

## CURRENT TRENDS AND RESPONSES TO CRIME IN SOUTH AFRICA

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### **ABSTRACT**

*South Africa suffers high levels of crime and violence. Although crime statistics for the financial year 2006/2007, reported some decreases, such as attempted murder (3%), rape (5.2%), some categories show ongoing increases. South Africans have constant exposure to crime and violence, both through direct victimisation and through extensive and detailed daily media reports. Media coverage combines with rumour and anecdote to fuel growing fear of crime and perceptions of increased vulnerability. The annual release of official crime statistics by the South African Police Service (SAPS) does nothing to reduce public concern and the fear of crime as the media presents a linear relationship between high crime rates and poor police performance. Crime is however a complex phenomenon that cannot be understood by interpreting crime statistics alone. In order better to understand current crime trends in South Africa there is a need to combine analysis of crime statistics with other useful information sources such as Victims of Crime Surveys. The Council for Scientific and Industrial Research (CSIR) has developed the Three Spheres Convergence Model that assists in understanding the elements that converge to result in crime and the way in which these elements must transform to result in peace and safety. This is useful in identifying data sources to both understand crime patterns and to measure progress towards a safer place. The model is also used to demonstrate the essential role of many stakeholders outside of the SAPS in the effort to reduce crime.*

*The South African Government has introduced well respected policies to address crime and violence. These include the National Crime Prevention Strategy of 1996 (NCPS) and the 1998 White Paper on Safety and Security. Strategies have also been formulated and to some extent implemented to integrate the Criminal Justice System (CJS). Unfortunately, there has been inconsistent and inadequate implementation that has not well enough integrated role players or established joint accountability both within and outside of the CJS. This chapter proposes that an effective strategy for a safer South Africa must be based on an understanding of the cycle of crime, violence and distrust that characterises many communities. The Government has shown commitment to curb crime, but there is a long way to go. A synergised and collective effort is needed in order to achieve a*

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*Safer South Africa.*

**Key-words:** crime; violence; prevention

## **[A]INTRODUCTION**

The release of the crime statistics for the financial year 2006/2007, aroused much public interest and concern, perhaps intensified by the prevalent increase in the murder and aggravated robbery rates. There were some reported decreases, such as attempted murder (3%), rape (5.2%) and indecent assault (5.5%). There is an urgent and sustained need for an explanation of crime trends and consistent monitoring of this phenomenon. Whilst overall crime figures show a downward trend in violent crimes, the extraordinarily high base from which we start renders such improvement less significant in terms of overall safety in South Africa. There is a concerning tendency to debate whether crime is up or down rather than to discuss the apparent normalisation of the very high crime rate. To normalise crime at its current level is to give up on the vision of South Africa as a safe place.

This chapter aims to redress that balance by contemplating a different approach to crime prevention and safety. The first step in such an approach is to dispel the assumption that crime statistics and police performance have a linear relationship. High crime statistics do not necessarily reflect poor police performance; neither therefore, can a drop in the crime level be seen as a direct result of improved police performance. In conclusion, the authors argue that crime is a much more complex phenomenon and demands a more complex analysis and response. The Three Spheres Convergence Crime Prevention Model is discussed to foster an understanding the complex phenomenon of the “cycle of crime, violence and distrust” with the aim of validating the above argument.

## **A DIFFERENT APPROACH TO CRIME PREVENTION AND SAFETY**

### **WHAT DO SOURCES OF CRIME INFORMATION TELL US?**

The crime statistics for 2006/2007 (SAPS 2007) did not clearly indicate whether South Africa was winning or losing the battle to reduce crime as the figures tended to fluctuate. A lot of resources were put into fighting crime, but it was worrying that violent crime was increasing. What also needs to be taken into account is that many of the categories indicating decreases were crimes where the victim might be strongly influenced not to report the incident due to risks of secondary trauma, inadequate victim support and lack of victim-friendly processes.

