operandi, possibilities for linkages and narrowing down the scope of an investigation.

2.4.3 How a Docket Analysis is Conducted

Docket analysis is not undertaken in isolation. Owing to the fact that docket analysis is a type of research or information-gathering process, the nature of the research process needs to be considered. In addition to this, docket analysis is dependent on selecting a sound sample, the drafting of detailed questionnaires and the exhaustive analysis of the results obtained from these questionnaires (Docket Analysis Learner Manual, 2002:3).

The following steps as described in the Docket Analysis Learner Manual (2002:3-20) lend structure to the docket analysis process and were evident in studies conducted by Deasy,

Badenhorst and Strumpher (2003); Independent Complaints Directorate (2008); Mistry et al. (2001); South African Law Commission (2001) and Vetten and Haffejee (2005a).

2.4.3.1 Step 1: Choosing a research topic

As a point of departure the researcher or crime analyst must identify and choose a topic on which the study or research will be based. Fouche and De Vos (2000a:55) refer to three considerations when selecting a self-initiated theme or topic, namely:

- Curiosity: The choice of a research topic can be prompted by mere inquisitiveness about an interesting or atypical phenomenon;
- Theory testing: The choice of a research topic is motivated by the testing of existing models and theories; and
- Generation of hypothesis: Here the researcher will investigate phenomena about which few established models or theories exist and the attempts to generate new models or hypotheses.

2.4.3.2 Step 2: Formulation of the problem

This step includes the selection of units of analysis, the research goal and the research strategy (Fouche & De Vos, 2000b:64). According to the Docket Analysis Learner Manual (2002:5-6), the units of analysis may consist of individuals (i.e. various individuals involved in a case such as the victim and the offender), groups (i.e. gang rapists), organisations (i.e. crime syndicates responsible for the trafficking of women and children) and social artefacts (i.e. social interaction such as crime). The research goal will indicate what the researcher would like to achieve by doing the docket analysis and it therefore needs to be clear and target orientated. Best practice has indicated that the research strategy employed in a docket analysis should be of a quantitative nature (Docket Analysis Learner Manual, 2002:5).

2.4.3.3 Step 3: Data collection

Data is the result of information gathering and can be described as a collection of facts. The data for the purpose of docket analysis will include all the available information that is contained in

the police crime docket. This information is then included in a questionnaire designed for this purpose, after which it is processed and analysed (Docket Analysis Learner Manual, 2002:7). It is further stated by the Docket Analysis Learner Manual (2002:8-19) that the preparation for data collection in a docket analysis includes the consideration of a sound sample and a detailed questionnaire. Sampling involves a process of systematically selecting cases for inclusion in the docket analysis. Decisions on the sample size are usually contingent upon factors, such as available time, the number of officials required to perform the task and the degree of precision.

A questionnaire or pro-forma is always used when dockets are analysed and is designed by bearing the problem in mind. Once the sample of dockets has been obtained, a questionnaire is completed for each docket (Docket Analysis Learner Manual, 2002:12-13).

2.4.3.4 Step 4: Data processing and analysis

According to the Docket Analysis Learner Manual (2002:19), a well-known, simple and widely used format for data capturing is an Excel spreadsheet. If no sophisticated data analysis tools are available and the data set is not too large, a manual system, using a matrix, can be used. The data is then prepared in a similar way to the Excel example but is done by hand. The entire questionnaire may cover a few pages in landscape form, or separate tables for each question. The tables provide the following information:

- Frequencies: The distribution of data in terms of victim or offender personal data, i.e. according to race, occupation, standards of education, etc., as well as frequency patterns in the data, e.g. most victims of rape were between the ages of 20 and 25;
- Comparisons: Differences in the data obtained from stations or specific areas; and
- Associations: The establishment of links, i.e. between the use of alcohol and the place of assault.

2.4.3.5 Step 5: Compilation of the report

The report will basically be a summary of the entire research process and will include sections on the research methodology employed and the findings of the docket analysis. It is also advisable

that a copy of the questionnaire be attached to the end of the report (Docket Analysis Learner Manual, 2002:20).

To the question, ‘According to your experience, how is docket analysis conducted?’ participants from Sample A responded as follows:

- By physically reading through dockets and making notes of important aspects, such as modus operandi and the dates and times when crimes were committed (13 participants);
- By physically reading through the docket and interviewing victims, as well as the investigators (five participants); and
- I don’t know (one participant).

The viewpoints shared by participants of Sample A to the abovementioned question are not entirely consistent with the literature as to how docket analysis is conducted. Although the majority of the feedback by participants covers the basic elements, such as the reading of dockets and identification of specific aspects, there is clearly a lack of technical knowledge among participants of Sample A as to how docket analysis is conducted. The feedback from participants also does not indicate an understanding of docket analysis as a step-by-step methodical process.

This lack of understanding among participants of Sample A as to how docket analysis is conducted could be ascribed to the fact that only one of the 19 participants had received introductory training on docket analysis. Furthermore, there are no designated members at the Port Elizabeth FCS Unit who perform docket analysis as a function.

To the question, ‘According to your experience, how is docket analysis conducted?’ participants from Sample B responded as follows:

- It is the physical reading of dockets and basically the ‘breaking up’ of all the available information contained in the docket in order to identify similarities (one participant); and
- It entails the use of a matrix or questionnaire to categorise information contained in the dockets under different headings in order to identify consistencies in statements, types of

victims and the physical, verbal and sexual behaviour of the suspect. It also entails the study of documents, such as the J88 [An official form completed by a qualified medical practitioner on which injuries are recorded] and photographs (one participant).

The feedback given by participants from Sample B is more consistent with the literature than the feedback given by participants from Sample A. Participants from Sample B are more descriptive on how docket analysis is conducted and mention the use of a questionnaire which guides the process of docket analysis. The superior knowledge shown by Sample B of how docket analysis is conducted as opposed to participants from Sample A could be ascribed to the fact that they (Sample B) use docket analysis in the identification of serial rape and murder when the IPU is approached for assistance.

To the question, 'According to your experience, how is docket analysis conducted?' participants from Sample C responded as follows:

- It is guided by a purpose, after which a questionnaire or matrix is developed that is guided by the anticipated outcome of the docket analysis. A time period is established which will dictate how big the sample of dockets for analysis will be. The matrix or questionnaire is then applied to each docket and specific information is extracted from the dockets. The process may include a revisit to the crime scene or interviewing of witnesses (three participants).
- It starts with the collection of all relevant dockets and extraction of relevant information, i.e. all parties involved in the crime incident, modus operandi, description of suspects, vehicles etc. This information is then analysed for predetermined purposes (two participants).
- It involves the obtaining of the relevant CAS numbers, requesting of the relevant dockets and the physical reading and filtering of dockets. A questionnaire is then applied to the dockets and relevant information relating to modus operandi, dates and times of the crimes is accumulated and compiled in a report (three participants).

Feedback given by participants of Samples B and C to the question ‘According to your experience, how is docket analysis conducted?’ is consistent with the literature in that it is emphasised that docket analysis is a methodical process with very specific predetermined goals and objectives (Docket Analysis Learner Manual, 2002:3-20). Participant One from Sample B (2010) and Participants One, Two, Five, Six, Seven and Eight from Sample C (2010) also referred to the use of a questionnaire which is applied to the sampled dockets in order to extract the relevant information which is then used in decision making. From the feedback received from Samples B and C it is evident that the participants of these samples are acquainted with the use of docket analysis as an investigative tool. Furthermore, the feedback from the participants of Samples B and C shows more depth and understanding of how docket analysis is conducted in comparison to the feedback received from the participants in Sample A.

2.4.4 The Benefits of Docket Analysis

Docket analysis can provide some useful information about the nature of violent crime, as well as the responses of the criminal justice system to it (South African Law Commission, 2001:92). According to Mistry (in Mistry et al., 2001:21), docket analysis has the following benefits:

- The information contained in the docket is relatively accessible;
- Information in a docket is ‘source data’ rather than information processed through an information system, such as the police computer records. This means that there are no secondary data capturing errors;
- Dockets provide some understanding of the nature of the crime and details of the victim and perpetrator;
- They indicate the manner in which cases are closed;
- Dockets indicate how well and for how long cases are investigated;
- The level of experience of the investigating officer is apparent from the dockets; and

- Information such as prior convictions, outcome, location, time, place and day of the crime, injuries sustained and weapons involved is provided.

Docket analysis provides an alternative avenue for obtaining more complete information in order to explain crime and crime trends. As dockets contain a complete record of investigations conducted into a specific crime, important information can be obtained about the risks associated with a specific crime (Docket Analysis Learner Manual, 2002:2).

To the question, ‘According to your experience, would you consider docket analysis to be a viable investigative tool in police investigations?’ all the participants from Samples A, B and C unanimously answered ‘yes’. The researcher specifically aimed this question at police investigations in general to draw on both the possible current and past experiences of participants regarding docket analysis as an investigative tool. The researcher then narrowed the scope to focus only on the value of docket analysis in stranger rape investigations.

To the question, ‘According to your experience, describe the value of docket analysis in police investigations’ the participants from Sample C responded as follows:

- It helps with the interlinking of different clues to create a ‘bigger picture’ and assists in narrowing down the scope of an investigation (three participants);
- It assists in the identification of similar patterns in a sample of cases and highlights specific points of interest (one participant);
- It establishes linkages on suspects and their modus operandi (three participants); and
- It promotes the easy management and use of information (one participant).

The feedback received from Sample C on the value of docket analysis in police investigations is consistent with some of the benefits of docket analysis as mentioned in the literature. Using the term ‘value’ when posing the question to participants facilitated the provision of information from participants’ own experience rather than creating an expectation of correct answers when asking them about specific ‘benefits’ of docket analysis. For the purpose of this research, the researcher equates the terms ‘value’ and ‘benefits’ with one another. This question was only

posed to Sample C as these participants are the experts in docket analysis in a range of different crimes and investigations and, therefore, once again, the focus on police investigations in general before narrowing the focus to stranger rape investigations.

2.4.5 The Limitations of Docket Analysis

According to Mistry (in Mistry et al., 2001:22), docket analysis has the following limitations:

- Dockets are often incomplete;
- Statements are often incomplete;
- Handwriting is often illegible or difficult to read;
- The language used is often poor;
- The full dynamics of the crime and its impact on the victims life cannot be determined; and
- The reason for the perpetrator committing the crime cannot be determined.

The South African Law Commission (2001:92, 95) noted similar limitations in their docket analysis and stated that the quality of information contained in dockets fundamentally influences the usefulness of the analysis. The following problems are referred to:

- Illegible handwriting on forms and statements in the dockets;
- Incomplete forms, sometimes with entire sections not completed; and
- The lack of data contained in forms and statements in the docket with regards to the injuries sustained by victims. Only a small proportion of dockets contained a J88 which was completed by a medical doctor attesting to injuries sustained by the victim.

It is the experience of the researcher that the abovementioned limitations referred to by Mistry (in Mistry et al., 2001:22) and the South African Law Commission (2001:92, 95) are rather shortcomings pertaining to the content of the dockets and not to the limitations of docket analysis

as a technique. However, the researcher is mindful of the fact that it is the shortcomings that are evident in dockets that could arguably limit the effectiveness of docket analysis as a technique. In a similar view to Mistry (in Mistry et al., 2001:22) and the South African Law Commission (2001:92, 95), Deasy et al. (2003:3) argues that the most inhibiting factor in their research was that the statements in dockets were incomplete and illegible. This contributed to the fact that their study was far more time consuming than they had originally anticipated. With an emphasis on the importance of data in crime analysis, Canter (2000:4) states that it is critical that the data be relevant, reliable, accurate and timely.

To the question, ‘According to your experience, what are the limitations of docket analysis in police investigations?’ the eight participants from Sample C mentioned the following:

- A lack of sufficient content in dockets regarding witness statements, photographs, identikit;
- The poor quality of statements, which were often incomplete and illegible; and
- Evidence that detectives did not visit crime scenes which adversely affected the quality and accuracy of the information contained in these dockets.

The feedback received from Sample C on the limitations of docket analysis in police investigations is consistent with the limitations of docket analysis mentioned in the literature. However, the feedback from the participants reflected shortcomings in the content of the dockets and not the limitations of docket analysis as a technique. This question was only posed to Sample C, as they were experts in docket analysis covering a range of different crimes and investigations and therefore the focus on police investigations in general before narrowing the focus to stranger rape investigations.

2.5 SUMMARY

Forensic investigation is a systematic fact-finding process which is dependent on different investigative tools, both scientific and traditional, to gather evidence for the purpose of assisting a court of law to come to a conclusion. One such investigative tool is docket analysis which

involves a step-by-step fact finding process. Docket analysis is information-driven and has the potential to narrow the focus of investigation into crime. In this chapter it was found that docket analysis can highlight distinctive aspects among a group of dockets, for example, the existence of a common modus operandi, which could be indicative of the presence of a serial offender. In the next chapter the researcher will explore the value of docket analysis as an investigative tool in stranger rape investigations.

CHAPTER 3

THE VALUE OF DOCKET ANALYSIS IN STRANGER RAPE INVESTIGATIONS

3.1 INTRODUCTION

South Africa, referred to as the ‘rape capital of the world’ (Jewkes & Abrahams, 2002:1231), has had its fair share of criticism as result of its high incidents of rape, with the government being blamed for routinely failing to investigate, prosecute and punish such violence (South Africa: Violence Against Women 11/24/95). In stranger rape cases, the information on which to decide the direction of the investigation is often limited due to the absence of a relationship between the victim and the offender as well as a lack of witnesses. Decision making by detectives needs to be swift. This is a challenge that is compounded by the need for a focused investigation, based on time and capacity restrictions (Ter Beek, Van den Eshof & Mali, 2010:32, 34).

Failure by detectives to investigate cases of stranger rape effectively has been experienced by the researcher at the SAPS FCS Unit in Port Elizabeth, where stranger rape cases are often closed as ‘undetected’ with little to no effort made by investigating officers to solve these heinous crimes. An inappropriate or disorganised investigation of stranger rape cases contributes to shortcomings which adversely affect any possibility of the suspect being apprehended and create a fertile environment for serial offenders to exhibit recidivistic behaviour. The criminal justice system and the police are not just the most visible sectors of the State, but their performance in response to complaints of rape is a yardstick against which the seriousness of the crime is measured (Jewkes & Abrahams, 2002:1242).

In this chapter the researcher explores what value docket analysis as an investigative tool can have in stranger rape investigations. This exploration was conducted by means of an actual docket analysis on a sample of stranger rape dockets, interviews and literature. All available information contained in a sample of stranger rape dockets, gathered by means of a rape matrix, was used to assist the researcher in determining the viability of docket analysis in:

- Identifying shortcomings in stranger rape investigations;

- Identifying distinctive behaviour among stranger rape cases;
- Narrowing down the scope of a stranger rape investigation while facilitating effective court-driven investigation strategies; and
- Contributing to the linking of multiple stranger rape cases committed by the same offender(s) as result of similarities and/or patterns amongst cases.

3.2 DYNAMICS OF STRANGER RAPE INVESTIGATIONS

Interviews with detectives at the Port Elizabeth FCS Unit served as a point of departure in understanding how stranger rape cases are managed and establishing what the challenges and shortcomings within investigations are. To the question, ‘Is there a difference in the investigation of stranger rape and that of a rape case where the offender is known?’ 16 participants from Sample A stated that there is a difference while three participants of Sample A stated that there is no difference in the investigation of a stranger rape and that of a rape case where the offender is known.

The question ‘According to your experience, list the differences between the investigation of a stranger rape and that of a rape case where the offender is known’ was then put to the 16 participants from Sample A who stated that there is a difference in the investigation. This question was not posed to the three participants who stated that there are no differences between the two investigations. The 16 participants responded as follows:

- The issue of positive identification and compilation of an identikit of the stranger rapist is crucial (11 participants);
- Stranger rape investigations require a greater variety of investigative tools, strategies and creativity, i.e. in-depth interviewing of the victim and witnesses regarding aspects that are not necessary to cover in rape cases where the suspect is known (seven participants) ;
- The use of informers due to the anonymity of the suspect (seven participants); and

- Stranger rape investigations are more tedious and require more effort from the investigator (one participant).

Some of the participants responding to the abovementioned question addressed more than one criterion and therefore the answers reflected are not limited to only 16 participants.

To the question, ‘According to your experience, what do you think are important evidence to look for in stranger rape investigations?’ the participants of Sample A gave the following responses:

- Physical evidence, such as blood, semen, cigarette butts, fingerprints and shoeprints (15 participants);
- Any evidence pointing towards the modus operandi employed by the suspect (eight participants);
- Any evidence regarding the description of the suspect which could include distinguishing marks or the clothing worn by the suspect which should then be incorporated into a identikit (12 participants); and
- The location and similarities in the crime scene (four participants).

Some of the participants responding to the abovementioned question addressed more than one criterion and therefore the answers reflected are not limited only to 19 participants.

The researcher has tabled the responses by the participants from Sample A to the question ‘What are the investigative resources used by yourself in stranger rape investigations?’

TABLE 3.1: Investigative resources used by participants from Sample A in stranger rape investigations

Investigative resources used by participants from Sample A in stranger rape investigations	Number of participants making use of the investigative resource
Photographer	11
Fingerprint expert	11
Sketch artist for compilation of ID Kit	10
Informers	8
Forensic Science Laboratory	7
Dog unit	6
Video operator	2
District Surgeon/Medical Doctor	2
Ballistics	1
Offender Profiler	1

(Feedback from Sample A participants to the question ‘What are the investigative resources used by yourself in stranger rape investigations?’ 2008, 2009).

Some of the participants responding to the abovementioned question addressed more than one criterion and therefore the answers reflected are not limited to only 19 participants.

To the question, ‘How successful are you in stranger rape investigations?’ only seven of the 19 participants from Sample A said they have had a degree of success in stranger rape investigations. The remaining 12 participants from Sample A stated that they are not successful in stranger rape investigations.

With regard to the lack of success in stranger rape investigations at the FCS Unit in Port Elizabeth, Participant Nine (2009) from sample A stated that she has never had a conviction in a stranger rape case. Participant Seven (2009) from sample A stated that he gives guidelines and

instructions in stranger rape investigations and seldom found an investigator who would solve a stranger rape case.

According to Shanagan (2010), group commander of the New Brighton FCS Unit in Port Elizabeth, the 2005 Port Elizabeth serial rapist, Alwin le Roux, committed seven rapes in six police jurisdictional areas. However, subsequent to the interrogation of the suspect it could not be established whether Alwin le Roux indeed had knowledge about the different police jurisdictions in which his crimes were committed. Up until the time of the interview with Shanagan (2010), a standard operating procedure to identify possible serial rape activity among stranger rape cases reported in Port Elizabeth is yet to be established or initiated.

Furthermore, up until the time of this research, DNA analysis was only performed after a possible suspect was identified. DNA analysis was therefore not employed proactively with the aim of linking stranger rape cases where a suspect was yet to be identified. Rapes committed by Alwin le Roux in the 2005 series, for example, were coincidentally identified by Shanagan in the course of conducting docket inspection at the Port Elizabeth FCS Unit.

It is also the experience of the researcher that a database dedicated to the recording of distinctive behaviour, including modus operandi and the formulation of subsequent linkages between cases, is not readily available for investigative purposes in Port Elizabeth. This was confirmed by Bekker (2011), Forensic Expert at the Eastern Cape Provincial Criminal Record and Crime Scene Management Centre.

To the question, ‘How is similar stranger rape cases linked at your unit?’ participants of Sample A responded as follows:

- It is not done (five participants);
- I don’t know (four participants);
- By keeping records of suspects and modus operandi by completing forms which are then forwarded to Crime Intelligence Gathering for identification of possible similarities (four participants); and

- It is linked through informal discussions amongst investigators about recent cases investigated or when officers inspect dockets (six participants).

To the question, ‘According to your experience, is docket analysis conducted in rape or stranger rape cases at the Port Elizabeth FCS Unit?’ the participants from Sample A responded as follows:

- No (18 participants); and
- Yes, but not as a formal dedicated task by a specific person (one participant).

The responses by the participants of Sample A is therefore in concurrence with Shanagan (2010), who stated that there is no standardised approach in place to link similar stranger rape cases or to identify possible serial rape activity among reported rape cases. Between April 2009 and July 2010 the Port Elizabeth FCS Unit was restructured, with detectives subsequently being redeployed into various police station jurisdictions. This had a definite compounding effect on the already complex task of identifying possible serial rape activity among stranger rape cases reported in Port Elizabeth (Shanagan, 2010).

In an attempt to gain an understanding of the apparent challenges faced by investigators in stranger rape investigations, the researcher used the historical background information provided by participants during the interviews to establish, amongst others, the levels of training and experience in stranger rape investigations. The participants from Sample A had an average of 5,52 years experience per participant in the investigation of rape and other sexual crimes against women and children. Furthermore it was established that 12 of the 19 participants attended the Detective Learning Programme and 17 of the 19 participants attended the FCS Investigators’ course.

The Detective Learning Programme and the FCS course are the two basic courses which equip investigators at FCS Units to investigate sexual offences. Unfortunately, up until the time of this present study none of these two courses covered serial rape investigation as a subject. The researcher is aware that it is not solely as a result of basic training interventions that investigators

are successful. Thus he feels compelled to emphasise that there needs to be a focus on training in tools such as docket analysis and modus operandi identification.

Only Participant Three from Sample A has received training in docket analysis and has taken the Psychologically Motivated Crimes course which is presented by the SAPS IPU, where crucial topics such as serial rape investigation, rapist typologies, offender profiling and psychopathology are covered. The Psychologically Motivated Crimes course is offered to members from the Organised Crime Unit, the Serious and Violent Crimes Unit, the FCS Unit, General Investigations and experts from the Local Criminal Record Centre (Omar, 2008:34). Detectives from the FCS unit who are responsible for stranger rape investigations therefore form only a small segment of the total number of members being trained in psychologically motivated crimes.

To the question, ‘When is a stranger rape case closed as “undetected”?’ 11 participants of Sample A responded by saying that stranger rape cases are closed as ‘undetected’ when all investigative avenues have been explored and no new information or evidence surfaces which could positively link or identify the suspect.

The remainder of the sample (eight of the 19 participants) responded as follows:

- When the suspect is unknown (six participants); and
- When the suspect cannot be traced (two participants).

These questions were not put to participants from Sample B and Sample C as they were not responsible for the investigation or management of rape or stranger rape cases. Participant Seven (2009) of Sample A, a detective from the FCS Unit in Port Elizabeth, voiced his concern by stating that stranger rape cases are often closed as soon as the victim mentions that they will not be able to identify the suspect. Participant Seven (2009) of Sample A, further stated that stranger rape cases are closed too soon and too easily and ascribed this to the high volume of cases investigated by members of the Port Elizabeth FCS Unit. The latter comment was not given in response to a question, but was merely an observation with regards to the closure of stranger rape

cases at the Port Elizabeth FCS Unit. The other participants from Sample A did not give any additional opinions or observations.

3.3 THE IMPORTANCE OF MODUS OPERANDI, FANTASY AND SIGNATURE AS DISTINCTIVE BEHAVIOUR IN THE INVESTIGATION OF STRANGER RAPE AS A PSYCHOLOGICALLY MOTIVATED CRIME

The best rape investigators, as evidenced by high clearance rates, are living encyclopaedias of sex crime and rapist behaviour. They have studied all kinds of rapists, what they do, why they do it and assembled and understood all the elements of the extreme violation that is rape (Turvey, 2005:259). As a crime, rape usually contains a substantial amount of behavioural information which is often evidenced in the offender's crime scene behaviour (Santtila et al., 2005:88). Shipley and Arrigo (2008:120) refer to a host of factors ranging from, amongst others, modus operandi, criminal background of the assailant, the use of fantasy, paraphilias, psychiatric illness, psychopathy and the role of sadism in the commission of the crime that would have to be carefully and systematically explored.

Modus operandi, fantasies and signatures are all valuable things to consider when conducting any murder or rape investigation as all three continuously interact during the crimes (Psychologically Motivated Crimes Course Learner Guide, 2009:135). These elements are also fundamental in the compilation of a linkage analysis (Hazelwood & Warren, 2003:587; Labuschagne, 2006:183-191; Turvey, 2008:309). According to Woodhams, Bull and Hollin (2007:118), linkage analysis is a process that aims to identify crimes that are likely to have been committed by the same suspect because of behavioural similarity across the crimes. Crimes committed in a similar manner are 'linked' to form a 'series'. In other words, the crimes are linked together because the offender has behaved in a very similar way when committing these crimes and, therefore, it is probable that the same offender committed all of these crimes. Profiles compiled by the IPU of the SAPS include a linkage analysis that can be used by the profiler during the trial to explain the linkage between cases (Hicks & Sales, 2006:46; Labuschagne, 2006:183).

3.3.1 Modus Operandi

Law enforcement officials have historically analysed crimes by examining the behaviours of the offenders that is referred to as the 'MO' or modus operandi (Hazelwood & Warren, 2003:588). According to Turvey (2008:310) 'modus operandi' is a Latin term that means 'method of operating'. It refers to the manner in which a crime has been committed and comprises choices and behaviours that are intended to assist in the completion of a crime.

According to Turvey (2008:310-311), the collection, storage, and examination of a criminal's modus operandi have traditionally been investigatively relevant for the following reasons:

- The linkage of unsolved cases by modus operandi;
- Suspect identification by comparing known criminal modus operandi with the modus operandi evident in unsolved cases;
- Routine comparison of arrestee modus operandi with the modus operandi evident in unsolved cases;
- Development of investigative leads or suspect identity in unsolved cases by virtue of accumulating modus operandi information;
- Suspect prioritisation or elimination; and
- Clearance of unsolved cases.

All the participants from Sample A, Sample B and Sample C were in agreement with Turvey (2008:310) when the question, 'What is the meaning of modus operandi?' was put to them, and stated that it is the offender's method of operation or the way in which he commits a crime. Beauregard, Lussier & Proulx (2005:265) states that modus operandi is dynamic and may fluctuate due to certain situational factors related to offenders and victims. Similar to this, the Psychologically Motivated Crimes Course Learner Guide (2009:135) states that modus operandi is usually learned behaviour and can be modified as the offender gains more experience (for example committing more crimes or learns from fellow criminals), when circumstances change (for example when certain types of victims are difficult to come by), when things go wrong during the crime (for example when a victim fights back) or when the media reports a serial murderer's activities in detail.

According to the Psychologically Motivated Crimes Course Learner Guide (2009:135) and Hazelwood & Warren (2003:590), modus operandi can include any of the following:

- The type of crime;
- Property stolen;
- Victim type;
- Time and place;
- Tools used;
- Method of gaining entry to a premises;
- Method of subduing the victim; and
- Having an accomplice.

According to Turvey (2008:311), the modus operandi is important to consider because it can provide an array of information about the offender. This includes the involvement of choices, procedures, or techniques that can be characteristic or reflective of the following:

- A particular discipline, trade, skill, profession, or area of knowledge (criminal and non-criminal);
- Knowledge particular to the victim, suggesting contact, or a prior relationship; and
- Knowledge particular to a crime scene, suggesting varying levels of familiarity.

3.3.2 Fantasy

All human beings fantasise, these may be non-sexual fantasies such as winning the lottery, or they may be sexual fantasies involving partners or strangers. When a person masturbates, they use fantasies to arouse themselves. Most sexually violent acts will have an underlying fantasy guiding them and the content of the fantasy will differ from person to person (Psychologically Motivated Crimes Course Learner Guide, 2009: 135). Hazelwood and Warren (2003:589) refer interchangeably to ritual or fantasy-based behaviours and state that they are symbolic, as opposed to functional. As such, they are highly individualised and reflect the aspects of the crime scene that are unnecessary to the accomplishment of the crime, but are pivotal in expressing the primary motivation or purpose of the criminal act itself. According to Beauregard et al.

(2005:266), fantasy is seen as a motivating factor underlying the crime and the behaviour exhibited while committing the crime.

A serial murderer may at first only act out a part of the fantasy, for example, by kidnapping and raping the victim and then releasing her. These are known as 'trial runs'. Even if he fantasised about murdering her, he may not do so at first, but may progress to murder later (Psychologically Motivated Crimes Course Learner Guide, 2009:136). Similar to this, Prentky, Burgess, Rokous, Lee, Hartman, Ressler and Douglas (1989:890) state that 'once the restraints inhibiting the acting out of the fantasy are no longer present, the individual is likely to engage in a series of progressively more accurate trial runs in an attempt to enact the fantasy as it is imagined'. According to Psychologically Motivated Crimes Course Learner Guide (2009:137), the underlying fantasy remains constant and will therefore have expressive elements that will always be present in one form or another at the crime scene. The victim and crime are superimposed onto the fantasy and it is therefore the fantasy that profiling aims to analyse. Furthermore, it is these elements that helps link crimes and provides insight into the offender's motivation and that will:

- Guide who becomes a victim;
- Determine age, gender, appearance, attire and behaviour that a victim must display;
- Guide the method of approaching the victims;
- Guide crime scene behaviour such as removing clothes, weapon of choice, verbal and sexual behaviour; and
- Influence whether any items are taken for monetary, trophy or souvenir purposes.

To the question, 'What is the meaning of fantasy?' participants from Sample A responded by saying:

- It is related to something that is not real or a desire on the part of the offender to act out a 'wish' or a 'daydream' (10 participants); and
- Don't know (nine participants).

To the question, 'What is the meaning of fantasy?' participants from sample B responded by saying:

- When an offender creates and superimposes an imagined scenario onto a real life situation. In a case of serial murder or rape, this process usually precipitates the commission of the crime (one participant); and
- A fantasy is similar to the process of 'daydreaming' where the offender subconsciously removes himself from everyday life and places himself in the situation where he has control. What usually follows is an act of murder or rape (one participant).

To the question, 'What is the meaning of fantasy?' participants from Sample C responded by saying:

- It is a need or desire of the offender that he satiate in real life, with the actual crime being a manifestation of the fantasy (five participants);
- When the offender channels negative and aggressive thoughts into his fantasies and eventually acts them out (one participant); and
- Don't know (two participants).

The responses by the two participants from Sample B are very similar and fundamentally consistent with the opinions of Beauregard et al. (2005:266), Hazelwood and Warren (2003:589), Prentky et al. (1989:890) and the Psychologically Motivated Crimes Course Learner Guide (2009:135-137). It is also evident from the interaction with the participants of Sample B that their insight into the meaning of fantasy is far superior to that of the participants of Sample A and Sample C. This is because they consider this concept when assisting investigators in serial crime investigation.

Participants from Sample A and Sample C mentioned that their awareness of the concept of 'fantasy' was mostly fuelled by the media and its depiction on television shows. Responses by 10 participants from Sample A and five participants from Sample C were consistent with the literature on the meaning of 'fantasy' while the remaining nine participants from Sample A and three participants from Sample C were incorrect or did not know what the meaning of 'fantasy'

was. The lack of understanding among participants of Sample A and Sample C as to the meaning of 'fantasy' could once again be ascribed to the lack of specialised training or general awareness of the concept.

3.3.3 Signature

According to Psychologically Motivated Crimes Course Learner Guide (2009:138), signature behaviours are:

- Those behaviours that go beyond what is necessary to commit the crime and represent the behaviours that the suspect wants to carry out for their own psychological reasons. In serial murder this is often something sexual, but can include the kind of violence the suspect inflicts on the victim, crime scene behaviours, and also certain things said to the victim (verbal).
- A unique combination of modus operandi behaviours. They are those behaviours that in isolation are common criminal behaviours, but in combination become unique to the suspect. It is modus operandi behaviours that allow an investigating officer to realise that the same suspect has struck again.

Recognition of signature aspects in a crime can occur when crime analysts and/or investigators are attempting to link two or more crimes that have occurred in either close physical or temporal proximity, or at times or locations that are highly divergent (Hazelwood & Warren, 2003:591). With the potential of being somewhat distinct to a particular offender, depending on the available convergence of physical and behavioural evidence, a specific pattern of signature behaviours and the need that they represent can be used to distinguish between crime scenes and potentially between offenders. This is not to say that offender signature behaviour will always be distinct, unique, or even present (Turvey, 2008:325).

To the question, 'What is meant by the signature of an offender?' 12 participants from Sample A stated that it is something concrete or something intangible left behind at the scene by the offender, who is usually a serial murderer or serial rapist, that is unique to him and which

identifies him as being responsible for the crime. The remainder of the group (seven of the 19 participants) answered as follows:

- It is the same as the offender's modus operandi (three participants);
- I don't know (three participants); and
- When the offender signs documents after his arrest, i.e. his notice of rights (one participant).

In response to the same question both participants from Sample B stated that the signature of the offender is any unique behaviour that is distinctive to the offender, it never changes and can include strange behaviours or a unique combination of modus operandi behaviours.

To the question, 'What is meant by the signature of an offender?' the participants from Sample C responded as follows:

- It is something that an offender does or says during the commission of a crime that is unique to him (six participants);
- It is the behaviour of the suspect in an attempt to fulfil a psychological need (one participant); and
- Don't know (one participant).

The responses from the first 12 participants from Sample A, two participants from Sample B and six participants from Sample C are consistent with the literature about the definition of 'signature', apart from Turvey (2008:325), who argues that a signature may not always be distinct or unique. However, it was clear to the researcher that participants from Sample B had a superior knowledge and operational understanding of the term 'signature' than the other participants. Participants from Sample A and Sample C mentioned that their awareness of the concept of 'signature' was mostly fuelled by the media and its depiction on television shows. The remaining participants from Sample A (seven of the 19 participants) and Sample C (two of the eight participants) were not consistent with the literature in their responses on the meaning of the term 'signature' and this suggested that they did not fully understand 'signature' as a concept.

Labuschagne (2008) and both participants from Sample B stated that an understanding of aspects relating to modus operandi, fantasy and signature is very important for anyone who conducts an analysis into stranger rape cases with a view to identifying patterns or similarities. The researcher ascribes the diverging knowledge among participants with regard to modus operandi, fantasy and signature aspects as being due to the fact that only 350 detectives have been trained by the SAPS IPU on issues relating to the investigation of psychologically motivated crimes since the establishment of the SAPS IPU in 1996 (Omar, 2008:34). This is also evident in the fact that the researcher is one of only three detectives from the Port Elizabeth FCS Unit that ever received training in the investigation of psychologically motivated crimes.

The importance of training is also emphasised by Goldsworthy (2006:185), who states that it is vital for police to receive training in relation to psychological traits of these types of offenders so that they at least have some basic understanding of the offender and his behaviour. The important issues of offence linkage and signature behaviour should also be kept in mind and will require the investigator to approach the investigation with an open mind. The investigator needs to accept the possibility that the single offence he or she is investigating could well be part of a series of offences.

3.4 PARTICIPANTS' VIEWS ON DOCKET ANALYSIS AS INVESTIGATIVE TOOL IN STRANGER RAPE INVESTIGATIONS

Before proceeding with the actual docket analysis in stranger rape cases, the researcher sought to explore the views of the participants from Samples A, B and C on docket analysis as an investigative tool in stranger rape investigations.

To the question, 'Have you ever conducted docket analysis in stranger rape investigations?' the participants from Sample A responded as follows:

- No (17 participants)
- Yes (two participants)

To the question, ‘Have you ever conducted docket analysis in stranger rape investigations?’ both participants from Sample B answered ‘yes’ and stated that they routinely conducted docket analysis as part of their assistance to investigators in serial rape and serial murder investigations.

To the question, ‘Have you ever conducted docket analysis in stranger rape investigations?’ the participants from Sample C responded as follows:

- No (seven participants)
- Yes (one participant)

The researcher then tried to establish whether the participants saw the viability of using docket analysis as a tool in stranger rape investigations, even though most of the participants, apart from Sample B, had never conducted a docket analysis or used it in stranger rape investigations. All the participants from Sample A, Sample B and Sample C considered docket analysis as a viable investigative tool to be used in stranger rape investigations.

To the question, ‘According to your experience, what are the benefits of docket analysis in stranger rape investigations?’ the participants from Sample A responded as follows:

- Docket analysis could assist in the linkage of different cases where the suspect is unknown and highlight similarities between them (seven participants);
- Docket analysis could simplify the identification of unknown offenders and narrow down the investigation by focusing on similarities in modus operandi of unknown suspects (six participants);
- The analysis of dockets in stranger rape investigations has the potential to identify a serial rapist amongst unknown offenders (four participants); and
- Docket analysis is useful in extracting information from cases, which could then be used in making investigative decisions (two participants).

To the question, ‘According to your experience, what are the benefits of docket analysis in stranger rape investigations?’ the participants from Sample B responded as follows:

- It highlights similarities between cases, which assists in linkage, and identifies cases which do not fit in with the modus operandi of a serial offender (one participant); and
- It facilitates the inclusion or exclusion of cases to be considered in a serial rape investigation and assists in formulating tasks for further investigation by the investigating officer (one participant).

To the question, ‘According to your experience, what are the benefits of docket analysis in stranger rape investigations?’ the participants from Sample C responded as follows:

- Docket analysis could possibly assist in the identification of serial rape when patterns between cases and modus operandi are considered (six participants);
- Docket analysis could contribute to the linkage of cases by identifying the same modus operandi (one participant); and
- Similar descriptions of suspects given by witnesses amongst a range of cases could ultimately contribute to the apprehension of a suspect (one participant).

To the question, ‘According to your experience, what are the limitations of docket analysis in stranger rape investigations?’ the participants from Sample A responded as follows:

- Poor and incomplete statements in stranger rape dockets (eight participants);
- A lack of information contained in stranger rape dockets, which includes amongst others poor statements, incomplete investigations, a lack of photos and records of investigative decisions etc. (six participants);
- Not sure of any limitations of docket analysis in stranger rape investigations (three participants); and
- Docket analysis as a technique can be very time consuming (two participants).