The cynicism and scepticism with which South Africans receive news of the



country's crime statistics is echoed in most places around the world yet, like many other societies, we demand that they be published regularly and we are outraged when they are not. Perhaps the greatest value in recording and reporting on crime as accurately as possible lies in the potential of crime statistics to hone safety and security resource management and ensure that resource allocation responds to areas of greatest need for these services. This applies in terms of the number of a particular type of crime (e.g. bank robberies) as well as where and when such crimes typically occur. Such information is an obvious and useful management tool and simultaneously informs crime prevention strategies.

Crime statistics, however, are typically regarded as a reflection of only a part of the crime that occurs in any society, and under-reporting of - in particular - certain types of crimes is widely assumed. Regardless, crime statistics help us to understand the patterns of crime in our environment. It is for instance important to know that the category "Contact crime" accounts for 33.3% of South Africa's recorded crimes (SAPS 2007). Six of the eight contact crimes, namely rape, attempted murder, assault with grievous bodily harm, common assault, indecent assault and common robbery, decreased by between -8.7% and -3.0% in 2006/2007. Contact crime includes the types of crime in which physical contact, mostly of a violent nature, necessarily occurs between the victim and the offender. As a proportion of all crime in the country, 33.3% is high. This is the category that tends to characterise public perception about crime in South Africa; it is the category that generates the greatest fear of crime and feeds into the insecurity that best defines South Africans' collective state of mind about crime - and thus arguably their responses to it.

### **CRIME STATISTICS AND VICTIM SURVEYS (INTERPRETATIONS AND IMPACT)**

In contrast to the 2003/2004 crime statistics, those for 2006/2007 revealed a significant downward trend in contact crimes. These statistics also showed that crimes heavily dependent on police action increased significantly thereby reaffirming that combating crime is a priority action. They are also an indication that SAPS and other policing agencies are doing their utmost to combat these crimes, which are also strong generators of other offences. Drug-related crime, illegal possession of firearms and ammunition, and driving under the influence of alcohol or drugs increased by 8.2%, 5.6% and 14.3% respectively (SAPS 2007).

The category "Murder statistics" is believed to be most accurate as murders are recorded not only by SAPS, but also by the health and mortuary



systems. The 2006/2007 murder rate increased to 40.5 as compared to the previous years. SAPS 2006/2007 crime statistics indicated that a docket analysis showed that in 81.5% of murder cases, the perpetrators were known by their victims, and in 20.1% of cases, the perpetrators were relatives, friends or acquaintances of the victims (SAPS 2007). Thus, the murder of strangers, often a by-product of other crime such as robbery, remains the smallest part of this category. According to mortuary studies, a significant proportion of murders occurs between young men and is associated with drinking. Alcohol both makes the offender more aggressive and the victim more vulnerable (MRC 2006).

Interpersonal crimes, such as domestic violence, are believed to be less well reported and sexual offences the least well reported. In this last case, a combination of reasons is given: women have little confidence that their complaint will be properly addressed or result in a conviction, and they experience resistance from service providers who display negative attitudes towards them and they doubt they will be believed. Reporting often compounds the trauma and involves an invasive and unpleasant investigation. Sometimes the victim is unaware that what has occurred is an offence and does not know that she has a right to assistance (Burton *et al.* 2003; Eastern Cape Customer Satisfaction Survey 2005;<sup>2</sup> Jewkes & Abrahams 2000; Rasool *et al.* 2002). The high number of contact crimes occurs in social environments, which are often outside the reach of policing. Thus, in order to demystify the perception that when statistics are high, the police are not doing their job we need to understand what else causes and can prevent crime and what will make South Africa safe.

The assumption of low reporting of rape provides the basis for a new and potentially dangerous analysis of rape statistics. For a number of years now SAPS has reported an increase in reported rape yet has claimed that this does not indicate an increase in rape, but rather an increase in accessibility and an improvement in service delivery to victims of rape.

There are no data to support this claim. While it is arguably true that the CJS has made strides in improving its response to rape, conviction rates are still very low and most women are still exposed to secondary trauma<sup>3</sup> once they report a rape (Camerer 1996; CSIR 2004; Fedler, Motara & Webster 2000). To attribute the increase in reported rape to anything other

<sup>2</sup> EU/SAPS Survey conducted by the CSIR Crime Prevention Centre (CCPC) and Development Research Africa (DRA), unpublished.

<sup>3</sup> Victim Empowerment (VE) Sector Glossary 2005: Feelings, personal distress and symptoms often experienced by helpers working with people suffering from traumatic stress. Secondary traumatisation is also alternately referred to as vicarious traumatisation and compassion fatigue.



than an increase in the incidence of rape is to confound logic. A favourable assumption is that the increase in the incidence of rape is accompanied by an improvement in the capture of rape statistics. The slight decrease in recorded rapes in 2006/2007 can similarly be attributed to a range of factors, not least a perception (since the much publicised case against Jacob Zuma) that the victim will be re-victimised on the stand. Also, if the victim has a history of previous sexual or emotional abuse, this will make the case against the accused harder to prosecute successfully.

The other common statement by SAPS regarding (particularly) rape and child abuse is that these crimes typically occur behind closed doors within families, where the offender is known to the victim. As a result the police have no access to prevention mechanisms, cannot reduce rape, cannot dramatically increase reporting rates, and are often hampered in their investigation of the case. They say that the victim is often dependant on the offender for subsistence and is thus unlikely to report the incident, or having reported it, is more likely to withdraw cooperation before the case is properly investigated or prosecuted.

Vetten (2005), an acknowledged expert on and researcher into gender-based violence and CJS responses thereto, has said: "These self-congratulatory claims, offered without so much as a smidgen of supporting evidence, certainly demonstrate chutzpah on the part of the police. At the same time they point to the threadbare nature of our crime figures, as well as the need for critical public engagement with these statistics (p. ??)."

Studies have revealed that in almost 67% of cases at least some of the variables may be present and the assumptions therefore true (CSIR 2003; Rasool *et al.* 2002; Snyman, Mistry & Van Zyl 2001). The scale of the problem in South Africa, however, is so big that even if only 33% of cases involve rape outside of the home or in the public domain, with offenders unknown to the victim, this figure represents more than 15 000 reported rapes annually where police action is not hampered by social restraints (Hirschowitz, Worku & Orkin 2000; Jewkes & Abrahams 2000; Rasool *et al.* 2002).

Vetten (2005) has made the point that the lack of believable statistics, not only from SAPS, but even more importantly perhaps from the National Prosecuting Authority (NPA), regarding the number of cases prosecuted and convicted, "demonstrates that the measure of women's right to justice counts not at all" (p. ??).

**Morna (2004) reported that:**

The Ministry of Justice and Constitutional Development has established



52 Special Offences Courts, which achieve a 64% conviction rate compared to the 7% conviction rate for sexual offences in other courts. While there has been a general decline in other crime, levels of rape continue to increase. During the 10 years of democracy the number of reported cases of rape rose by 17.8% to its 2003/2004 level of 52 733 cases. The Law Reform Commission estimates that there are 1.7 million cases of rape a year, meaning that the vast majority of cases are not reported. Many cases are also withdrawn, often because of societal pressure. Police statistics on child abuse (6 504 cases in 2003/2004) have been disputed by those working in the field, who say they alone have handled more cases. (p. ??)

**According to Minister Ngakula (Justice Crime Prevention and Security Cluster 2005):**

Between March 2004 and March 2005, there were on average 63 Specialised Sexual Offences Courts in session, including dedicated courts that alternate bi-monthly. Some of these courts are operating on an additional basis. In March 2005, there were 70 courts in session. Between April 2004 and February 2005, 5 771 cases were finalised. The average number of cases finalised per court remained the same as the previous financial year. However, the conviction rate increased from 61% to 63%. In April 2005 these specialised courts achieved a conviction rate of 70%. (p. ??)

Whichever way we look at it, these figures represent an unacceptable rate of sexual offences and are a sad reflection of the status of women and children in our society.

Motor vehicle hijacking and motor vehicle theft are typically well reported (it is assumed because of insurance claims), while property theft of smaller items is believed to go largely unreported (CSIR 2005c; Burton *et al.* 2003). In 2006/2007, car hijackings showed a steady increase since 2004/2005 thereby confirming the perception that not only are people no longer safe in their own homes, but they face the constant threat of being hijacked (*Acta Criminologica* 2007).