To the question, ‘According to your experience, what are the limitations of docket analysis in stranger rape investigations?’ both participants from Sample B responded by saying that

statements in rape cases are generally poor and incomplete, with a huge lack of detail of what happened before, during and after the rape incident.

To the same question posed to participants from Sample C, they responded by referring to their answer to the question ‘According to your experience, what are the limitations of docket analysis in police investigations?’ which was recorded in Chapter 2. All eight participants stated that the following are limitations that consistently appear among dockets over a range of different crimes analysed by Sample C:

- A lack of sufficient content in dockets, i.e. witness statements, photographs, identikit;
- Poor quality of statements, often incomplete and illegible; and
- Evidence that detectives do not visit crime scenes, which adversely affects the quality and accuracy of information contained in dockets.

While the participants from Sample A and Sample C had admittedly never undertaken a docket analysis in stranger rape investigations, they considered it to be a viable tool to use in stranger rape investigations. The participants from Sample B routinely used docket analysis in their investigations into serial murder and serial rape and echoed the sentiments of Sample A and Sample C on the viability of docket analysis in stranger rape investigations. In conclusion, it should be noted that the participants misunderstood the last question, which was ‘According to your experience, what are the limitations of docket analysis in stranger rape investigations?’ The researcher bases this statement on the fact that the participants did not provide input regarding the limitations of docket analysis as a tool, but rather on the limitations or shortcomings that are evident in poorly investigated dockets.

3.5 SAMPLING, CATEGORISATION AND ANALYSIS OF DOCKETS BY MEANS OF THE RAPE MATRIX

The processes of sampling the cases and of categorising and analysing them by means of the rape matrix are described in this section. A total number of 1 705 rape cases were reported in Port Elizabeth for the period 1 January 2007 to 31 January 2008. The researcher only focused on

those cases in which no suspects were arrested. Similar to the study conducted by Santtila et al. (2005:90-91) on behavioural linking in stranger rape cases, methods used by the researcher also included a case selection by accessing the SAPS CAS and a subsequent content analysis of cases identified. During the process of accumulating the sample of rape cases to be used in the case analysis for this research, the researcher identified and sampled 418 rape cases which had been closed as 'undetected' on the SAPS CAS and reported within the period of 1 January 2007 to 31 January 2008. All of these cases were investigated by the Port Elizabeth FCS Unit and were closed as 'undetected' because the investigation into these cases did not yield any positive results and no arrests were made. The researcher found particular significance in these cases as they were mostly generated by strangers who might be responsible for numerous rapes in a specific area and who usually continue to commit rape if not apprehended.

The 418 rape cases were physically read and studied by the researcher and divided into three categories:

- Category A: Rape cases where the suspect(s) was known and could be pointed out or identified by either the victim or witnesses, yet was not arrested (130 cases);
- Category B: Rape cases where the investigation could not proceed owing to the case being unfounded, or the victim disappearing or being mentally ill (104 cases); and
- Category C: Rape cases where the suspect(s) is a stranger and could not be traced, linked or identified (184 cases).

The purpose of the categorisation of dockets into these three categories was to identify the correct sample of dockets that would be relevant for answering the research questions.

The researcher excluded Category A dockets as the suspects are known to a certain degree. Although it is not impossible for a serial rapist to be known by one of his victims, this is not the case in stranger rape. Category B rape cases were excluded due to the fact that they often contained unreliable information, i.e. the victim being mentally ill, the case being closed as unfounded due to false information, or a victim disappearing as result of not being interested in the case. The last category of stranger rape cases, Category C, forms the focal area of this

research. The rape matrix (see Appendix E), captured on an Excel spreadsheet, was applied to each of the 184 stranger rape dockets, with a column dedicated to each question posed. The rape matrix is the same docket analysis tool used by the SAPS IPU in their identification of and investigation into serial murder and serial rape cases. Each of the 184 stranger rape dockets was analysed and captured on the rape matrix (Excel spreadsheet) with a view to answering the relevant research questions.

For the purpose of this research, the researcher included the following additional data-capturing categories in the rape matrix to optimise the extraction of information relevant to answering the research questions and aims:

- What aids and resources were used by the detective, i.e. photographs, fingerprints, identikits;
- What forensic information was gathered by the detective, i.e. medical examination of victims;
- Whether all relevant statements were obtained, i.e. witness statements, first report statement etc.; and
- Date case was opened and the date case was closed. The number of days that cases were active was calculated by the researcher.

The following results (outcomes) were obtained from the docket analysis performed on the 184 stranger rape cases grouped in Category C:

- The identification of shortcomings in stranger rape investigations amongst all 184 cases;
- A total of 87 incidents of stranger rape committed by multiple suspects acting together and the identification of crime patterns and unique features. This was an additional anomaly that surfaced as the researcher conducted the docket analysis but, owing to the limitations of the study, this anomaly will only be briefly discussed in this research;

- Seven stranger rape cases which presented distinct behaviour by suspects; and
- Fifteen stranger rape cases among which the researcher identified six different patterns, similarities and/or distinct behaviour which could be indicative of serial rape.

These results (outcomes) will be discussed separately by the researcher and, where applicable, integrated with feedback from participants from Samples A, B and C. Emphasis is placed on the fact that the extensive nature of the docket analysis performed by the researcher is unprecedented in the Port Elizabeth area. At most, some of these cases might have been analysed at station level for the purpose of daily reporting to management before being transferred for investigation to the FCS Unit. The results demonstrate the illuminating effect when stranger rape cases are not viewed in isolation and when investigations are not complicated by different jurisdictions.

3.5.1 The Value of Docket Analysis in the Identification of Shortcomings in Stranger Rape Investigations

Docket analysis can, amongst other things, serve as a management information tool. The results of a docket analysis could provide a reflection on the 'state of affairs' and assist in various types of decision making, including the realignment of investigative and policing priorities (Docket Analysis Learner Manual, 2002:2). The only other noteworthy study identified by the researcher regarding the analysis of rape cases in Port Elizabeth had been conducted by Deasy et al. (2003). The analysis was conducted between April 2003 and June 2003 and included acquaintance rape, stranger rape, gang rape and attempted rape. Deasy et al. (2003) perused 208 rape dockets reported in this period which had been investigated by the Port Elizabeth FCS Unit. Some of their findings include:

- 30% of these cases went to court;
- 29% were withdrawn at court;
- 65% of cases being investigated were withdrawn before they went to court; and
- 47% of cases were closed as undetected before going to court.

These statistics pose questions as to the high volume of cases being withdrawn at court (29%) and closed as undetected before going to court (47%). It should be noted that it was not within the scope of this research to establish why cases were withdrawn at court. From the docket analysis the reasons for the withdrawal of cases at court could also not be established. Contributing reasons to the 29% of cases withdrawn at court as referred to by Deasy et al. (2003) could, therefore, amongst others, include the victim's own decision to withdraw the matter.

In the following discussion the researcher aims to demonstrate how the use of docket analysis as a tool can assist to identify shortcomings in stranger rape investigations. These shortcomings are those elements within the investigation that could negatively impact on the detection rate of offenders and contribute to cases being withdrawn as a result of a lack of evidence in the event of a suspect being arrested.

The results of a content analysis of the 184 stranger rape dockets (Category C) opened between 1 January 2007 and 31 January 2008 and investigated by the Port Elizabeth FCS Unit are presented in the sections below.

3.5.1.1 Photographs

From the available information in the dockets, five of the 184 dockets contained proof that a photographer was used in the investigation. In two of the five instances the photographs were physically filed in the case docket. In the remaining 179 of the 184 dockets, no proof was contained in the docket that a photographer was used in the investigation. To the question, 'According to your experience, what do you think is important evidence to look for in stranger rape investigations?' participants of Sample A referred to, amongst others, modus operandi evidence, location and similarities in crime scenes and physical and biological evidence as important in stranger rape investigations. According to the researcher's experience, the use of photographs is integral to the processing of these types of evidence. Furthermore, 11 of the 19 participants from Sample A stated that a photographer is one of the investigative resources used by them in stranger rape investigations (see Table 3.1). It can therefore be accepted that the feedback from participants of Sample A does not correlate with the results of the docket analysis.

3.5.1.2 Fingerprints

From the available information in the dockets, eight of the 184 dockets contained proof that a fingerprint expert was used in the investigation, leaving 176 dockets in which no proof existed that a fingerprint expert was used. In response to the question, ‘According to your experience, what do you think is important evidence to look for in stranger rape investigations?’ 15 of the 19 participants from Sample A mentioned the importance of fingerprints. Furthermore, 11 of the 19 participants from Sample A stated that a fingerprint expert is one of the investigative resources used by them in stranger rape investigations (see Table 3.1). It can therefore be accepted that the feedback from participants of Sample A does not correlate with the results of the docket analysis.

3.5.1.3 Identikits

From the available information in the dockets, none of the 184 dockets had an identikit filed or contained proof that an expert was used to compile an identikit. To the question, ‘According to your experience, what do you think is important evidence to look for in stranger rape investigations?’ 12 of the 19 participants from Sample A referred to any available evidence regarding the description of the suspect. Positive identification and the compilation of an identikit was also mentioned by 11 of the 16 participants of Sample A (*the 16 participants who stated that there is a difference between stranger rape and a rape case where the suspect is known*) as one of the differences between the investigation of stranger rape and a rape case where the suspect is known. Furthermore, 10 of the 19 participants from Sample A referred to a sketch artist for the compilation of an identikit as an investigative resource used by them in stranger rape investigations (see Table 3.1). It can therefore be accepted that the feedback from participants of Sample A does not correlate with the results of the docket analysis.

3.5.1.4 Medical examination

From the available information in the dockets, 170 of the 184 dockets contained evidence that the victim was taken for a full medical examination, which comprises a report completed by a doctor (J88) as well as forensic specimens obtained from the victim. In seven of the 184 dockets only a report by the doctor was completed (J88) and no forensic specimens obtained. In seven cases the victim never went for a medical examination.

3.5.1.5 First report statement

The first report statement in a rape investigation is obtained from the person to whom the victim made the initial disclosure after the incident took place. It is a very important source of evidence which either corroborates or refutes the allegations made by the victim. Furthermore, it serves to explain the emotional state and physical appearance of the victim after the incident took place and could highlight important pieces of evidence that were initially disclosed by the victim, but not recorded by the police. From the available information in the dockets, 77 of the 184 dockets contained a first report statement. The remaining 107 of 184 dockets did not contain a first report statement.

3.5.1.6 Witness statement

From the available information in the dockets, 24 of the 184 dockets contained one or more witness statements. The remaining 160 of the 184 dockets did not contain any witness statements.

3.5.1.7 Quality of statements

The 'sexual offences statement checklist' (see Appendix G) served as a yardstick when the quality of statements was analysed by the researcher as it covers all the elements and aspects that should be included in a statement obtained from a rape victim. The 'sexual offences statement checklist' is covered with detectives attending the FCS Investigators course as well as with selected detectives attending the Psychologically Motivated Crimes course. The researcher attended both of these courses and is experienced in the use and value of the 'sexual offences statement checklist'. As 17 of the 19 participants from Sample A attended the FCS training course, it is assumed that they were trained in the use of the 'sexual offences statement checklist'. The checklist also covers crucial aspects which are necessary in the identification of a possible serial rapist.

The 'sexual offences statement checklist' (see Appendix G) contains 78 criteria which need to be included in a statement. None of the statements contained in the 184 dockets met all 78 criteria of the checklist. Fundamental elements in the statements, such as verbal and behavioural

interaction between the offender and victim, are omitted in 68 of the 184 cases. To the question, ‘According to your experience, what do you think is important evidence to look for in stranger rape investigations?’ the participants of Sample A emphasised *modus operandi* (eight of the 19 participants), the description of the suspect (12 of the 19 participants) and the location and similarities in the crime scenes (four of the 19 participants) as important evidence in stranger rape investigations. It is the researcher’s experience that the gathering of this evidence will be virtually impossible if first report and witness statements are not obtained and if the ‘sexual offences statement checklist’ is not used as a yardstick in every stranger rape investigation.

3.5.1.8 Description of suspects

Statements contained in the 184 case dockets seldom elaborate on the description of suspects. It could also not be established by the researcher how frequently this question was posed to victims or witnesses when being interviewed by the police official taking down the statement. From the available information in the dockets, it was mentioned in 33 of the 184 cases by either the victim or a witness that they would be able to identify the suspect. Yet, as mentioned above, none of the 184 cases contained an identikit compiled from a description given by a victim or a witness.

3.5.1.9 Period that the investigation was active

The period that the investigation was active was calculated by the researcher from the date that the case was opened until the date that the case was closed as undetected on the SAPS CAS. The sum total of average days spent on the investigation per docket per station area was then calculated and divided between the 13 stations (*one of the 14 stations had no stranger rape cases filed as undetected*). From the available information in the dockets, each of the 184 cases was active for an average period of 95.52 days before being closed as ‘undetected’. From this finding obtained from the docket analysis it is argued by the researcher that the average period that a stranger rape investigation remains active is heavily disproportionate to both the diminutive work input of investigators and evidential material obtained in these cases. To the question, ‘When is a stranger rape case closed as “undetected”?’ 11 of the 19 participants from Sample A responded by saying that stranger rape cases are closed as ‘undetected’ when all investigative avenues have been explored and no new information or evidence surfaces which could positively link or

identify the suspect. Once again the researcher argues that the feedback from participants from Sample A does not correlate with his findings in the docket analysis.

3.5.1.10 Summary

The researcher has tabled the results of the docket analysis as follows.

TABLE 3.2: Numerical representation of the shortcomings identified in stranger rape investigations by means of a docket analysis

No.	Matrix element looked for	Matrix element present			
		YES	%	NO	%
1	Photographs	5	2.717	179	97.28
2	Fingerprints	8	4.348	176	95.65
3	Identikits	0	0	184	100
4	Full medical exam	170	92.39	14	7.609
5	First report statement	77	41.85	107	58.15
6	Witness statement	24	13.04	160	86.96
7	Quality of statements	None of the statements (0 of the 184) met <u>all</u> the criteria for the sexual offences statement checklist			
8	Description of suspect	Statements seldom elaborate on suspect description. In 33 (17.93%) cases it is mentioned that the suspect can be identified, yet no identikit was compiled			
9	Duration of investigation	95.52 days			

From the results (outcomes) of the docket analysis it is evident that:

- Photographs, fingerprints and identikits as investigative resources are grossly underutilised by investigators in stranger rape investigations;
- Medical practitioners are not optimally utilised in stranger rape investigations;
- A large volume of dockets does not contain either (or both of) the first report or witness statements;
- Statements contained in dockets are of a poor quality, incomplete and do not meet the requirements of the 'sexual offences statement checklist';
- Stranger rape cases are active for long periods of time without any progress or efforts being made in the cases;
- Instructions by Group Commanders are not adhered to by investigators. Dockets are subsequently closed with unattended to instructions. On the basis of the researcher's experience he would argue that this shortcoming is indicative of poor management, as dockets should not be closed if an investigation is incomplete and evidence is still outstanding; and
- The culmination of these shortcomings also points towards either a lack of training or a questionable quality of training received by investigators.

The shortcomings in stranger rape investigations identified by the researcher are similar to those limitations identified by Santtila et al. (2005:101-102) in their study of stranger rape cases. These limitations include:

- Detectives attending to a stranger rape case do not use a standardised approach in recording data concerning the crime;
- Defining rape is connected to attitudes that society holds concerning women, and these attitudes need not necessarily be objective. Contents of cases are not neutral descriptions of events, but they too are connected to such attitudes;

- Quantity and quality of information vary from case to case, these being contingent upon a standardised approach to recording data; and
- There is a large amount of missing data, with the effect that some elements might have been present at the crime scene or in the interaction between the offender and victim which were not recorded.

The gathering of comprehensive and complete evidence at the scene of crime and during the investigation of case dockets is stipulated as 'Key Performance Area 1' on the Performance Enhancement Process (PEP) of all FCS detectives. The sub-activities against which these detectives are measured in the PEP documents include securing and control of a crime scene, search and seizure of exhibits, utilisation of relevant investigation aids and the recording of relevant information on the scene of crime. These activities should also be conducted in terms of Standing Orders (G) 252, 323, 333 and 336 (South African Police Service [s.a.]). Detectives agree to these responsibilities by signing their PEP documents and are assessed by their commanders against the performance areas set out in the document.

The researcher explored how docket analysis could contribute to the identification of shortcomings in stranger rape investigations. Numerous shortcomings in the dockets were identified. The researcher strongly argues that these shortcomings are some of the contributing factors to the findings of Deasy et al. (2003) in their study of 208 rape dockets mentioned above. In this regard docket analysis could serve as an effective monitoring and evaluation tool, where commanders could benchmark certain investigative activities and link them with a timeframe. This potential of docket analysis as a management tool was alluded to by five participants from Sample A when responding to the question, 'According to your experience, what is docket analysis?' They responded by stating that it is the reading of dockets to determine what investigation is outstanding and to establish priorities for investigative decision making. Similarly, the results of a docket analysis can serve as a source of management information (Docket Analysis Learner Manual, 2002:2). Every piece of evidence collected and processed serves as a building block in completing the larger 'crime-puzzle'. More complete stranger rape

dockets within a shorter timeframe could increase the detection rate and decrease the rate of cases being withdrawn prior or subsequent to the first appearance of the suspect in court.

3.5.2 The Value of Docket Analysis in the Identification of Crime Patterns and Unique Features among Stranger Rape Cases committed by Multiple Offenders

This was an additional anomaly that surfaced as the researcher conducted the docket analysis and will only briefly be referred to in this section owing to the limitations of the study. Vetten and Haffejee (2005b:32) use the terms ‘multiple’ and ‘gang’ interchangeably when referring to rapes involving at least two perpetrators. A distinction is made by the authors between rapes committed by men in pairs (too small a number to constitute a gang) and men in groups – the latter term describing rapes committed by three or more men. For the purpose of this research, the researcher uses the term ‘gang rape’ when referring to a stranger rape committed by two or more suspects. Petherick and Turvey (2008:280) classify gang rape as a subtype of rapist modus operandi. The predatory, brazen and violent nature of these rapes is emphasised by Vetten and Haffejee (2005b:31), who continue by stating that women are confronted in public spaces, with the use of force increasing with the number of perpetrators involved in the rape. Furthermore, gang rape is difficult to profile because ‘mob-behaviour’ or ‘mob-thinking’ is involved and usually the first rapist, who is a leader figure, sets the tone for the rape, with other perpetrators following as a result of peer pressure (Psychologically Motivated Crimes Course Learner Guide, 2009:70). The docket analysis of the 184 stranger rape cases (Category C) revealed 87 gang rapes committed by strangers. Some of the themes that surfaced from the docket analysis include:

- Specific days of the week, time periods and locations where gang rapes frequently occur; and
- A clear indication of the modus operandi used by offenders.