South Africa has recorded less property related theft in this category than many International Criminal Police Organization (INTERPOL) member countries. A slow but significant decrease of property theft of smaller items may be positively attributed to more focused and increased conventional policing methods as well as ever more sophisticated target hardening through improved security measures protecting against theft from buildings

and motor vehicles. These assumptions must however be mitigated with the National Victims of Crime Survey (NVCS) (Burton *et al.* 2003) reports that only 36% of the victims said that they report such theft to the police. This low reporting rate is attributed to several scenarios; people without insurance would not bother reporting, those in the rural areas have problems of access and some use the traditional authorities to resolve the matter. Positive outcomes of reporting are not very common.

The decrease recorded in car theft, however, is more likely to be reliable. Estimates are that 97% of victims notify the police when their vehicles are stolen and this is corroborated with data released by South Africa's major motor insurance and security companies showing a sharp decrease in car theft related insurance claims (Burton *et al.* 2003; Louw & Du Plessis 2004).

According to the SAPS website (<http://www.saps.gov.za>), theft accounts for 19.0% of all South Africa's recorded serious crime. With 415 163 registered cases during 2006/2007, the single largest category of crime among the 27 categories featured is "All theft not mentioned elsewhere". Cell phone theft is hidden somewhere in this category and is thought to be the major contributor to it. Cell phone theft has a high level of nuisance attached to it as well as being a contributor to feelings of lack of safety. Recent moves towards an aggressive and integrated approach to reducing cell phone theft (BAC 2005) will hopefully eventually encourage disaggregating of cell phone theft statistics as a precursor to measuring the impact of implementation of the project.

The 1999 INTERPOL Report revealed that the high percentage of theft is not peculiar to South Africa. Other countries also have high percentages of theft; Denmark (54%), Australia (46%), France (41%), Germany (30%), Finland (29.8%), Canada (30.3%) and Norway (29.8%). What differentiates South Africa is once again the scale of the problem, where local percentages are worked out from a very high total number of crimes recorded.

High crime statistics do not necessarily reflect poor police performance; neither therefore can a drop in crime be seen as being the direct result of improved police performance. Crime is a much more complex phenomenon and demands a more complex analysis and response. Police performance should be measured according to different indicators; is the law enforced, are cases properly recorded and investigated, are perpetrators arrested and properly prosecuted; do police investigations result in convictions and appropriate sentencing? The one crime category that may provide an insight into police performance, at least in as far as their proactive policing is concerned, is crimes heavily dependent on police action for detection. In this



case an increase of recorded crime may be seen as improved performance by the police as this category includes crimes such as illegal possession of firearms, drug related crime (use and possession), and driving under the influence of alcohol or drugs. Members of the public do not generally report these types of crime to the police. They are discovered mainly through police action such as roadblocks and searches (SAPS 2005). Research conducted in the Central Karoo and Gauteng (CSIR 2005a, 2005c) has found that between 95 and 99% of all violent crimes is drug or alcohol related; either the victim or the offender or both are under the influence of a substance at the time of the offence.

Thus, this analysis is not to dispute the value of accurate crime statistics – properly interpreted, they offer us valuable insight into the kinds of crime that are committed, the characteristics that make some people more vulnerable than others and some people more likely to offend than others. They tell us where crimes are most likely to be committed and when – all information essential to effective crime prevention.

For a full understanding of crime in South Africa today, we must combine an analysis of crime statistics with information gathered in other ways. We tend to be less demanding of the Department of Justice and Constitutional Development (DoJ & CD), as well as the Department of Correctional Services (DoCS) to provide accurate statistics. A search for official statistics regarding for instance, prosecution and conviction rates leaves us decidedly under informed. The NPA website (<http://www.npa.gov.za>) offers generic figures for the years 2000 and 2001, while the Sexual Offences and Community Affairs (SOCA) website (Need web address) has a statistics heading, but the contents are “under construction”. We would not tolerate this from SAPS, yet there is hardly a murmur of complaint against the NPA. Accurate court records would arguably be even more useful than SAPS figures as they would provide evidence of the successfulness or not of CJS responses to crime, rather than just an indication of how many crimes were reported. Similarly it would be useful to know accurate and disaggregated recidivism figures for the DoCS, since the department claims to be focused on correction rather than on punishment. Once again we might find these statistics useful in assessing the contribution made by the DoCS to a safer South Africa.

Victim surveys are typically believed to add value and provide a much more meaningful understanding of the way that crime is experienced in a society. The first NVCS in South Africa was conducted by Statistics SA (Stats SA) in 1998 and a follow-up survey was conducted by the Institute for Security Studies (ISS) in 2003. Victim surveys have greatest value when they are

regularly conducted and can therefore be used as real comparators in assessing the information provided by crime statistics (Burton *et al.* 2003).

### **OTHER RESEARCH – CRIME PREVENTION STRATEGIES AND CAUSES OF CRIME**

Other crime prevention related research is equally valuable in filling in some of the gaps. Whilst strategies and policies are often set at national level, crime is experienced – and should arguably therefore be addressed – at local level. Community based crime prevention strategies are based on local perceptions and experiences of insecurity and provide valuable windows into the social circumstances in which crime thrives (CSIR 2005d).

Research constantly highlights a need for the police to improve communication in communities regarding the process to be followed when reporting cases (CSIR 2007b).

Local Crime Prevention Safety audits, while for the most part relatively small and often less than purely scientific studies, offer a comparison of results of studies of one such community and another and this often renders more similarities than differences (CSIR 2005a, 2005c). The safety and security needs and priorities of communities across South Africa are surprisingly similar; less surprisingly they respond to common kinds of crime and violence.

Substantial effort is expended on research that aims to define the causes of crime. In a society where victimisation is as significant as in ours, individual responses to crime are subjective, emotional and fuelled by regular discussion and stories. In broad terms, crime proliferates where there is a combination of societal problems such as poverty and inequality between the rich and poor, unemployment, a history of violence and deep-rooted patriarchy. Easy access to firearms/guns, high levels of substance abuse and limited access to essential services all feed into creating a society that is particularly vulnerable to both victimisation and a high incidence of offenders (Rasool *et al.* 2002).

Demographic information, gathered for purposes other than crime or crime prevention related provides a less obvious but equally important window on crime in South Africa. There is a great variation of recorded crime rates by provinces. The socio-economic and other demographic features vary considerably from province to province and with this variance come a change in the experience of crime. Gauteng, Western Cape and KwaZulu-Natal are typically the centres of economic activity and have the most intense population and urbanisation levels, exacerbated by high numbers of



migrants (CSIR 2005c; Stats SA 2004). Crime profiles of these provinces reflect these demographics, while other less populated, poorer provinces suffer high levels of contact crimes related to the lack of opportunities and higher proportion of rural communities (CSIR 2005c; Rasool *et al.* 2002).

These formal and research based approaches to understanding crime, violence and to developing appropriate responses are sometimes supported but more often than not confused by anecdotal and subjective reporting of the crime situation in South Africa:

Public perceptions of crime are influenced by both primary and secondary factors. Primary factors include first hand experiences of crime that an individual or their family or friends may have had. Secondary factors, which often have a wider impact, include media reports, other documentary information about the crime situation, and generally word of mouth. (Burton *et al.* 2003, p. 41)

#### **MEDIA, RUMOUR AND ANECDOTE (INFORMING PUBLIC PERCEPTIONS AND FUELLING FEARS ABOUT CRIME AND VIOLENCE)**

When the media play down certain crimes or highlight and sensationalise others, a normalisation of such responses occurs (Holtmann & Eloff 2005). The reporting approach currently used by most national radio stations and newspapers to report on crime “feeds a general fear of crime<sup>4</sup> and a perception of increased vulnerability” (Maxfield 1984, p. 3). This was most apparent in the Index of African Governance (Mo Ibrahim Foundation 2007), which ranked South Africa as the third most dangerous country after “war zone” countries Sudan and Burundi, thus confirming that South Africans have been justified in complaining about crime for years.