Among the 87 gang rape cases, the researcher identified 12 gang rapes in the Port Elizabeth area committed by groups which consisted of five or more suspects using a combination of firearms and knives during the commission of the offence. An interesting pattern was the identification of

a gang of five or more suspects possibly responsible for the commission of nine out of the 12 gang rapes in two adjacent station jurisdictions. At the time of this research, a thorough analysis of gang rapes committed among the 14 police stations in Port Elizabeth had not been conducted. The researcher argues that an isolated investigation into these crimes within a specific station jurisdiction will be futile. Instead, in addition to the location of these crimes, an investigation should be guided by important variables such as the size of the gang, type of weapons used, date and time of the rapes. The 'sexual offences statement checklist' (see Appendix G) should also be used as a gauge in every gang rape investigation.

In harmony with the Docket Analysis Learner Manual (2002:3), the researcher argues that the results of the docket analysis of the 87 gang rape cases can be used to channel information to communities about risk factors such as the danger periods when and places where these crimes most often occur. Furthermore, the results could be used to create greater public awareness of gang rape and thereby promote crime-prevention initiatives.

3.5.3 The Value of Docket Analysis in the Identification of Distinctive Behaviour in Stranger Rape Cases

While conducting the docket analysis, the researcher relied on the available literature, experience in the investigation of stranger rape cases and training received by the SAPS IPU on psychologically motivated crimes to examine available evidence contained in dockets which were documented from crime scenes, victim and witness statements. In this way he identified distinctive behaviour which, should this behaviour recur in a subsequent case, could be indicative of the same offender committing the crime. The following behaviour exhibited by the perpetrators can probably be classified as *modus operandi*, *fantasy* or *signature* behaviour as discussed earlier in this chapter. However, the researcher is not an expert and will therefore not attempt to classify the behaviour unequivocally as such. The distinctive behaviour is indicated by *italics*.

3.5.3.1 Algoa Park CAS 98-01-2007

The victim was waiting to board a taxi when an unknown vehicle stopped next to her. The unknown occupant offered the victim a lift after informing her that there were no more available

taxis due to the time of night. The victim was then taken to a nearby 'hiking spot' where she was raped by the suspect. After raping the victim, the suspect ordered the victim to walk to another scene in an open field where he raped the victim for a second time. *After the rape, the suspect bound the victim's arms behind her back using a belt and placed her underwear in her mouth.*

3.5.3.2 Bethelsdorp CAS 11-08-2007

The victim was asleep at her home when the two suspects broke into her home. Both suspects raped the victim. *After the rape, one of the suspects took a stick and inserted it inside the victim's vagina.*

3.5.3.3 Ikamvelihle CAS 88-06-2007

The victim visited her mother's gravesite when she was accosted by the suspect. The suspect told the victim that he loved her and requested her to accompany him. The suspect then became aggressive and assaulted the victim by throwing her to the ground and choking her. *The victim was raped by the suspect but he only managed to ejaculate after inserting his finger into the victim's vagina.*

3.5.3.4 Kwazakele CAS 469-10-2007

The victim was walking home when she met the suspect. The suspect assaulted the victim whereafter he raped her. *After raping the victim he took her underwear.*

3.5.3.5 Motherwell CAS 240-08-2007

The victim and her boyfriend were accosted by three suspects while they were walking. The victim was then raped by the suspects. *The third suspect had 'difficulty to penetrate' the victim's vagina. The suspect then requested his accomplices to pull the victim's legs apart from each other whereafter he took a piece of toilet paper, placed it in close proximity to her vagina and lit it with matches. Hereafter he told the victim that 'she is wet' whereafter he managed to continue with the other suspects to rape the victim.*

3.5.3.6 Swartkops CAS 245-02-2007

The victim took a taxi whereafter the driver diverted to a gravel road as he ‘wanted to evade a roadblock’. The driver then stopped the vehicle due to the ‘exhaust of the vehicle giving problems’. The victim was subsequently raped by the driver. The following manner in which the victim was raped could be indicative of a fantasy being acted out on the part of the suspect:

The first incident of rape took place on the rear seat of the vehicle. The suspect then took the victim out of the vehicle and placed her on the boot (rear end) of the car where the rape continued. The victim then informed the suspect that she had a need to urinate whereafter the suspect took her to the front of the vehicle and placed her on the bonnet. The victim then urinated while the suspect forced her to perform oral sex. Hereafter the victim was forced to turn around and to hold on to the bonnet of the car while the suspect penetrated her from behind. Finally the suspect again took the victim to the boot of the vehicle where he continued raping her. The rape ended when two unknown males came across the incident while walking on the gravel road. The suspect climbed into the vehicle and drove away while leaving the victim at the scene.

3.5.3.7 Swartkops CAS 62-12-2007

The victim was walking through an open field when she was accosted by two unknown males. One of the suspects threw her to the ground and tied her hands behind her back with a piece of rope. The first suspect raped the victim and ejaculated next to her on the ground after he finished and ran away. The second suspect then *took a brown piece of paper and made a hole in it. He then placed the brown piece of paper over his penis before penetrating the victim. The suspect told the victim that he is scared that she might have AIDS and therefore he placed the brown piece of paper over his penis. The suspect also ejaculated next to the victim on the ground after raping the victim. The suspect then also ran away.*

To the question, ‘According to your experience, what is the value of docket analysis in the identification of modus operandi, signature and fantasy behaviours in stranger rape cases?’ the participants from Sample A responded as follows:

- If docket analysis was actually conducted, the likelihood of identifying modus operandi, signature and fantasy behaviours in stranger rape cases would drastically increase, which would ultimately support suspect identification in a shorter space of time (seven participants);
- Docket analysis, if carried out correctly, could illuminate these behaviours amongst a number of different cases, which would then strengthen the argument that a serial rapist is possibly active (seven participants);
- Docket analysis can be invaluable in the identification of these behaviours; this, however, hinges upon the completeness of statements and the manner in which the information is analysed (four participants); and
- Not sure (one participant).

To the question, ‘According to your experience, what is the value of docket analysis in the identification of modus operandi, signature and fantasy behaviours in stranger rape cases?’ the participants from Sample B both stated that by using a rape matrix to analyse cases, similarities in the different types of behaviours will become evident, which paves the way for identifying a serial offender.

To the question, ‘According to your experience, what is the value of docket analysis in the identification of modus operandi, signature and fantasy behaviours in stranger rape cases?’ the participants from Sample C responded as follows:

- Docket analysis is generally conducted with the view to analysing information and to identifying trends and patterns among cases with the aim of identifying the perpetrators. Any distinctive behaviour such as modus operandi, signature or fantasy could be highlighted by a docket analysis (five participants); and
- Docket analysis serves as a tool by which these unique behaviours are identified. Identifying unique behaviours is one of the primary aims of docket analysis (three participants).

From the feedback received from participants and the docket analysis conducted, it is evident that distinctive behaviour can be identified by means of docket analysis as an investigative tool.

3.5.4 The Value of Docket Analysis in the Identification of Patterns and Similarities among Two or more Stranger Rape Cases which could be Indicative of Serial Rape Activity

The rape matrix can be of great use in detecting similarities among cases (Psychologically Motivated Crimes Course Learner Guide, 2009:141). The researcher tested the viability of the rape matrix to search for any patterns and/or similarities among the 184 stranger rape dockets (Category C) which could be indicative of serial rape activity. By conducting the docket analysis of the identified stranger rape cases the researcher relied on the available literature, experience in the investigation of stranger rape cases and training received by the IPU on psychologically motivated crimes to:

- Examine available evidence contained in dockets which were documented from crime scenes, victim and witness statements;
- Identify distinctive behaviour, patterns and similarities; and
- Evaluate investigative decision making in dockets with the purpose of making a preliminary finding on the value of applying docket analysis in stranger rape cases.

For the purpose of this research, the researcher defines a ‘pattern’ as the repetitive occurrence of variables such as, amongst others, modus operandi, crime scene locations and actions, verbal and behavioural interaction between the offender and the victim and any distinctive behaviour which is present in two or more of the stranger rape cases sampled in Category C.

The following six patterns were identified among 15 stranger rape cases.

3.5.4.1 Pattern A: ‘The St Georges Park Rapist’

3.5.4.1.1 Incidents

Two cases (Humewood CAS 251-10-2007; Humewood CAS 754-11-2007)

3.5.4.1.2 Merits

The researcher has tabled the similarities between the identified cases as follows:

TABLE 3.3: ‘The St Georges Park Rapist’

Humewood	CAS 251-10-2007	CAS 754-11-2007
Active for investigation	41 Days	106 Days
Scene	St Georges Park, Central (Local recreational park)	St Georges Park, Central (Local recreational park)
Victim	Black female, 25 years old	Black female, 38 years old
Date	2007-10-10	2007-11-28
Day	Wednesday	Wednesday
Time	22:30	06:30
Suspect description	Black male approximately 1,7 m tall and dark in complexion.	Black male, tall, slender and dark in complexion. Possibly light in weight. He has a moustache.
Clothing description	Black jacket, blue trouser with white takkies.	Black top with white takkies.
Approach by suspect	Surprise: Initiated non-threatening verbal contact before becoming hostile.	Surprise: Initiated non-threatening verbal contact before becoming hostile.
Control over victim	Used a knife to control the victim.	Used a knife to control the victim.
Victim raped	1 rape	1 rape
Unique actions or verbal interaction	Removed the shoes of the victim. After the suspect raped the victim she pushed him	Took the shoes and socks of the victim. After the rape the suspect told the

	away and he said 'I am not yet finished'. After the suspect raped the victim he said that he felt sorry for her and was going to let her go.	victim not to get up or get dressed as he is 'not yet finished'. After rape the suspect told the victim 'I killed you...' The suspect released the victim after she pleaded with him.
Condom used	No	No
Stolen items	Cell phone	Suspect demanded a cell phone but it was not in possession of the victim.
Harm to victim	None	None

3.5.4.1.3 Value of the docket analysis

No aids or resources were used in the two investigations, i.e. photographs, fingerprints or identikits. The scene in Humewood CAS 251-10-2007 was pointed out to the police and the victim described it as a 'place where the suspect most probably lives'. Valuable evidence and insight into the habits of the suspect could have been obtained by means of photographs and fingerprints. A witness was mentioned in Humewood CAS 754-11-2007 yet neither of the two cases contained any first report or witness statements. Collectively both cases were active for a total of 147 days. Despite the lack of evidential material collected in both of these cases there are numerous and clear similarities between them. Distinctive behaviour is also evident in the suspect's apparent preoccupation with the shoes of the victim, which could be indicative of an abnormal sexual disorder also known as a 'paraphilia' such as fetishism. The focus of fetishism involves sexual arousal by means of the use of non-living objects. Common objects include women's underwear, shoes, boots, and items made of leather or rubber. The individual frequently masturbates while holding, rubbing or smelling the fetish object, or may ask the partner to wear the object during sexual encounters (Psychologically Motivated Crimes Course Learning Guide, 2009:18). The researcher would surmise that these two cases are likely the work of the same offender.

3.5.4.2 Pattern B: ‘The Foreign Three’

3.5.4.2.1 Incidents

Three cases (Humewood CAS 253-06-2007; Humewood CAS 110-07-2007; Humewood CAS 83-09-2007)

3.5.4.2.2 Merits

The researcher has tabled the similarities between the identified cases as follows.

TABLE 3.4: ‘The Foreign Three’

Humewood	CAS 253-06-2007	CAS 110-07-2007	CAS 83-09-2007
Active for investigation	15 Days	14 Days	80 Days
Scene	Dilapidated building in Russel Road, Central	Unoccupied building or house, Central (victim blindfolded)	Dilapidated building close to Govan Mbeki Street, Central
Victim	Black female, 19 years old	White female, 48 years old	Coloured female, 39 years old
Date	2007-06-08	2007-07-05	2007-09-01
Day	Friday	Thursday	Saturday
Time	17:00	23:30	21:30
Suspect description	3x ‘Foreign’ males	3x Nigerian males	3x Nigerian males
Clothing description	Not mentioned	Not mentioned	Good description given by victim
Approach by suspect	Surprise: Victim noticed being followed by the suspects as she left an internet café whereafter they	Blitz: Victim walked out of a shop close to her residence whereafter she was forced into a vehicle, blindfolded and taken	Surprise: Victim waited for a taxi to go home and noticed being watched by the suspects. They accosted and

	accosted her.	to the scene.	coerced her to accompany them.
Control over victim	Weapon: Three knives	Unknown (Blindfolded)	Weapon: Two knives and a firearm
Victim raped	Raped by one of the suspects	Raped by all three suspects	Raped by all three suspects, twice by tall suspect
Unique actions or verbal interactions	Not mentioned	Not mentioned	Tall suspect initiated contact and controlled victim with threats (leader). Tall suspect threatened to throw victim out of the window of the building if she resisted. He also stated that they (suspects) have previously thrown girls out of the window of the building. One of the suspects requested the others not to kill the victim....
Condom used	No	Not mentioned	Yes
Stolen items	Handbag and wallet	None	R15-00 cash
Harm to victim	Not mentioned	Not mentioned	Slapped and kicked by the tall suspect

3.5.4.2.3 Value of the docket analysis

No aids or resources were used in any of the investigations, i.e. photographs, fingerprints or identikits. In Humewood CAS 253-06-2007 and 110-07-2007 the victims explicitly mention that

they will be able to identify the suspects yet no identikits were compiled. Only Humewood CAS 253-06-2007 contains a first report statement. First report and witness statements in the two remaining cases were not obtained. In Humewood CAS 83-09-2007 the victim mentioned the presence of video cameras at a premises as well as the fact that the condoms used by the offenders were thrown out of the building where she was raped – this was never investigated by the detective. Collectively all three cases were active for a total of 109 days. Despite the lack of evidential material collected in all three of these cases, there are numerous and clear similarities between them. The researcher would suggest that it is probably the same group of suspects responsible for all three rapes.

3.5.4.3 Pattern C: ‘The Two Rand Rapist’

3.5.4.3.1 Incidents

Two cases (Kwadwesi CAS 06-04-2007; Kwadwesi CAS 29-08-2007)

3.5.4.3.2 Merits

The researcher has tabled the similarities between the identified cases as follows.

TABLE 3.5: ‘The Two Rand Rapist’

Kwadwesi	CAS 06-04-2007	CAS 29-08-2007
Active for investigation	57 Days	297 Days
Scene	Kwadwesi bushes, next to Uitenhage Road opposite Kwamaqaki	Kwadwesi bushes, near Mbaba Street, Kwadwesi
Victim	Black female, 16 years old	Black female, 19 years old
Date	2007-04-02	2007-08-07
Day	Monday	Tuesday
Time	14:30	14:30
Suspect description	Black male, tall/medium, no distinguishing marks	Black male, tall, no distinguishing marks
Clothing description	White T-shirt without collar,	Caramel brown jacket,

	blue jeans, brown check hat with white takkies.	brown trousers, black shoes, white panama hat.
Approach by suspect	Surprise: While the victim was walking in a footpath on her way home from school, she was approached by the suspect who asked her for R2-00. The suspect then searched the victim.	Surprise: The victim was accosted by the suspect on her way from school. The suspect asked her for R2-00 and started to search her, in the process started to touch her breast.
Control over victim	Suspect made verbal threats and was in possession of a knife and a big stone.	Suspect made verbal threats and was in possession of a knife which had a red handle.
Victim raped	The victim was raped vaginally, then forced to perform oral sex and again raped vaginally.	Raped once vaginally.
Unique actions or verbal interaction	Suspect told victim she was 'cheeky' and that he will kill her with his knife. Suspect told victim to remove her clothes. He told victim to get 'on top' of him and also to lick and suck his penis.	Suspect told victim that he was going to search her and that he was going to stab her if she screamed. Suspect told victim that she must have sex with him as she did not have R2-00. Suspect told victim to remove her pantyhose. He took out a condom and requested the victim to put it on his penis. After the rape, he placed the used condom in his trouser pocket and requested the victim to be his girlfriend and told her that he would visit her at school. He wrote a name and cell number on a page and gave it to the victim. He told the victim he stayed in Veeplaas.
Condom used	No	Yes

Stolen items	None	None
Harm to victim	Before the rape he strangled the neck of the victim and hit her with a closed fist in the face.	Nothing mentioned in statement.

3.5.4.3.3 Value of the docket analysis

No aids or resources were used in any of the abovementioned investigations, i.e. photographs, fingerprints or identikits. Neither of the two cases contained a first report statement or any witness statements. It is also not known to what extent the investigating officer followed up the leads contained in Kwadwesi CAS 29-08-2007 with regard to the piece of paper handed to the victim by the suspect containing a name and cell number. Fingerprints should also have been obtained from this piece of paper. The researcher would like to emphasise the importance of obtaining complete information from the victim about what transpired before the incident. The verbal communications by the suspect were clearly recorded and, therefore, by means of the docket analysis, simplified the identification of his ‘Two Rand’ ruse. The importance of verbal interaction between a suspect and a victim for investigative purposes is also alluded to by Keppel (2006:178), who refers to the case of serial rapist Ronnie Shelton, convicted of 28 rapes, whose verbal communications and sexual assaults manifested his signature. Collectively both ‘The Two Rand Rapist’ cases were active for a total of 354 days. Despite the lack of evidential material collected in both of these cases there are numerous and clear similarities between them. The researcher suggests that these two cases are probably the work of the same person.

3.5.4.4 Pattern D: ‘The Kwadwesi Bush Rapist’

3.5.4.4.1 Incidents

Three cases (Kwadwesi CAS 106-01-2007; Kwadwesi CAS 08-03-2007; Kwadwesi CAS 76-01-2008)

3.5.4.4.2 Merits

The researcher has tabled the similarities between the identified cases as follows.

TABLE 3.6: 'The Kwadwesi Bush Rapist'

Kwadwesi	CAS 106-01-2007	CAS 08-03-2007	CAS 76-01-2008
Active investigation for	175 Days	229 Days	177 Days
Scene	Kwadwesi bushes opposite Kwadwesi extension	Kwadwesi bushes at the back of the shopping complex	Kwadwesi bushes
Victim	Black female, 15 years old	Black female, 32 years old	Black female, 16 years old
Date	2007-01-19	2007-03-03	2008-01-16
Day	Friday	Saturday	Wednesday
Time	08:00	07:30	14:45
Suspect description	Black male	Black male	Black male
Clothing description	Navy blue tracksuit top, black pants with yellow stripes, torn white dirty takkies, maroon and white balaclava, 'Chinese-like' eyes, scales on hands.	Navy trouser, dotted black and white shirt, blue and white takkies.	Not mentioned.
Approach by suspect	Blitz: Victim was on her way to school taking a short cut through the bushes. The suspect grabbed her from behind, around her waist and arms and also strangled her.	Blitz: Victim was on her way to visit her boyfriend when the suspect strangled her from behind and ordered her not to scream. She was ordered to go deeper into the bushes.	Blitz: The victim was on her way back from school when she was suddenly grabbed around her neck by the suspect and dragged into the bushes.
Control over victim	Suspect made verbal threats and was in possession of a knife.	Suspect was in possession of a knife.	Suspect was in possession of a knife.
Victim raped	Victim was raped three times vaginally.	The victim was raped continuously until the suspect	Raped once 'He wet his fingers and my vagina before everything

		ejaculated.	started’
Unique actions or verbal interaction	The victim was told to put down her bag, pull down her pantyhose and take off her clothes.	The suspect repeatedly told the victim to take off her clothes.	Suspect told the victim to take off her panty. He also told her to ‘shut up’ when she cried and not to scream.
Condom used	No	Not mentioned	No
Stolen items	No	No	No
Harm to victim	Strangled	Strangled	Grabbed from behind around neck (strangled)

3.5.4.4.3 Value of the docket analysis

No aids or resources were used in any of the abovementioned investigations, i.e. photographs, fingerprints or identikits. The victim in Kwadwesi CAS 76-01-2008 said that she would be able to identify the suspect yet no identikit was compiled. In Kwadwesi CAS 08-03-2007 a suspect was apprehended by the community after the victim caused alarm, but for undisclosed reasons was released and not charged. None of these cases contained a first report or witness statements. Collectively all three cases were active for a total of 581 days. Despite the lack of evidential material collected in all three of these cases there are numerous and clear similarities between them. The researcher further argues that a possibility exists of ‘The Kwadwesi Bush Rapist’ and ‘The Two Rand Rapist’ being the same suspect due to the similarities between them. This could easily be explored through consultation with all the victims and witnesses in these cases.