According to Emmett and Butchart (2000), this normalisation of violence as a part of daily life in South Africa has once again contributed to a general unease and sense of insecurity. Holtmann and Eloff (2005) have stated that, “whilst arguments rage over the necessity and/or the right of the media to present such images, it cannot be argued that such reporting contributes in any positive way to the reduction of vulnerability” (p. ??). Occasionally the media do assist with crime prevention and awareness. For example, reports on where or when crimes such as rapes, smash and grab thefts or hijacking occur can assist in making people more alert and vigilant. At times the media usefully encourage members of the public to report crimes to the police or to assist with the identification or apprehension of a suspect.

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<sup>4</sup> In general, the concept “fear of crime” has been used to refer to perceived threats to personal safety rather than threats to property or the more generalised perception of risk.

The media combine with one-on-one rumour and anecdote to fuel fears and anger about crime and violence. Discussion about crime is as common an occurrence as is crime itself. However uninformed or unscientific such discussion may be, it often has serious consequences, both in terms of fear and in formal or informal response. The mythology that has developed about the rape of babies and virgin girls is a good example; while it is widely accepted that men rape virgins because they believe it cures or protects them from HIV/AIDS, there is little or no evidence that this is true (Jewkes 2002). Significant and costly research has been done to counter this myth, yet it proliferates, aptly demonstrating the power of interpersonal communication in the absence of verified fact. This is particularly problematic where there is a low level of trust in or respect for the CJS. It is widely believed that the CJS should, but does not, act as a deterrent to those contemplating crime. This leads communities and individuals to believe that they must protect themselves, with potentially damaging results.

The most obvious result of low trust in the CJS is the burgeoning private security industry which has become one of the country's largest private employers. There are more than three private security guards for every uniformed police officer. The industry has access to 80 000 vehicles compared to the 37 000 of the SAPS.

Over the past decade, state spending on the criminal justice system (i.e. the department of safety and security, justice, and correctional services) as a proportion of the national budget has more than doubled from less than 5% in 1987/88 to almost 10% today (SAIRR 2007). This is manifested particularly in middle class urban and business areas where there has been a proliferation of gated communities, road closures, armed guards, armed response units, surveillance installations and domestic security systems including target hardening such as barbed wire or electric fencing, burglar bars and high walls. This "fortress mentality" has the effect of deepening the divide between the haves and the have-nots in terms of safety in South Africa, in many instances displacing crime to poorer areas than cannot afford target hardening investments. A link can be made between the way in which safety has become a privilege of the rich and the vigilante action most often witnessed in poorer areas.

There is evidence that many such resource based interventions are less successful than believed by those who invest in them. The assumption of those who can afford a particular kind of home that they will be safest if locked in with others about whom they know nothing except that they can afford a similar home is unproven. What is clear is that it provides peace



of mind to these people, as security cluster living has become aspirational – and consumers are prepared to pay a considerable premium for what is promoted as safe living.

## **INSTITUTIONAL RESPONSES TO CRIME IN SOUTH AFRICA**

The period between 1994 and 2005 generated a wide and comprehensive range of new and adapted policies relating to safety, security and crime prevention. The South African Government adopted the NCPS in 1996 in an attempt to articulate a more homogeneous approach to dealing with diverse communities, while for the first time disaggregating the approach to different crime types. This meant that there was commitment to an equitable response to the crime problems of different communities whilst at the same time dealing differently with for instance rape and property theft. This policy shift was an attempt to deal simultaneously with the need to redress the wrongs of previously disadvantaged communities and the need to transform from law and order strategies to a service delivery and proactive orientation in line with international trends in policing. Although the Government adopted the NCPS in 1996, it has never been implemented in any recognisable way. Bits of it have surfaced from time to time and some programmes are still active today. It underpinned the development of the White Paper on Safety and Security, adopted by Cabinet in September 1998, but implementation of this policy has been even more patchy – in fact in some instances, such as the capacity, functions and organisational structure outlined for the National Secretariat for Safety and Security in the White Paper, subsequent actions have conflicted directly with the recommendations of the White Paper. The National Secretariat for Safety and Security is no more than a pale shadow of the institution envisaged in the White Paper – or indeed in the Constitution of South Africa.

The NCPS promotes a victim-centred restorative justice approach in which the CJS performs the tasks of removing from society those who infringe on the rights of others and violate the laws of the land with the purpose of correcting their behaviour and restoring them to society as constructive and contributing citizens. While the CJS grapples with this transformation, NGOs such as the South African National Institute for Crime Prevention and the Reintegration of Offenders (NICRO) have contributed to a greater understanding of such approaches. NICRO manages diversion programmes for young offenders,<sup>5</sup> serving 10 450 young people per year. The organisation has offices in all nine provinces, many service points, and over 40 community victim support centres. Since 1996 more than 400

<sup>5</sup> Diversion programmes aim to channel young offenders away from the CJS into activities that make them accountable for their actions.

community-based victim support centres have been established nationwide, contributing to a much more inclusive understanding of the need articulated in the NCPS to balance the rights of offender and victim (DoSD 2005).

The PROVIDE NAME IN FULL (IJS) concept is in line with the NCPS' vision and recognises that where the individual departments work in isolation, the result is a cycle of blame and poor performance of the CJS. Thus, the police blame the courts for their inability to process arrestees and the courts blame the police for poor investigation of cases and for conducting crime combating operations that result in an overload of cases. The PROVIDE NAME IN FULL (DCS) in turn blames the courts for overcrowding as a result of delays to court proceedings (CSIR 2004).

The Department of Social Development (DoSD) is responsible for social aspects within crime prevention, with its focus on vulnerable groups and poverty alleviation, and diversion of young offenders and probation. The DoSD is also the lead department in the Victim Empowerment Programme (VEP) as envisaged in the NCPS. This is one of the few NCPS programmes that have delivered sustained integrated and coordinated delivery and partnership with civil society through the VEP Management Team (DoSD 2004, 2005).

There is undoubtedly a significant link between poverty and crime. Research suggests that poverty increases vulnerability to crime and the impact of crime on victims, who often have less access to support and assistance (Holtmann & Du Plessis 2004). A further link is acknowledged; a young man engaging with crime for the first time very often commits himself to a life of subsistence crime and poverty. Relatively few criminals are very successful; those who commit street crimes and household thefts are unlikely to achieve material wealth. Thus the role of the economic sector is important, because work skills and mainstream opportunities are essential if young men are to be encouraged to make better life choices.

Local Government responsibility for safety is articulated in the White Paper on Safety and Security and the White Paper on Local Government, but in neither case is the role clearly formulated. While responsibility for policy and strategy governing crime prevention may appropriately remain the ambit of National Government, crime is experienced at local level and must therefore be addressed at local level. Many local authorities include crime prevention in their Integrated Development Plans (IDPs) and this mainstreaming of safety issues is encouraged by SAPS and other role players. Some of the larger metros have also established Municipal Police Services with the intention of expanding local capacity to enforce laws and by-laws.



Community Safety Forums (CSFs) include local crime prevention partnerships formed to coordinate and integrate local crime prevention and safety interventions through Local Government. CSFs are based on the premise that increased cooperation and interaction amongst crime prevention stakeholders will improve the functioning of the CJS and the delivery of crime prevention projects (Tait & Usher 2002).

Considering how difficult it is to create a common platform for those involved in different aspects of community safety and crime prevention, the challenge inherent in requiring an informed and objective response from communities is almost overwhelming. It remains a key priority in making South Africa safer at local level for all.

Local environments are themselves made up of diverse elements. In most local authorities in South Africa there is a mix of relatively affluent (in some cases extremely affluent) neighbourhoods with lower income and very poor communities. The effect of this diversity is to splinter the commitment of citizens according to their specific – and very varied – needs for security. For instance the most affluent tend to invest in private security measures ranging from surveillance systems to guards to armed response. They favour high walls, electric fences, automated and managed access, exclusion zones such as “gated” or “boomed” communities. This is seen as crime prevention but is no more than displacement of crime, very often resulting in higher levels of victimisation in less resourced areas, with the ultimate result that crime is worst in the poorest neighbourhoods (Landman 2002). Poor people do not have access to security measures that require material or financial investment. They have to rely on natural resources and state services. In some cases this results in more creative approaches to crime prevention, but at times their responses veer towards vigilantism and revenge attacks (Landman 2002). The ideal is to create a common vision of a safe community for all – where there can be a combination of creativity, resources, technology and practical intervention that benefits the community as a whole rather than one section of it at the cost of another. This is not exclusive to crime prevention – in a society where the differential between rich and poor is as stark as it is in South Africa (Baden, Hassim & Meintjies 1999; Rasool et al 2003).