3.5.4.5 Pattern E: ‘The Kwadwesi Sexual Burglar’

3.5.4.5.1 Incidents

Three cases (Kwazakele CAS 546-01-2007; Kwadwesi CAS 89-04-2007; Kwadwesi CAS 67-06-2007)

3.5.4.5.2 Merits

The researcher has tabled the similarities between the identified cases as follows.

TABLE 3.7: 'The Kwadwesi Sexual Burglar'

Kwazakele and Kwadwesi	Kwazakele CAS 546-01-2007	Kwadwesi CAS 89-04-2007	Kwadwesi CAS 67-06-2007
Active for investigation	108 Days	148 Days	53 Days
Scene	Inside house at 29 A* Street, Zwide	Inside house at 20688 B* Street, Govan Mbeki Township	Inside house at 16631 C* Street, Govan Mbeki Township
Victim	Black female, 56 years old	Black female, 63 years old	Black female, 49 years old
Date	2007-01-26	2007-04-21	2007-06-16
Day	Friday	Saturday	Saturday
Time	22:15	04:00	05:00
Suspect description	Black male	Black male, short and dark complexion, no distinguishing marks	No description
Clothing description	Beige trousers, dark blue long sleeve top, balaclava over face	Red T-shirt, white trouser	No description
Approach by suspect	Surprise: Victim woke up and saw the suspect standing over her	Surprise: Sexual Burglary – Victim woke up in the bedroom when the suspect was on top of her. Husband of the victim was sleeping next to her.	Surprise: Sexual Burglary – Victim woke up when she felt somebody on top of her 'making up and down movements'. During the incident her relatives and children were inside the house sleeping.
Entry to house	Unknown: Door not locked, no sign of forced entry.	Unknown: Possibly the front door, no forced entry.	Unknown: Possibly through the door, no forced entry.

Control over victim	Knife – Suspect was in possession of a knife, threatened to stab the victim to death should she scream.	No weapon, assaulted the victim. Also assaulted her husband with a bottle ‘to keep him quiet during the rape’.	No weapon, used just enough force to pin the victim down on her bed and closed her mouth with his hand.
Victim raped	Raped once vaginally.	Three times: Vaginally, anally and again vaginally.	Once, possibly because the victim managed to alert the other occupants of the house.
Unique actions or verbal interaction	Suspect threatened to stab victim to death should she scream; his voice sounded familiar to the victim.	Suspect only told the victim to stop screaming.	Not mentioned.
Condom used	Not mentioned, but semen-like discharge noted by medical practitioner.	No	Not mentioned.
Stolen items	No	No	No
Harm to victim	Tore skirt with a knife.	Assaulted victim in the face with a closed fist.	No, only functional force/violence to pin the victim down.

* Street names are not disclosed to protect the identity of the victims

3.5.4.5.3 Value of the docket analysis

No aids or resources were used in any of the abovementioned investigations, i.e. photographs, fingerprints or identikits. Kwazakele CAS 546-01-2007 contained a first report statement only. In this case the victim mentioned that the voice of the suspect sounded familiar. This was not explored by the investigator. No first report or witness statements were obtained in Kwadwesi CAS 89-04-2007 and 67-06-2007 even though people were present inside the homes when the incidents occurred. Collectively the three cases were active for a total of 309 days. The three cases were reported in two different and adjacent station jurisdictions, with all three scenes being

within a 5 km radius from one another. This could possibly serve as an example of ‘linkage blindness’ among detectives. Despite the lack of evidential material collected in these three cases, there are numerous and clear similarities between them.

3.5.4.6 Pattern F: ‘The Motherwell Sexual Burglar’

3.5.4.6.1 Incidents

Two cases (Motherwell CAS 402-07-2007 and Motherwell CAS 32-01-2008)

3.5.4.6.2 Merits

The researcher has tabled the similarities between the identified cases as follows.

TABLE 3.8: ‘The Motherwell Sexual Burglar’

Motherwell	CAS 402-07-2007	CAS 32-01-2008
Active for investigation	214 Days	41 Days
Scene	Inside house at No. 12 A* Street, Motherwell NU 11	Inside house at 38 B* Street, Steve Tshwete Village, Motherwell
Victim	Black Female, 16 years old	Black female, 46 years old
Date	2007-07-27	2008-01-03
Day	Friday	Thursday
Time	22:00	00:30
Suspect description	Black male, small eyes, small head and sharp chin.	Black male, short and dark complexion.
Clothing description	Yellow jacket with a zip, brown pants.	Unknown
Approach by suspect	Victim was at home and was sleeping with her sister on the couch. She woke up when she saw the suspect standing in front of her. Suspect entered through the bedroom window. The suspect only raped the victim after demanding her	Victim was at home sleeping. Also present in the house was her female friend and her boyfriend. She woke up when she felt somebody on top of her. Suspect entered through the bathroom window.

	mother's shoes and being informed that they were not available.	
Control over victim	Took a knife out of the kitchen drawer.	Presence
Victim raped	Once vaginally	Once vaginally
Unique actions or verbal interaction	Suspect asked the victim for her mother's shoes. He appeared to be preoccupied with her mother and asked about her whereabouts.	Victim alerted the other occupants of the house, whereafter the suspect took her underwear and left through the kitchen window.
Condom used	No condom used	Not noted
Stolen items	Cell phone	Victim's underwear
Harm to victim	None	None

* Street names are not disclosed to protect the identity of the victims

3.5.4.6.3 The value of docket analysis

Both cases were well attended to during the preliminary investigation. Fingerprints were obtained and exhibits were seized at both scenes. All available statements were also obtained during the respective investigations. In Motherwell CAS 402-07-2007 a fingerprint was lifted from a family photograph which was standing on a wall unit in the living room area. Both scenes are located within an approximate radius of 2 km. During the researcher's attendance of the SAPS Psychological Motivated Crimes course, he learned that sexual burglars are not motivated by financial gain but rather by sexual dynamics. The above two cases are typical of fetish burglaries, where the offender may steal or attempt to steal valueless articles such as underwear, shoes or photographs in an attempt to satisfy an underlying psychological need. These objects are usually used for autoerotic purposes (Psychologically Motivated Crimes Learner Guide, 2009:211). The relevant docket analysis in these two cases illuminated the offender's preoccupation with these objects. Collectively these two cases were active for 255 days. Despite the availability of evidence that could link these cases, both were closed without acknowledging similarities.

The abovementioned results of the docket analysis were personally discussed with Labuschagne (2011). After perusing the results, Colonel Labuschagne responded as follows:

I have read this and it is clear that analysing dockets with the purpose of looking for similarities is a useful exercise. Cases can be allocated to one detective or a task team instead of being investigated in a piece-meal fashion; not only does this make better use of resources, each case can hold part of the puzzle to the person's identity and can increase the chances of apprehension.

The researcher is of the opinion that it is in cases such as the abovementioned identified patterns (A to F) where docket analysis could be used. The available patterns could also be compared to the modus operandi of known rape suspects who have been arrested. Other unsolved crimes that could be compared to these identified cases for linkage purposes could include attempted rape and sexual assault cases. It is also a distinct possibility that if the content of the dockets is improved upon links can more readily be made. The researcher furthermore argues that the modus operandi of unknown suspects in Category C can be compared to the modus operandi of known, but undetected suspects in Category A cases. Making this comparison could possibly result in more cases being linked to a specific suspect with the chances of apprehension increasing due to the suspect being known to one of his victims or a witness. As such, docket analysis could assist with:

- Narrowing down the scope of a rape investigation where the perpetrator is unknown or where the identity is in dispute;
- Contributing to the linking of multiple rape cases committed by the same offender;
- Facilitating the identification of physical and non-physical evidential material in stranger rape cases and facilitating effective court-driven investigation strategies; and
- Facilitating information management and identifying shortcomings in investigative strategies.

3.6 SUMMARY

Despite a clear lack of sufficient content and quality of evidence found in the closed stranger rape cases as discussed in 3.5.1: The value of docket analysis in the identification of shortcomings in stranger rape investigations, the researcher was still able to identify patterns and similarities between cases which could possibly be indicative of serial rape activity. In a study conducted by Santtila et al. (2005:102) on the behavioural linking of stranger rapes, these authors conclude by stating that their present study as well as previous studies confirm that rape is hardly a haphazard collection of behaviours, and instead has a consistent thematic structure which, amongst offenders, contributes to their differentiation.

Santtila et al. (2005:102) concur with the views of Hazelwood and Warren (2003:588) by concluding that the advantages of linking cases of serial stranger rape using behavioural information and multidimensional methods should not be underestimated, as this can be of practical use in the total absence of physical evidence and witness statements. According to Hazelwood and Warren (2003:588), there are a significant proportion of sexual crimes where no DNA evidence is left at the crime scene, or where what is available for analysis is insufficient to allow for a definitive identification. It is in cases such as these where docket analysis can be used to explore the likelihood that a series of crimes has been perpetrated by the same offender.

CHAPTER 4

FINDINGS AND RECOMMENDATIONS

4.1 INTRODUCTION

The research was initiated while the researcher was attached to the Port Elizabeth FCS Unit, where he was responsible for the investigation of a wide range of sexual offences committed against women and children. The investigation and management of stranger rape cases in particular raised concern with the researcher due to the low detection rate, low work input and closure of these cases without considering the possibility that a single offender could be responsible for multiple rapes. Furthermore, no standardised approach, technique or mechanism was in place at the Port Elizabeth FCS Unit to identify possible serial offenders and to link similar cases. Docket analysis is a possible remedy for this situation.

Primarily the aim of this research was to determine the value of docket analysis in stranger rape investigations. The researcher aimed to establish what shortcomings could be identified in stranger rape investigations by using docket analysis to verify whether the available resources, aids and experts were used during the course of the investigation. The researcher therefore made an attempt to establish how well these cases were managed in terms of investigative decision making. Finally, the researcher aimed to establish whether docket analysis could narrow down the scope of a stranger rape investigation by evaluating its usefulness in the identification of similar patterns, similarities and distinctive behaviour and thereby linking those cases to a specific offender. By pursuing the latter aim, the researcher endeavoured to make a finding on the value of docket analysis in the identification of possible serial rape activity.

To address these aims, two research questions were asked:

- What is docket analysis?
- What is the value of docket analysis in stranger rape investigations?

The researcher attempted to address these research questions by means of consulting literature from local and international sources, conducting interviews with three different samples of

participants from relevant fields in practice, and undertaking an actual docket analysis of stranger rape cases reported over a 13-month period. In this way the researcher attempted to increase the validity of his interpretation by tapping into relevant sources most involved in the pristine research setting itself (Pope et al., 2001:369).

4.2 FINDINGS

In this section the researcher will discuss his findings from the research by distinguishing between primary and secondary findings.

4.2.1 Primary Findings

The findings by the researcher regarding the research questions and research aims are addressed as primary findings.

4.2.1.1 Research question 1: What is docket analysis?

- Docket analysis involves the analysis of information contained in police dockets which includes basic facts and demographic information about the incident, statements by victims and witnesses, investigative activities conducted by detectives and progress of the case through the criminal justice system.
- All participants from Sample A, Sample B and Sample C had a good understanding of the term ‘docket analysis’. Their feedback was similar to that of the literature consulted on the meaning of docket analysis.
- There are numerous similarities between the terms ‘docket analysis’ and ‘crime analysis’ as found in the literature, the latter viewed as an ‘umbrella concept’ of which docket analysis is one member of the family of techniques that encompasses crime analysis. These techniques are two of the many techniques that can be employed during a forensic investigation.
- Docket analysis can serve numerous purposes, including increasing knowledge and understanding about crime and its intertwining dynamics and variables. This knowledge

generated from docket analysis is then applied to decision making in, amongst others, resource management and planning for investigative and policing interventions.

- All of the participants from Sample A, Sample B and Sample C had a good understanding of the purpose of docket analysis, with their feedback being consistent with the literature reviewed.
- Docket analysis is not conducted in isolation and is viewed as a type of research or information-gathering process. Docket analysis is a process which generally involves five steps: choosing a research topic, formulating the problem, collecting data, processing and analysing data and finally compiling a report.
- Participants from Sample A did not have a good understanding of how a docket analysis is conducted. From their responses it was quite evident that they were not practically involved in conducting docket analysis. Although the majority of the feedback by participants covers the basic elements, i.e. the reading of dockets and identification of specific aspects, there is clearly a lack of technical knowledge among participants of Sample A as to how docket analysis is conducted. The feedback from participants also does not indicate an understanding of docket analysis as a step-by-step methodical process. Participants from Sample B and Sample C had a good understanding of how a docket analysis is conducted. Their responses were descriptive and also consistent with the literature as to how a docket analysis is conducted. From their feedback it was evident that they were practitioners of docket analysis.

4.2.1.2 Research question 2: What is the value of docket analysis in stranger rape investigations?

- Docket analysis can be used as a management tool and contributes to the assessment of investigative decision making and realignment of investigative and policing priorities.
- Docket analysis can be used by an investigator as a tool both to monitor the progress made by him/her in stranger rape investigations and to search for any similarities or distinctive behaviour evident in cases.

- Docket analysis can serve as a valuable tool for a commander who is responsible to oversee and inspect the progress of stranger rape investigations. The usefulness of docket analysis as a management tool was evident during its application to the sampled stranger rape cases. The docket analysis revealed that investigative aids and resources such as photographs, identikits and fingerprints are grossly underutilised in stranger rape investigations. The only reasonable deduction by the researcher is that crime scenes are either not visited or not processed. Of the 184 stranger rape cases 107 did not contain a first report statement and 160 of the 184 stranger rape cases did not contain any witness statements. The quality of statements obtained from rape victims are sub-standard and lack important detail, which ultimately compounds the possibility of a suspect being identified. Stranger rape cases remain active for an average of 95,52 days per case before being closed as 'undetected'. This period is heavily disproportionate to both the diminutive work input of investigators and evidential material obtained in these cases.
- Of the 184 stranger rape cases 87 gang rape cases were identified by means of docket analysis. These cases presented some consistent themes in the time periods and locations where gang rape frequently occurs. Patterns were also identified in the modus operandi of the gangs.
- Seven stranger rape cases with unique and distinctive behaviour by suspects were identified by means of docket analysis. These behaviours could possibly be categorised as modus operandi, signature or fantasy and, in the event of recurring in more than one case, could be indicative of serial rape activity.
- The practical application of a docket analysis to 184 stranger rape cases closed as 'undetected' resulted in the researcher identifying 15 cases among which six different patterns were identified. The patterns identified by the researcher could be indicative of serial rape activity where the same suspect(s) is responsible for two or more rapes.
- Benefits of docket analysis in stranger rape investigations as communicated by participants include, amongst others, the linkage of different stranger rape cases and highlighting of similarities between such cases, the contribution towards serial rape

investigations where a decision has to be made about which cases to include or exclude as part of a series of rapes, and the effective extraction and use of information for investigative decision making. Five of the 19 participants from Sample A alluded to the potential of docket analysis as a management tool. Similarly, the literature referred to the results of a docket analysis as a source of management information. Participants were also of the view that docket analysis can contribute to the identification of distinctive behaviour such as modus operandi, fantasy and signature among stranger rape cases. The researcher is in agreement with the feedback received from participants on the benefits of docket analysis in stranger rape investigations, as this was evident in the practical docket analysis conducted by the researcher.

- Limitations of docket analysis in stranger rape investigations as communicated by participants include, amongst others, poor and incomplete statements and a general lack of information contained in dockets, i.e. lack of photos, fingerprints and complete records of investigative decisions taken during the course of the investigation. The researcher found that participants misunderstood the question put to them and did not provide input regarding the limitations of docket analysis as a tool, but rather input on the limitations or shortcomings that are evident in poorly investigated dockets.

4.2.2 Secondary Findings

Findings by the researcher on secondary aspects originating from the research are addressed by the researcher as secondary findings.

4.2.2.1 The purpose of investigation

- In this research it was found that the purpose of investigation is to gather objective and subjective evidence about an alleged crime or incident, thereby finding a positive solution to the crime. Fifteen participants (nine participants from Sample A, one participant from Sample B and five participants from Sample C) provided similar feedback to that of the literature regarding the purpose of investigation. The remaining participants confused the purpose with the objectives of investigation and stated that the purpose of investigation is

to identify and link a suspect to the crime (four participants from Sample A and one participant from Sample B) and to present a culmination of facts to a court of law in order to decide the fate of the suspect (six participants of Sample A and three participants of Sample C).

4.2.2.2 The objectives of investigation

- In this research it was found that the objectives of investigation include the identification of the crime, gathering of evidence, individualisation of the crime, arrest of the criminal, recovery of stolen property and involvement of the investigator in the prosecution process. In addition to these objectives, the researcher learned that the practice of criminal investigation has expanded to include victim care, community reassurance, intelligence gathering, and disruption of criminal networks and the management of a wide range of crime risks as objectives of criminal investigation.

4.2.2.3 Forensic investigation

- Forensic investigation involves the application of different methods and techniques, both scientific and non-scientific, in order to gather all relevant facts related to an allegation and to present such facts as objective and untainted evidence before a court of law.
- In harmony with Van Rooyen (2004:7), the researcher also found a measure of confusion that exists among participants pertaining to the meaning of forensic investigation. Not all of the participants had an understanding of 'forensic investigation' in its entirety. Although the fundamentals of forensic investigation are understood by the participants, most tend to designate the term to those activities related to scientific investigation methods. Two participants from Sample A stated that they were not sure about the meaning of forensic investigation. The researcher ascribes this knowledge vacuum pertaining to the 'entire' meaning of forensic investigation to a lack of training and awareness among participants regarding the growing field of forensic investigation.

4.2.2.4 Difference between forensic investigation and criminal investigation

- The researcher found that there is no real difference between forensic investigation and criminal investigation and that both involve the use of different methods and techniques to gather evidence and to present such evidence in a court of law. Forensic investigation is, therefore, in a sense, plagiaristic or derived from criminal investigation. However, most of the participants (11 of the 19 participants of Sample A, one of the two participants of Sample B and four of the eight participants of Sample C) stated that there is a difference between forensic investigation and criminal investigation. The differences between criminal investigation and forensic investigation submitted by participants include the argument that criminal investigation is always court-driven whereas forensic investigation could serve other purposes, i.e. research or confirmation of allegations (one participant of Sample A). Furthermore participants argued that criminal investigation entails traditional police methods and is conducted by an ordinary police investigating officer while forensic investigation is of a scientific nature and always involves an expert in a particular field, i.e. pathologists, doctors, fingerprint or ballistic experts (10 participants of Sample A, one participant of Sample B and four participants of Sample C). The researcher argues that a lack of training and the infrequent use of the term ‘forensic investigation’ within the SAPS contribute to this knowledge vacuum among participants.

4.2.2.5 Rape, stranger rape and serial rape

- The researcher found that a person is guilty of the offence of rape if he or she unlawfully and intentionally commits an act of sexual penetration with a complainant without his or her consent. Stranger rape is where the victim does not know the rapist and serial rape occurs when the same offender commits two or more rapes with a cooling-off period between the offences. The elements of the crime remain the same for rape, stranger rape and serial rape. Relevant to this research, it was found by the researcher that serial rapists often reside within the category of stranger rape.

- All of the participants from Sample A, Sample B and Sample C had a very good understanding of the meaning of ‘rape’ and ‘stranger rape’ and concurred with the definitions of these concepts as provided by the literature. However, only nine of the 19 participants from Sample A, both participants from Sample B and two of the eight participants from Sample C had an understanding of what constitutes serial rape. The remaining participants (10 of the 19 participants from Sample A and six of the eight participants from Sample C) gave diverging responses on the meaning of serial rape. The knowledge vacuum as to the meaning of serial rape could be ascribed to the fact that only Participant Three of Sample A had received training by the IPU on the investigation of psychologically motivated crimes, where serial rape is covered as an area of study.

4.2.2.6 Modus operandi, fantasy and signature

- The researcher found that knowledge and understanding of modus operandi, signature and fantasy are of fundamental importance for the analysis of stranger rape cases with a view to identifying patterns, similarities and distinctive behaviour among them. All the participants from Sample A, Sample B and Sample C had a good understanding of the meaning of modus operandi and concurred with the literature. Only the participants from Sample B had a good and in-depth understanding of the meaning of ‘signature’ and ‘fantasy’. Participants from Sample A and Sample C gave diverging responses as to the meaning of ‘signature’ and ‘fantasy’, most of these responses capturing the essence of the meaning of the concepts. Participants of Sample A and Sample C also mentioned that their understanding of ‘fantasy’ and ‘signature’ was fuelled by the media and its depiction on television shows. The superior knowledge of Sample B as to the meaning of ‘signature’ and ‘fantasy’ could again be ascribed to the fact that only Participant Three of Sample A had received training by the IPU on the investigation of psychologically motivated crimes, where these concepts are discussed. These concepts are also frequently used and explored by participants from Sample B while performing their duties at the SAPS IPU.

4.2.2.7 The value and viability of docket analysis in police investigations

- Benefits of docket analysis include, amongst others, increasing the understanding of crime and how to respond to it effectively. All the participants from Sample A, Sample B and Sample C considered docket analysis to be a viable investigative tool in police investigations. Participants from Sample C stated that the value of docket analysis in police investigations includes the linkage of suspects by means of modus operandi information. Docket analysis promotes the easy management and use of information. The 'value' of docket analysis as communicated by participants from Sample C was consistent with the 'benefits' of docket analysis as found in the literature.

4.2.2.8 Limitations of docket analysis in police investigations

- The literature consulted refers to aspects such as illegible handwriting and incomplete dockets as limitations to docket analysis. Participants from Sample C concurred with the literature on these aspects contributing to the limitations of docket analysis. The researcher argues instead that these are shortcomings that are evident in dockets and not limitations of docket analysis as a technique. However, these aspects will inevitably adversely influence the effectiveness of a docket analysis.

4.2.2.9 Difference between the investigation of a stranger rape and a rape case where the offender is known

- Sixteen participants from Sample A stated that there is a difference between the investigation of a stranger rape and a rape case where the suspect is known. Three participants from sample A stated that there is no difference in the investigation. Eleven of the 16 participants who stated that there is a difference in the investigation submitted the issue of positive identification and compilation of an identikit of the stranger rapist as a difference. Seven of the 16 participants mentioned that stranger rape investigations require a greater variety of investigative tools, strategies and creativity, i.e. in-depth interviewing of the victim and witnesses pertaining to aspects that are not necessary to cover in rape cases where the suspect is known as well as the use of informers. One

participant mentioned that stranger rape investigations are more tedious and require more effort from the investigator. Some of the 16 participants addressed more than one criterion and therefore the answers reflected are not limited to only 16 participants.

4.2.2.10 Lack of success in stranger rape investigations at the Port Elizabeth FCS Unit

- Only seven of the 19 participants from Sample A said that they had had a degree of success in stranger rape investigations. The remaining 12 participants of sample A stated that they were not successful in stranger rape investigations. Participant Nine (2009) from Sample A stated that she had never had a conviction in a stranger rape case while Participant Seven (2009) from Sample A stated that he gave guidelines and instructions in stranger rape investigations and seldom found an investigator who would solve a stranger rape case.

4.2.2.11 Absence of a structured approach to stranger rape cases at the Port Elizabeth FCS Unit

- Aspects suggesting a lack of a structured approach to stranger rape investigations include an apparent lack of procedures to identify similar stranger rape cases (as stated by 15 of the 19 participants from Sample A), the fact that docket analysis is not conducted in rape or stranger rape cases in Port Elizabeth (as stated by 18 of the 19 participants from sample A) and cases being closed as 'undetected' when the suspect is either unknown or cannot be traced (as stated by eight of the 19 participants from Sample A). These responses by the participants of Sample A are, therefore, in concurrence with Shanagan (2010), who states that there is no standardised approach in place to link similar stranger rape cases or to identify possible serial rape activity among reported rape cases at the Port Elizabeth FCS Unit.

4.2.2.12 Underutilisation of docket analysis by participants in stranger rape investigations

- In addition to the fact that docket analysis is not conducted in stranger rape investigations in Port Elizabeth (as stated by 18 of the 19 participants from Sample A), the researcher found that only two of the 19 participants from Sample A and one of the eight

participants from Sample C had ever conducted docket analysis in stranger rape investigations.

4.2.2.13 Participants' views on the viability of docket analysis as investigative tool in stranger rape investigations

- While the overwhelming majority of the participants from Sample A and Sample C had admittedly never conducted a docket analysis in stranger rape investigations, all the participants from Sample A and Sample C considered docket analysis as a viable investigative tool to be used in stranger rape investigations. Participants from Sample B, based in Pretoria, routinely make use of docket analysis in stranger rape investigations whenever they are approached for assistance in serial rape or serial murder investigations and echoed the views of participants from samples A and C on the viability of docket analysis as an investigative tool in stranger rape investigations.

4.2.2.14 Lack of training regarding both docket analysis and the investigation of psychologically motivated crimes

- Only Participant Three from Sample A (one out of 19 participants) had received training by the SAPS IPU on the investigation of psychologically motivated crimes. The same participant had also received introductory training on docket analysis. None of the participants from Sample C had received training on the investigation of psychologically motivated crimes. Owing to their roles as crime analysts, six of the eight participants from Sample C had received training on docket analysis. The researcher found that this lack of respective training interventions adversely affected the participants' knowledge of fundamental issues covered during this research.

4.3 RECOMMENDATIONS

In this section the researcher makes recommendations based on his findings from the research. A distinction is made between recommendations for suggested training and suggested research.

4.3.1 Suggested Training

- The term ‘forensic investigation’ should be incorporated into the organisational language and training material used by the SAPS.
- Through the research it was identified that investigators do not know how to conduct a docket analysis and therefore they should be trained on how to conduct and apply docket analysis to the benefit of the investigation.
- Investigators and crime analysts should be adequately trained on the identification and analysis of serial rape activity among stranger rape cases.
- Through the research it was found that commanders do not use docket analysis as a tool to manage or oversee stranger rape investigations. The researcher, therefore, suggests training interventions for commanders to focus on docket analysis as a management tool.
- Docket analysis as an investigative tool should be incorporated into training curricula at basic training level, in-service training and advanced training such as detective courses.

4.3.2 Suggested Research

- The results of this docket analysis should be made known to both detectives and their commanders with a view to encouraging a re-evaluation of strategy regarding stranger rape investigations.
- For the purpose of future research, the question ‘According to your experience, what are the limitations of docket analysis in stranger rape investigations?’ should be rephrased to consider the diverging responses that the question could invoke.
- All rape cases reported should be captured on a rape matrix which could serve as a database of reported cases. Investigators should be able to access this information during their investigations and search for suspects.
- The rape matrix as a docket analysis tool should be used as a management instrument to assist commanders in monitoring what investigation is outstanding, setting time-bound

benchmarks for investigative activities and regularly comparing undetected cases (both stranger rape and acquaintance rape) in a cross-sectional manner with a view to detecting patterns and similarities among cases.

- The results of this docket analysis should be discussed with detectives and their commanders. The identified patterns should be communicated to the Port Elizabeth FCS Unit as a matter of urgency in order to sensitise investigators to the possibility of six serial rape patterns being active in the Port Elizabeth area. Stranger rape cases reported in the period before and after this research should be studied to consider the possibility of more incidents being added to the identified patterns. This could be achieved by supplying the SAPS Research Component with a copy of this research after its completion. Another possibility that can be pursued is the writing of an article for circulation in the *Servamus* Safety and Security Magazine.
- A dedicated and trained detective should be appointed at all FCS units as docket analyst in stranger rape investigations and tasked with managing the rape database (Rape Matrix).
- All detectives from FCS units and crime analysts responsible for stranger rape investigations should attend the Psychologically Motivated Crimes course presented by the IPU, where fundamental skills are taught in the identification of behaviour among stranger rapists which could be indicative of serial rape activity.
- The researcher recommends that a database is created where cases with distinctive behaviour are stored for reference purposes should similar types of behaviour surface in future reported cases.
- Further research is recommended on gang rape as the additional anomaly that came to the attention of the researcher while he was conducting the docket analysis.

4.4 CONCLUSION

The aims of this research can be summarised as an attempt to evaluate the use of docket analysis in stranger rape investigations. The practical value of docket analysis in stranger rape investigations was made evident in Chapter 3. The researcher demonstrated how docket analysis could reveal shortcomings in stranger rape investigations. These identified shortcomings, it can be argued, are some of the primary reasons that unknown offenders are not traced, cases are withdrawn at court in the event of an arrest being made and 'linkage blindness' exists among detectives because of a lack of evidential material contained in dockets. The researcher also demonstrated how docket analysis can illuminate patterns, similarities and distinctive behaviour among stranger rape cases and identified six patterns which could be indicative of serial rape activity in Port Elizabeth. All of the cases included in the sample of dockets were closed as 'undetected', which effectively suggests that the offenders have evaded arrest, remain strangers and will possibly continue to commit this heinous crime should an immediate intervention not be launched.

The researcher was empowered by his research and hopes that investigators can draw upon the findings of this research to increase their knowledge in both the investigation of stranger rape cases and the use of docket analysis as an investigative tool. The researcher trusts that the findings of his research are sufficiently convincing and that docket analysis will become a standard tool in the investigation of all rape cases in South Africa.

REFERENCES

- Bailey, K.D. 1987. *Methods of Social Research*. 3rd edition. New York: The Free Press.
- Beauregard, E., Lussier, P. & Proulx, J. 2005. The Role of Sexual Interests and Situational Factors on Rapists' *Modus Operandi*: Implications for Offender Profiling. *Legal and Criminological Psychology*, 10:265-278.
- Bekker, P. Warrant Officer and Forensic Expert at the Eastern Cape Provincial Criminal Record and Crime Scene Management Centre. 2011. Statement to author, 22 August. Pretoria.
- Berg, B. 2004. *Qualitative Research Methods for the Social Sciences*. 5th edition. Boston: Pearson Education, Inc.
- Botha, A.E. 2009. *The Net Worth Method as Technique to Quantify Income During Investigation of Financial Crime*. Unpublished M-Tech Dissertation, University of South Africa, Pretoria.
- Bryman, A. & Bell, E. 2007. *Business Research Methods*. 2nd edition. New York: Oxford University Press.
- Canter, P. 2000. Using a Geographic Information System for Tactical Crime Analysis. In Goldsmith, V., McGuire, P.G., Mollenkopf, J.H. & Ross, T.A. 2000 (eds.) *Analyzing Crime Patterns: Frontiers of Practice*. Thousand Oaks: Sage Publications, Inc.
- Carlisle, A. 2010. Serial Child Rapist Guilty on 8 Charges. *The Herald*, 12 November: 7.
- Carrier, B.D. & Spafford, E.H. 2004. An Event-Based Digital Forensic Investigation Framework. Paper delivered at the Digital Forensics Research Workshop (11-13 August 2004: Baltimore).
- Clark, C. 2008. Speak Out. *Club: Foschini Group Magazine*, June: 30.

- Conradie, H. & Tanfa, D.Y. 2005. Adjudication of Child Victims of Rape and Indecent Assault in Gauteng. *Child Abuse Research in South Africa*, 6 (2):3-18.
- Creswell, J.W. 2003. *Research Design, Qualitative, Quantitative and Mixed Method Approaches*. 2nd edition. Thousand Oaks: Sage Publications.
- Criminal Law (Sexual Offences and Related Matters) Amendment Act...see South Africa. 2007.
- Deasy, G., Badenhorst, A. & Strumpher, L. 2003. *Rape Analysis: Port Elizabeth Area- April 2003 to June 2003*. SAPS Crime Information Analysis Centre: Port Elizabeth.
- Denscombe, M. 2002. *Ground Rules for Good Research: A 10 Point Guide for Social Researchers*. Buckingham: Open University Press.
- Denzin, N.K. & Lincoln, Y.S. (eds.) 2000. *Handbook of Qualitative Research*. 2nd edition. Thousand Oaks: Sage Publications, Inc.
- De Wet, J.A., Labuschagne, G.N. & Chiroro, P.M. 2009. Offender Characteristics of the South African Male Serial Rapist: An Exploratory Study. *Acta Criminologica*, 22(1): 37-45.
- Docket Analysis Learner Manual see South African Police Service. 2002.
- Du Plooy, G.M. 2002. *Communication Research: Techniques, Methods and Applications*. Lansdowne: Juta & Co. Ltd.
- Du Preez, G. 1996. Criminal Investigation. In Van der Westhuizen, J. (ed.) 1996. *Forensic Criminalistics*. Johannesburg: Heinemann.
- Durrheim, K. 1999. Research Design. In Terre Blanche, M. & Durrheim, K. (eds.) 1999. *Research in Practice: Applied Methods for the Social Sciences*. Cape Town: University of Cape Town Press.

- Durrheim, K. & Wassenaar, D. 1999. Putting Design Into Practice: Writing and Evaluating Research Proposals. In Terre Blanche, M. & Durrheim, K. (eds.) 1999. *Research in Practice: Applied Methods for the Social Sciences*. Cape Town: University of Cape Town Press.
- Fouche, C.B. & De Vos, A.S. 2000a. Selection of a Researchable Topic. In De Vos, A.S. (ed.) 2000. *Research at Grass Roots: A Primer for the Caring Professions*. Pretoria: Van Schaik Publishers.
- Fouche, C.B. & De Vos, A.S. 2000b. Problem Formulation. In De Vos, A.S. (ed.) 2000. *Research at Grass Roots: A Primer for the Caring Professions*. Pretoria: Van Schaik Publishers.
- Genge, N.E. 2004. *The Forensic Casebook: The Science of Crime Scene Investigation*. Great Britain: Edbury Press.
- Goldsworthy, T. 2006. Serial Rape: An Investigative Approach. In Petherick, W. (ed.) 2006. *Serial Crime: Theoretical and Practical Issues in Behavioral Profiling*. Burlington: Elsevier.
- Govender, D. 2008. *The Nature and Extent of Problems Experienced by Detectives in the Collection, Processing and Utilization of Crime Information at the Rustenburg Detective Service*. Unpublished M-Tech dissertation, University of South Africa, Pretoria.
- Gunter, W.D. & Hertig, C.A. 2005. An Introduction to Theory, Practice and Career Development for Public and Private Investigators. *International Foundation for Protection Officers*, August: 1-56. From: <http://www.ifpo.org/programs/intro.pdf>. (accessed on 21 January 2006).

- Hazelwood, R. & Burgess, A. 1987. An Introduction to the Serial Rapist: Research by the FBI. *FBI Law Enforcement Bulletin*, September: 16-24.
- Hazelwood, R.R. & Warren, J.I. 2003. Linkage Analysis: Modus Operandi, Ritual, and Signature in Serial Sexual Crime. *Aggression and Violent Behavior*, 8:587-598.
- Hicks, S.J. & Sales, B.D. 2006. *Criminal Profiling: Developing an Effective Science and Practice*. Washington, DC: American Psychological Association.
- Holmes, R.M. & Holmes, S.T. 2002. *Profiling Violent Crimes: An Investigative Tool*. 3rd edition. Thousand Oaks: Sage Publications.
- Independent Complaints Directorate. 2008. *Femicide: A Case Study on Members of the South African Police Service*. Proactive Research Unit: Republic of South Africa.
- Janesick, V.J. 2000. The Choreography of Qualitative Research Design: Minuets, Improvisations, and Crystallization. In Denzin, N.K. & Lincoln, Y.S. (eds.) 2000. *Handbook of Qualitative Research*. 2nd edition. Thousand Oaks: Sage Publications Inc.
- Jewkes, R & Abrahams, N. 2002. The Epidemiology of Rape and Sexual Coercion in South Africa: An Overview. *Social Sciences and Medicine*, 55:1231-1244.
- Joubert, C. 2001. *Applied Law for Police Officials*. Lansdowne: Juta Law.
- Karagiozis, M.F. & Sgaglio, R. 2005. *Forensic Investigation Handbook: An Introduction to the Collection, Preservation, Analysis and Presentation of Evidence*. Illinois: Charles C Thomas Publisher.
- Kelly, K. 1999. Calling It a Day: Reaching Conclusions in Qualitative Research. In Terre Blanche, M. & Durrheim, K. (eds.) 1999. *Research in Practice: Applied Methods for the Social Sciences*. Cape Town: University of Cape Town Press.

- Keppel, R.D. 2006. *Offender Profiling*. 2nd edition. Mason: Thomson.
- Labuschagne, G.N. 2006. The Use of a Linkage Analysis as Evidence in the Conviction of the Newcastle Serial Murderer, South Africa. *Journal of Investigative Psychology and Offender Profiling*, 3:183-191.
- Labuschagne, G.N. Commander of the Investigative Psychology Unit of the SAPS. 2008. Statement to author, 18 September. Port Elizabeth.
- Lambrechts, D. 2001. Pollex. *Servamus*, 94, October: 93.
- Leedy, D. & Ormrod, J.E. 2005. *Practical Research: Planning and Design*. 8th edition. Ohio: Merrill Prentice Hall.
- Loewe, M. 2006. Dismay at Rape Cases Logjam. *The Herald*, 4 October: 1.
- Longmans Exams Dictionary*. 2006. s.v. "forensic". Essex: Pearson Education Limited.
- Makunga, N. 2008. Justice Grinds to a Halt due to DNA Debacle. *Weekend Post*, 2 February: 1.
- Manning, P.K. 2008. *The Technology of Policing: Crime Mapping, Information Technology, and the Rationality of Crime Control*. New York: New York University Press.
- Marais, C.W. 1992. *Physical Evidence in Crime Investigation*. Wierda Park: Henmar Publications.
- Mason, J. 1996. *Qualitative Researching*. London: Sage Publications.
- Maxfield, M.G. & Babbie, E. 2005. *Research Methods for Criminal Justice and Criminology*. 4th edition. California: Wadsworth Thomson Learning.
- Mistry, D., Snyman, R. & Van Zyl, M. 2001. *Social Fabric Crime in the Northern Cape*. Institute for Human Rights and Criminal Justice Studies, Technikon SA.
- Modus Operandi Law and Legal Definition*. 2008. US Legal. From: <http://definitions.uslegal.com/m/modus-operandi/> (accessed 19 January 2008).

- Mohamed, N. & Pauleen, D.J. 2005. Cognition, Quantum Skills, and Knowledge Management in the Criminal Investigation Process: A Conceptual Model. Paper delivered at Knowledge Management in Asia-Pacific: Building a Knowledge Society: Linking Government, Business, Academia and the Community (28-29 November 2005: Wellington, New Zealand).
- Morse, J.M. & Field, P.A. 2002. *Nursing Research: The Application of Qualitative Approaches*. 2nd edition. Spain: Graphy Cems.
- Mouton, J. 2001. *How to Succeed in Your Master's and Doctoral Studies: A South African Guide and Resource Book*. Pretoria: Van Schaik Publishers.
- Mphande, H. 2005. Police 'not doing their homework properly'. *The Herald*, 2 June: 1-2.
- Mphande, H. 2007. Police Fear More Attacks After Three Woman Raped. *The Herald*, 17 October: 1.
- MRC Policy Brief. 2004. "Every six hours a woman is killed by her intimate partner": A National Study of Female Homicide in South Africa, (5), June: 1.
- Neuman, W.L. 2000. *Social Research Methods: Qualitative and Quantitative Approaches*. 4th edition. Boston: Allyn and Bacon.
- O'Leary, Z. 2005. *Researching Real-World Problems: A Guide to Methods of Inquiry*. London: Sage Publications.
- Omar, B. 2008. Investigating Psychologically Motivated Crimes: The Work of the SAPS Investigative Psychology Unit. *SA Crime Quarterly*, 25, September: 33-38.
- Palermo, G.B. & Kocsis, R.N. 2005. *Offender Profiling: An Introduction to the Sociopsychological Analysis of Violent Crime*. Illinois: Charles C Thomas Publisher.

Participant One (Sample B), Investigative Psychologist at the IPU of the SAPS. Statement to Author, 6 September 2010. Port Elizabeth.

Participant One (Sample C), Crime Analyst at Walmer SAPS. Statement to Author, 20 August 2010. Port Elizabeth.

Participant Two (Sample C), Crime Analyst at Walmer SAPS. Statement to Author, 20 August 2010. Port Elizabeth.

Participant Five (Sample C), Analytical Official at Crime Intelligence Information Management, Port Elizabeth. Statement to Author, 23 August 2010. Port Elizabeth.

Participant Six (Sample C), Crime Analyst at Swartkops SAPS. Statement to Author, 3 September 2010. Port Elizabeth.

Participant Seven (Sample C), Crime Analyst at Crime Intelligence Information Management, Port Elizabeth. Statement to Author, 22 October 2010. Port Elizabeth.

Participant Eight (Sample C), Commander of Information Management at Crime Intelligence Information Management, Port Elizabeth. Statement to Author, 22 October 2010.

Participant Seven (Sample A), Detective at the Family Violence, Child Protection and Sexual Offences Unit of the SAPS in Port Elizabeth. Statement to author, 13 February 2009. Port Elizabeth.

Participant Nine (Sample A), Detective at the Family Violence, Child Protection and Sexual Offences Unit of the SAPS in Port Elizabeth. Statement to Author, 13 February 2009. Port Elizabeth.

Petherick, W.A. & Turvey, B.E. 2008. Criminal Motivation. In Turvey, B.E. (ed.) 2008 *Criminal Profiling: An Introduction to Behavioral Evidence Analysis*. 3rd edition. London: Elsevier.

- Pistorius, M. 2005. *Profiling Serial Killers and Other Crimes in South Africa*. Johannesburg: Penguin Books.
- Poggenpoel, M. 2000. Data Analysis in Qualitative Research. In De Vos, A.S. (ed.) 2000. *Research at Grass Roots: A Primer for the Caring Professions*. Pretoria: Van Schaik Publishers.
- Pope, C.E., Lovell, R. & Brandl, S.G. 2001. *Voices From the Field: Readings in Criminal Justice Research*. California: Wadsworth.
- Prentky, R.A., Burgess, A.W., Rokous, F., Lee, A., Hartman, C., Ressler, R.K. & Douglas, J.E. 1989. The Presumptive Role of Fantasy in Serial Sexual Homicide. *American Journal of Psychiatry*, 146:887-891.
- Psychologically Motivated Crimes Course Learner Guide *see* South African Police Service. 2009.
- Ramsland, K. 2007. *Beating the Devil's Game: A History of Forensic Science and Criminal Investigation*. New York: Berkley Books.
- Repanovici, A., Barbu, I. & Cristea, L. 2008. Information Literacy Learning Model for Engineering Students. Paper Delivered at the International Conference on Engineering Education (5th Conference: 2008: Greece).
- Robson, C. 2000. *Small-Scale Evaluation: Principles and Practice*. London: Sage Publications.
- Santtila, P., Junkkila, J. & Sandnabba, K. 2005. Behavioral Linking of Stranger Rapes. *Journal of Investigative Psychology and Offender Profiling*, 2:87-103.

- Schneider, A.L., Ervin, L. & Snyder-Joy, Z. 2001. Further Exploration of the Flight from Discretion: The Role of Risk/Need Instruments in Probation Supervision Decisions. In Pope, C.E., Lovell, R. & Brandl, S.G. (eds.) 2001. *Voices From the Field: Research in Criminal Justice Research*. California: Wadsworth.
- Sexual Offences and Related Matters Act *see* South Africa. 2007.
- Shanagan, M.R. Captain and Group Commander of the New Brighton Family Violence, Child Protection and Sexual Offences Unit. 2010. Statement to author, 6 April. Port Elizabeth.
- Shipley, S.L. & Arrigo, B.A. 2008. Serial Killers and Serial Rapists: Preliminary Comparison of Violence Typologies. In Kocsis, R.N. (ed.) 2008. *Serial Murder and the Psychology of Violent Crime*. Totowa: Humana Press.
- South Africa. 2007. The Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007. Pretoria: Government Printer.
- South Africa: Violence Against Woman 11/24/95*. 1995. University of Pennsylvania-African Studies Center. From:
http://www.africa.upenn.edu/Urgent_Action/apicza_112495.html (accessed 4 April 2010).
- South African Law Commission. 2001. Discussion Paper on Sentencing: A Compensation Scheme for Victims of Crime in South Africa. Pretoria: Government Printer.
- South African Pocket Oxford Dictionary*. 3rd edition. 2007. s.v. "analysis". Oxford: Oxford University Press.
- South African Pocket Oxford Dictionary*. 3rd edition. 2007. s.v. "document". Oxford: Oxford University Press.

- South African Police Service. [s.a.] *South African Police Service Standing Orders*. Pretoria: Commissioner of the South African Police Service.
- South African Police Service. 2002. *Docket Analysis Learner Manual*. Pretoria: Government Printer.
- South African Police Service. 2007. *Crime Situation in South Africa: April-September 2007*. Pretoria: Government Printer.
- South African Police Service. 2009. *Psychologically Motivated Crimes Course Learner Guide*. Pretoria: Government Printer.
- South African Police Service. 2010. *The Crime Situation in South Africa*. Pretoria: Government Printer.
- Stake, R.E. 2000. Case studies. In Denzin, N.K. & Lincoln, Y.S. (eds.) 2000. *Handbook of Qualitative Research*. 2nd edition. Thousand Oaks: Sage Publications Inc.
- Standing Order 252 *see* South African Police Service. [s.a.]
- Standing Order 323 *see* South African Police Service. [s.a.]
- Standing Order 333 *see* South African Police Service. [s.a.]
- Standing Order 336 *see* South African Police Service. [s.a.]
- Stelfox, P. 2009. *Criminal Investigation: An Introduction to Principles and Practice*. Devon: Willan Publishing.
- Strydom, H. 2000. The Pilot Study. In De Vos, A.S. (ed.) 2000. *Research at Grass Roots: A Primer for the Caring Professions*. Pretoria: Van Schaik Publishers.
- Swanson, C.R., Chamelin, N.C. & Territo, L. 2003. *Criminal Investigation*. 8th edition. Boston: McGraw-Hill.

- Technikon SA. 2001. *Investigation of Crime 1: Study Guide for OVM151RE*. Florida: Technikon SA.
- Ter Beek, M., Van den Eshof, P. & Mali, B. 2010. Statistical Modeling in the Investigation of Stranger Rape. *Journal of Investigative Psychology and Offender Profiling*, 7:31-47.
- Terre Blanche, M. & Durrheim, K. 1999. *Research in Practice: Applied Methods for the Social Sciences*. Cape Town: University of Cape Town Press.
- The Free Dictionary*. 2008. Farlex. From: <http://www.thefreedictionary.com/stranger+rape> (accessed 25 September 2008).
- Torres, A.N & Van der Walt, A. 2009. Sexual Offenders and Their Victims. In Turvey, B.E. & Petherick, W. (eds.) c2009. *Forensic Victimology*. Oxford: Elsevier.
- Turvey, B.E. 2005. Rapist Modus Operandi and Motive. In Savino, J.O. & Turvey, B.E. (eds.) 2005. *Rape Investigation Handbook*. Oxford: Elsevier.
- Turvey, B.E. 2008. *Criminal Profiling: An Introduction to Behavioral Evidence Analysis*. 3rd edition. London: Elsevier.
- UNISA. 2004. *Reference Method for UNISA (Florida)*. 7th edition. UNISA: Florida.
- UNISA. 2007. *UNISA Policy on Research Ethics*. UNISA: Florida.
- Van Rooyen, H.J.N. 2004. *Investigation: The A-Z Guide for Forensic, Private and Corporate Investigators*. Crime Solve.
- Van Rooyen, H.J.N. 2008. *The Practitioner's Guide to Forensic Investigation in South Africa*. Pretoria: Henmar.
- Vetten, L. & Haffejee, S. 2005a. *Urban Predators*. CSV Gender Programme, Policy Brief, (1), January: 1-4.

- Vetten, L. & Haffejee, S. 2005b. Gang Rape: A Study in Inner-City Johannesburg. *SA Crime Quarterly*, 12, June: 31-36.
- Viljoen, J. 2005a. Cop Shortage is Hampering Rape Investigation, says CPF. *Our Times*, 9 December: 2.
- Viljoen, J. 2005b. Another Teenager Raped. *Our Times*, 9 December: 2.
- Warren, J., Reboussin, R., Hazelwood, R., Cummings, A., Gibbs, N., & Trumbetta, S. 1998. Crime Scene and Distance Correlates of Serial Rape. *Journal of Quantitative Criminology*, 14(1): 35-59.
- Welman, J.C. & Kruger, S.J. 2001. *Research Methodology for the Business and Administrative Sciences*. 2nd edition. Cape Town: Oxford University Press.
- Woodhams, J., Bull, R. & Hollin, C.R. 2007. Case Linkage: Identifying Crimes Committed by the Same Offender. In Kocsis, R.N. (ed.) 2007. *Criminal Profiling: International Theory, Research and Practice*. Totowa: Humana Press Inc.
- Yin, R.K. 1994. *Case Study Research: Design and Methods*. 2nd edition. Thousand Oakes: Sage Publications.
- Zinn, R. 2002. *Investigation of Crime II: Study guide for OVM241ZE*. Florida: Technikon SA.

APPENDIX A

INTERVIEW SCHEDULE (SAMPLE A): FCS DETECTIVES (PORT ELIZABETH)

Participant number:

Topic: The value of docket analysis in stranger rape investigations: A case study in Port Elizabeth

- i The overarching aim of this research is to determine the value of docket analysis in stranger rape investigations. The researcher aim to establish what shortcomings could be identified in stranger rape investigations by using docket analysis and thereby verifying whether the available resources, aids and experts were used during the course of the investigation. The researcher should thus be in the position to establish how well these cases were managed in terms of investigative decision making. Finally, the researcher aim to establish whether docket analysis could narrow down the scope of a stranger rape investigation by evaluating its usefulness in the identification of similar patterns, similarities and distinctive behaviour and thereby linking those cases to a specific offender. By accomplishing the latter aim, the researcher would be able to make a finding on the value of docket analysis in the identification of possible serial rape activity.
- ii Authority from the South African Police Service (SAPS) to conduct this research has been obtained and is available for perusal by the respondent.
- iii The research questions for this research are:
 - What is docket analysis?
 - What is the value of docket analysis in stranger rape investigations?
- iv I hereby give permission to be interviewed and for the information I supply to be used in the research YES / NO

Signed

A. Historical information

1. What is your gender?
2. To which unit in the SAPS are you attached?
3. Are you an investigator?
4. For how many years are you involved in investigations?
5. In what crime(s) do you specialize?
6. For how many years are you specializing in this field?
7. What training have you undergone?
8. Have you received training on Docket Analysis?(If so, where/what course?)
9. Specify your tertiary qualifications? (e.g. Technikon or University)

B. Docket analysis

10. What is forensic investigation?
11. What is the purpose of investigation?
12. Is there a difference between forensic investigation and criminal investigation?
13. List the differences between forensic investigation and criminal investigation
14. What is the definition of rape?
15. What is stranger rape?
16. What is serial rape?
17. According to your experience, what is docket analysis?
18. According to your experience, what is the purpose of docket analysis?

19. According to your experience, how is docket analysis conducted?
20. According to your experience, would you consider docket analysis to be a viable investigative tool in police investigations?

C. The value of docket analysis in stranger rape investigations

21. Is there a difference in the investigation of stranger rape and that of a rape case where the offender is known?
22. According to your experience, list the differences between the investigation of a stranger rape and that of a rape case where the offender is known.
23. According to your experience, what do you think are important evidence to look for in stranger rape investigations?
24. What are the investigative resources used by yourself in stranger rape investigations?
25. How successful are you in stranger rape investigations?
26. How is similar stranger rape cases linked at your unit?
27. According to your experience, is docket analysis conducted in rape or stranger rape cases at the Port Elizabeth FCS Unit?
28. When is a stranger rape case closed as 'undetected'?
29. What is the meaning of *modus operandi*?
30. What is the meaning of *fantasy*?
31. What is meant by the *signature* of an offender?
32. Have you ever conducted docket analysis in stranger rape investigations?
33. Would you consider docket analysis to be a viable investigative tool in stranger rape investigations?

34. According to your experience, what are the benefits of docket analysis in stranger rape investigations?
35. According to your experience, what are the limitations of docket analysis in stranger rape investigations?
36. According to your experience, what is the value of docket analysis in the identification of modus operandi, signature and fantasy behaviors in stranger rape cases?

APPENDIX B

INTERVIEW SCHEDULE (SAMPLE B): INVESTIGATIVE PSYCHOLOGY UNIT

Participant number:

Topic: The value of docket analysis in stranger rape investigations: A case study in Port Elizabeth

- i The overarching aim of this research is to determine the value of docket analysis in stranger rape investigations. The researcher aim to establish what shortcomings could be identified in stranger rape investigations by using docket analysis and thereby verifying whether the available resources, aids and experts were used during the course of the investigation. The researcher should thus be in the position to establish how well these cases were managed in terms of investigative decision making. Finally, the researcher aim to establish whether docket analysis could narrow down the scope of a stranger rape investigation by evaluating its usefulness in the identification of similar patterns, similarities and distinctive behaviour and thereby linking those cases to a specific offender. By accomplishing the latter aim, the researcher would be able to make a finding on the value of docket analysis in the identification of possible serial rape activity.
 - ii Authority from the South African Police Service (SAPS) to conduct this research has been obtained and is available for perusal by the respondent.
 - iii The research questions for this research are:
 - What is docket analysis?
 - What is the value of docket analysis in stranger rape investigations?
 - iv I hereby give permission to be interviewed and for the information I supply to be used in the research YES / NO
- Signed

A. Historical information

1. What is your gender?
2. To which unit in the SAPS are you attached?
3. For how long have you been attached to this unit?
4. What is your field of specialization?
5. How many years do you have experience in this field?
6. What training have you undergone?
7. What are your tertiary qualifications? (e.g Technikon or University)
8. Have you ever received training on docket analysis?

B. Docket analysis

9. What is forensic investigation?
10. What is the purpose of investigation?
11. Is there a difference between forensic investigation and criminal investigation?
12. List the differences between forensic investigation and criminal investigation.
13. What is the definition of rape?
14. What is stranger rape?
15. What is serial rape?
16. According to your experience, what is docket analysis?
17. According to your experience, what is the purpose of docket analysis?
18. According to your experience, how is docket analysis conducted?

19. According to your experience, would you consider docket analysis to be a viable investigative tool in police investigations?

C. The value of docket analysis in stranger rape investigations

20. What is the meaning of *modus operandi*?
21. What is the meaning of *fantasy*?
22. What is meant by the *signature* of an offender?
23. Have you ever conducted docket analysis in stranger rape investigations?
24. Would you consider docket analysis to be a viable investigative tool in stranger rape investigations?
25. According to your experience, what are the benefits of docket analysis in stranger rape investigations?
26. According to your experience, what are the limitations of docket analysis in stranger rape investigations?
27. According to your experience, what is the value of docket analysis in the identification of *modus operandi*, *signature* and *fantasy* behaviors in stranger rape cases?

APPENDIX C

INTERVIEW SCHEDULE (SAMPLE C) EXPERTS IN DOCKET ANALYSIS

Participant number:

Topic: The value of docket analysis in stranger rape investigations: A case study in Port Elizabeth

- i The overarching aim of this research is to determine the value of docket analysis in stranger rape investigations. The researcher aim to establish what shortcomings could be identified in stranger rape investigations by using docket analysis and thereby verifying whether the available resources, aids and experts were used during the course of the investigation. The researcher should thus be in the position to establish how well these cases were managed in terms of investigative decision making. Finally, the researcher aim to establish whether docket analysis could narrow down the scope of a stranger rape investigation by evaluating its usefulness in the identification of similar patterns, similarities and distinctive behaviour and thereby linking those cases to a specific offender. By accomplishing the latter aim, the researcher would be able to make a finding on the value of docket analysis in the identification of possible serial rape activity.
- ii Authority from the South African Police Service (SAPS) to conduct this research has been obtained and is available for perusal by the respondent.
- iii The research questions for this research are:
 - What is docket analysis?
 - What is the value of docket analysis in stranger rape investigations?
- iv I hereby give permission to be interviewed and for the information I supply to be used in the research YES / NO

Signed

A. Historical information

1. What is your gender?
2. To which unit in the SAPS are you attached?
3. What is your function?
4. For how many years are you performing this function?
5. In what crime(s) do you specialize?
6. What training have you undergone?
7. Have you received training on Docket Analysis?(If so, where/what course?)
8. Specify your tertiary qualifications? (e.g. Technikon or University)

B. Docket Analysis

9. What is forensic investigation?
10. What is the purpose of investigation?
11. According to your experience, is there a difference between forensic investigation and criminal investigation?
12. According to your experience, list the differences between forensic investigation and criminal investigation.
13. What is the definition of rape?
14. What is stranger rape?
15. What is serial rape?
16. According to your experience, what is docket analysis?
17. According to your experience, what is the purpose of docket analysis?

18. According to your experience, how is docket analysis conducted?
19. According to your experience, would you consider docket analysis to be a viable investigative tool in police investigations?
20. According to your experience, describe the value of docket analysis in police investigations.
21. According to your experience, what are the limitations of docket analysis in police investigations?

C. The value of docket analysis in stranger rape investigations

22. What is the meaning of *modus operandi*?
23. What is the meaning of *fantasy*?
24. What is meant by the *signature* of an offender?
25. Have you ever conducted docket analysis in stranger rape investigations?
26. Would you consider docket analysis to be a viable investigative tool in stranger rape investigations?
27. According to your experience, what are the benefits of docket analysis in stranger rape investigations?
28. According to your experience, what are the limitations of docket analysis in stranger rape investigations?
29. According to your experience, what is the value of docket analysis in the identification of modus operandi, signature and fantasy behaviors in stranger rape cases?

APPENDIX D

ALL CASES CLOSED AS 'UNDETECTED' BETWEEN 1 JANUARY 2007 AND 31 JANUARY 2008

STATION	TOTAL: All dockets closed as undetected: 1 January 2007 to 31 January 2008	A) CLOSED: Suspects known but not arrested / could not be traced	B) CLOSED: Victim disappeared; Mentally ill (No statement given); Duplicate or docket closed; Unfounded.	C) CLOSED: Suspect(s) are strangers and could not be traced, linked or identified
WALMER	25	8	5	12
KWADWESI	25	8	3	14
MOTHERWELL	33	8	7	18
IKAMVELIHLE	13	-	1	12
KWAZEKELE	69	17	17	35
SWARTKOPS	13	-	5	8
NEW BRIGHTON	49	17	13	19
MOUNT ROAD	7	1	2	4
HUMEWOOD	23	4	6	13
KABEGA PARK	22	12	6	4
GELVANDALE	41	17	14	10
BETHELSDORP	70	31	16	23
ALGOA PARK	28	7	9	12
KINKELBOS	-	-	-	-
TOTAL	418	130	104	184

APPENDIX E

RAPE MATRIX

STATION	CAS	DATE	DAY	TIME	SCENE	VICTIM	AGE	RACE	OTHER PEOPLE	SUSPECT	SUSP AGE
KWADWESI	106-01-2007	19-01-2007	FRIDAY	8:00	BUSHES, OPPOSITE KWADWESI EXTENTION	X	15	B/F	N/A	B/MALE	± 29

1.

SUSP CLOTHES	APPROACH	ENTRY TO HOUSE	VEHICLE	CONTROL	WEAPON	VIOLENCE	RESISTANCE
	CON BLITZ SURPRISE			PRESENCE VERBAL WEAPON PHYSICAL			VERBAL PHYSICAL PASSIVE
NAVY BLUE TRACKSUITE TOP WITH ZIP/BLACK PANTS WITH YELLOW STRIPES/WHITE DIRTY TAKKIES (TORN)/MARROON AND WHITE BALACLAVA/LIGHT COMPLECTION/CHINESE-LIKE EYES/ SCALES ON HIS HANDS	BLITZ: 'I FELT SOMEBODY GRAB ME FROM BEHIND, AROUND MY WAIST AND ARMS.'	N/A	N/A	WEAPON/ VERBAL THREATS ('KEEP QUIET OR I WILL KILL YOU WITH THE KNIFE')	KNIFE	STRANGLED	PHYSICAL/ VERBAL

2.

SEX DYSFUNCTION	ORDER SEX	VERBAL	FORENSIC AWARENESS	POST OFFENCE BEHAVIOUR	STOLEN ITEMS	COMMENTS	PHOTOGRAPHS	FINGER-PRINTS
ERECTILE EJACULATION		WORD FOR WORD					YES NO	YES NO
N/A	RAPED THREE TIMES/ VAGINALLY	PUT DOWN YOUR BAG, PULL DOWN YOUR PANTIHOSE AND TAKE OF YOUR CLOTHES.'	NO CONDOM USED	VICTIM TOLD TO LIE STILL AND NOT MOVE, SUSPECT DRESSED AND RAN IN THE DIRECTION OF JOE SLOVO.	N/A	VICTIM ACCOSTED BY SUSPECT ON WAY TO SCHOOL TAKING SHORT CUT THROUGH BUSHES.	NO	NO

3.

IDENTI-KIT	FORENSIC INFORMATION	AIDS/RE-SOURCES USED	FIRST RAPPORT S/MENT	WITNESS S/MENT(S)	CASE OPENED	CASE CLOSED	DURATION
YES	A) J88						
NO	B) SEXUAL ASSAULT KIT						
NO	A&B	NONE	NO	NO	19-01-2007	11-07-2007	175 DAYS

4.

APPENDIX F

KEY TO RAPE MATRIX

VARIABLE	DESCRIPTION
1. STATION	Police station in whose jurisdiction the crime was committed
2. CAS	The relevant case (CAS) or reference number of the reported case
3. DATE	The date on which the incident occurred
4. DAY	The day of the week on which the incident occurred
5. TIME	The time (or approximate) at which the incident occurred
6. SCENE	The physical location where the incident occurred
7. VICTIM	Name of the victim- NOT DISCLOSED
8. AGE	Age of the victim
9. RACE	Race of the victim
10. OTHER PEOPLE	Other people in the company of the victim when the incident occurred
11. SUSPECT	Description of the suspect
12. SUSPECT AGE	Approximate/Estimated age of the suspect

13. SUSPECT CLOTHES	Description of suspect's clothes
14. APPROACH	Manner in which the suspect accosted the victim
15. ENTRY TO HOUSE	(When applicable) Manner in which the suspect entered the residence of the victim
16. VEHICLE	(When applicable) Description/Type of vehicle used by the suspect
17. CONTROL	Manner in which the suspect exercised control over the victim
18. WEAPON	(When applicable) Type of weapon used by the suspect
19. VIOLENCE	Type and degree of violence exercised by the suspect over the victim
20. RESISTANCE	(When applicable) Whether victim resisted against the assault as well as the type of resistance demonstrated
21. SEXUAL DYSFUNCTION	(When applicable) Whether the suspect suffered from any apparent sexual dysfunction i.e. erectile dysfunction
22. ORDER OF SEX	Chronological order of sexual acts inflicted by the suspect on the victim
23. VERBAL	Verbatim discourse or verbal interaction by the suspect with the victim

24. FORENSIC AWARENESS	Any indication by the suspect of knowledge regarding police procedures or principles of evidence or attempts to 'undo' or conceal his actions
25. POST OFFENCE BEHAVIOUR	Behaviour exhibited by the suspect immediately after the incident occurred
26. STOLEN ITEMS	(When applicable) Description/Type of property stolen from the victim by the suspect
27. COMMENTS	Any additional noteworthy or interesting comments by the researcher
28. PHOTOGRAPHS	Whether a photographer was used in the investigation, if so, whether the photographs were actually filed in the docket
29. FINGERPRINTS	Whether a fingerprint expert was used in the investigation, if so, whether the fingerprint results were actually filed in the docket
30. IDENTIKIT	Whether a sketch artist was used in the investigation, if so, whether the identikit was actually filed in the docket
31. FORENSIC INFORMATION	Whether any available physical evidence was obtained during the investigation, this includes the medical examination of the victim by a district surgeon

32. AIDS/RESOURCES USED	Whether any additional resources were employed during the investigation
33. FIRST REPORT STATEMENT	Whether a first rapport statement was obtained and filed in the docket
34. WITNESS STATEMENT(S)	Whether any witness statement(s) was obtained and filed in the docket
35. CASE OPENED	Date on which the case was opened
36. CASE CLOSED	Date on which the case was closed as 'undetected'
37. DURATION	Total duration (Days) that the case was active for investigation

APPENDIX G

SEXUAL OFFENCES STATEMENT CHECKLIST

(Psychologically Motivated Crimes Course Learner Guide, 2009)

DETAIL	
1	Paragraph statements
2	Do not prime the victim - it must be her own statement (never ask leading questions)
3	Full names - Age and date of birth - Identity number - Occupation - Residential address - Telephone number and code - Place of employment if applicable - Telephone number - Facsimile number
4	Detail of events leading up to the incident (this will vary according to circumstances and there will be more information in some cases than in others)
5	Describe the scene of crime prior to the attack
6	Fully describe the victim's clothing and victim's description (this may assist FSL and identification)

7	Describe other victims (if more than one victim has been involved)
8	Day and date of incident (specify day of the week)
9	Clarify time - how did the victim know what the time was
10	Describe, if possible, any route taken by the victim prior to the attack
11	Witnesses - any known to the victim, other witnesses' description and name who may link the victim to the suspect
12	How the suspect approached the victim
13	How the suspect maintained control of the victim
14	If restraints were used, did the suspect bring them with him or did they belong to the victim?
15	Weapons, etc., used / displayed / mentioned
16	Exact words spoken by the suspect - use direct speech
17	Exact words spoken by the victim to the suspect - use direct speech
18	If there is more than one suspect, briefly identify each by some distinguishing feature
19	Details of anything left at the scene by the suspect
20	Describe anything touched by the suspect
21	Did the suspect have an escape route prepared prior to the attack
22	Continually describe the victim's state of mind during the whole incident - what was she feeling / thinking in relation to each event as it occurred
23	Threats made by the suspect

24	Was there any resistance given by the victim? Include reasons for resisting or not resisting
25	Is the victim resisted, explain the suspect's reaction (speech, facial expression, physical reaction)
26	Did the suspect force the victim into any particular physical position
27	Did the suspect photograph the victim
28	Describe if and how clothing was removed and by whom, and in what order - where the clothing was placed or left
29	Was the victim made to dress in any specific items of clothing
30	Were these items brought to the scene by the suspect
31	Were any items of clothing stolen by the suspect
32	Did the suspect coerce the victim to use any specific words or sentences during the attack
33	<p>Describe, in full detail, the sexual assault. Describe the acts. Was the victim given any options? Consider:</p> <ul style="list-style-type: none"> - Touching: Where and by whom - Victim by suspect? Suspect by victim? - Kissing: Victim by suspect? Suspect by victim? - Use of instruments: Foreign objects used / placed in vagina / anus? - Digital penetration: Fingers used / placed in vagina / anus? - Fetishism: Particular attraction / request for certain object / clothing - Voyeurism: Watching a particular act (eg victim masturbating)

	<ul style="list-style-type: none"> - Fellatio: Mouth to penis - Cunnilingus: Mouth to vagina - Sexual sadism: Beatings, burning, whipping, biting, twisting breasts, asphyxiation (strangulation) until victim is unconscious, painful bondage (tied up) - Anulingus: Licking anus - Urination: Urinating on victim - Defecation: Defecating (faeces) on victim - Bestiality: Forced to perpetrate sexual act with animal - Sodomy: Forced male penetration of anus by penis
34	If sexual intercourse took place, exact description of how the victim felt (force, fear, fraud)?
35	<p>How penis entered vagina (or other orifices)?</p> <ul style="list-style-type: none"> - Position of bodies - Position of hands - Position of legs
36	Was the suspect's penis erect?
37	Was any lubrication used?
38	Was the suspect circumcised?
39	Did the suspect have difficulty in achieving erection or maintaining it, or experience

	premature ejaculation?
40	Was the victim forced, manually, to masturbate the suspect to achieve or maintain his erection?
41	Did the suspect wear a condom? Where is the condom now?
42	Did the suspect ejaculate? How did the victim know that the suspect ejaculated
43	Did the suspect use anything to wipe his penis after the offence?
44	Was anything done by the suspect to remove / stop semen being left behind - e.g. forcing the victim to wash, combing her pubic hair, using a condom?
45	If tissues were used, what happened to them? Where did they come from?
46	If oral sex occurred, did the victim spit out the semen or vomit - if so, where?
47	Was the victim told or forced to take any drugs / medication / alcohol by the suspect?
48	Was there any blood anywhere? Describe on the victim / the suspect / scene of crime?
49	If a number of sexual acts were carried out, describe the exact order in which they were committed and the speech used to the victim, prior, during and after
50	Any specific threats made to the victim not to report the offence? - the exact words used must be given
51	Any actions or words used to stop the victim recognizing the suspect?
52	Did the suspect take steps to avoid leaving fingerprints?
53	Was any of the victim's property taken to assist the suspect in locating her again? Was this taken to stop her reporting the incident? Was this mentioned

	specifically by the suspect?
54	Did the suspect suggest they meet again? Give specifics!
55	Was the suspect curious about the victim's life, family or previous relationships, sexual or otherwise?
56	Did the suspect pay any compliments to the victim?
57	Did the suspect make excuses for what he had done or apologized for it?
58	Did the suspect make any mention of police procedures?
59	How did the attack end?
60	How did the victim leave the scene?
61	How did the suspect leave the scene? Was it by foot / car / bicycle?
62	Did the victim tell anyone and when did she do so?
63	A full description of the suspect(s) from head to toe
64	Include a description of the clothing - it may be necessary to state what he suspect was not wearing, e.g. a jacket
65	Did the suspect speak in a language known to the victim? Clarify
66	Did the suspect have an accent? Clarify
67	Did the victim know the suspect? If the answer is in the affirmative, give details. Would the victim be able to recognize the suspect again?
68	How was the matter reported to the police immediately? If not, how long afterwards?

69	Permission from the victim for the examination of the scene of their property and for the removal of items for evidence and forensic examination
70	Describe fully all property taken, including serial numbers, colours, sizes, identifying marks
71	Get the victim to formally identify any property left by suspect at the scene
72	Describe all the injuries inflicted on the victim
73	Include the fact that the victim did not consent, even if this is obvious
74	Record the absence of consent for the removal of any of the victim's property by the suspect
75	Is the victim willing to attend court
76	Make sure that the victim reads the statement thoroughly and that it is signed in all the right places
77	When was the last time the complainant had sexual intercourse? If within 72 hours, control blood samples are required from all the partners
78	Victim's consent to forensic testing of articles seized for examination and that the victim knows that the articles may be damaged in the process of forensic examination

APPENDIX H

AUTHORITY FROM THE SAPS TO CONDUCT RESEARCH

South African Police Service / Afrikaanse Polisiediens	
<div style="border: 1px solid black; width: 150px; height: 20px; margin: 0 auto;"></div>	
Authority SAPS HEAD OFFICE: Received 26 NOV 2008	
Private Bag Privaatsak	Fax no (012) 393 3178 Faks no
YOUR REFERENCE / U VERWYSING MY REFERENCE / MY VERWYSING ENQUIRIES / NAVRAE TEL NO	OFFICE OF THE HEAD STRATEGIC MANAGEMENT PRETORIA 0001 S/Supt J Schnetler / Supt GJ Joubert (012) 393 3177 / 3118 15 October 2008
A. The Divisional Commissioner DETECTIVE SERVICE	Att: Snr Supt G N Labuschagne
B. The Provincial Commissioner EASTERN CAPE	Att: Snr Supt Tengisile
RE: RESEARCH PROPOSAL: THE VALUE OF OFFENDER PROFILING IN STRANGER RAPE INVESTIGATIONS: A CASE STUDY IN PORT ELIZABETH: FORENSIC INVESTIGATION: UNISA: RESEARCHER: CONST MARCEL VAN DER WATT	
A-B	<ol style="list-style-type: none"> 1. This office received a research proposal on above mentioned topic from Const Marcel van der Watt, attached to the Family Violence, Child Protection and Sexual Offences Unit in Port Elizabeth. 2. This office has perused the proposal and is recommending the study, subject to the final approval of the Provincial Commissioner: Eastern Cape. 3. The aim of the study is to determine the value of offender profiling in stranger rape investigations. 4. For the purpose of this research, the researcher will make use of two samples. Sample A will consist of 30 detectives attached to the FCS Unit in Port Elizabeth. The three functional members of the Investigative Psychology Unit of the SAPS based at Head Office will form Sample B. 5. Stranger rape dockets reported in Port Elizabeth within a 12 month period between 1 January 2007 and 1 January 2008 will be selected. 6. This office recommends that only closed dockets should be utilised. The anonymity of victims, offenders and witnesses must be guaranteed. 7. In accordance with National Instruction 1/2006 Research in the Service, the request is hereby referred to your office for a decision and feedback to this office.
<div style="display: flex; align-items: center; justify-content: center;"> <div> ASSISTANT COMMISSIONER HEAD, STRATEGIC MANAGEMENT GE MOORCROFT </div> </div>	

Authority SARS CEC: Received 26 November 2008

South African Police Service



South African Police Service

Private Reg X272

Fax 012 421

YOUR REFERENCE 3/34/2
AN REFERENCE 3/34/2
RECORDS Div Comm du Toit
TEL: 012 421 0400

DIVISIONAL COMMISSIONER
CRIMINAL RECORD AND FORENSIC SCIENCE
PORT ELIZABETH
0601

23 OCT 2008

- A. The Provincial Commissioner
EASTERN CAPE
- B. The Head
CRIMINAL RECORD CENTRE
- C. The Head
STRATEGIC MANAGEMENT

**RE-RESEARCH PROPOSAL: THE VALUE OF THE OFFENDER PROFILING IN
STRANGER RAPE INVESTIGATIONS: A CASE STUDY IN PORT ELIZABETH:
FORENSIC INVESTIGATION: UNISA: RESEARCHER: CONSTABLE MARCEL VAN
DER WATT**

- A. This office has no objection on condition that written confirmation is received by the applicant that a copy of the research project will be made available to this office within 2 months after finalization.

B+C For your information.


DIVISIONAL COMMISSIONER: CRIMINAL RECORD AND FORENSIC SCIENCE SERVICES
P J L DU TOIT