It would be extraordinary for such divisions to be absent. Despite the ongoing investment in transformation of our society, much remains to be done in terms of creating a common understanding of the connectivity between the well-being – and safety of each sector of our society on the well-being of others.

Working in the Central Karoo (CSIR 2005a) for instance, it was immediately obvious that whilst the poor sections of communities were visible and well represented at workshops aimed at developing local crime prevention strategies, the business communities in these towns were hardly if at all represented, despite being invited to participate. Few opportunities for jobs exist in these communities and the wealth and potential wealth typically rests in the hands of a relatively small group of business people, many of whom have come to the area from the outside because they recognise the economic opportunity. Tourism is booming in such towns yet the benefit is felt only peripherally by locals who work in the menial jobs offered as a consequence of the growing tourist trade. Women are employed as cleaners, men as barmen, waiters or gardeners. Some construction work results from renovation and a growing investment in property in the town. These jobs do little to improve the social circumstances of local families – and if anything result in more neglect of children and further marginalisation of the poor. Alcohol abuse is rampant and the additional small wages earned are often squandered in unlicensed (or licensed) shebeens. The lack of engagement by business people in the crime prevention strategic process is assumed to be reflective of their lack of engagement in community life as a whole.

The towns, designed and developed a long time before there was any contemplation of racial integration in South Africa, offer a clear visual and social demarcation between rich and poor. Those with resources live along the only tarred roads in the area, with hotels, shops, schools and sports facilities. They know each other well, work together, support each other's businesses and socialise together. The poor live slightly apart from the town in what is for most of the year effectively a dustbowl. They must walk a considerable distance to and from any available work and have no easy access to recreational facilities. Their relationship with local business people is at arm's length and there is little cross-pollination.

Under the previous dispensation, different strategies were, quite normally within the circumstances of the policies of the time, applied to different sectors of such communities. Trying to unravel the expectations and norms that are the legacy of such discrimination makes the achievement of an integrated, shared vision approach to crime prevention and community safety even more difficult than it may otherwise have been.

## **CIVIC RESPONSES TO CRIME IN SOUTH AFRICA**

In contrast to other African countries, in South Africa, the Government is not as reliant on chiefs for governance. In response to this chiefs have sought to improve their image by reminding people of their tradition and custom and



locating those opposed to the re-assertion of tradition with the anti-African movement (McIntosh 1990, cited in Palmary 2004).

The key judicial role of chiefs in South Africa relates to their main functions and sources of authority which lie in dealing with land distribution, particularly in the face of the increased demand for land. These roles are most important when considering the potential involvement of chiefs in crime prevention (McIntosh 1990, cited in Palmary 2004).

Crime is experienced subjectively and often very emotionally. It is known that crime makes people and whole communities feel powerless and out of control (Friedman 1998; DoSD 1998). The demands made on the Government – and in particular on the police – to improve safety at the local and community level are more often than not inappropriate and ill informed. For instance, there is a regular clamour for a “Zero Tolerance” or “Broken Windows” approach to neighbourhood crime and antisocial behaviour, yet there is no context for such a response in a developmental and under-resourced environment. Similarly, the death penalty is often demanded by a public seeking revenge or extreme deterrence, despite the national commitment to Human Rights and evidence that it does not work (Bartol 2002, cited in Holtmann & Eloff 2005). This subjective response to the depth and breadth of victimisation in South Africa is also reflected in calls for corporal punishment in schools and demands for a return to military discipline in the police (KZN MEC of Education 2000)[This must be corrected according to the corrected Reference].

## **COMMUNITY POLICE FORUMS**

Community Police Forums (CPFs) are legislated structures responsible for, amongst others, establishing relations between the community and police, and making input into policing priorities. They are established in terms of the SAPS Act, Act No. 68 of 1995. Over the years their roles and functions have evolved and many CPFs are now central to local crime prevention initiatives. The representivity and usefulness of CPFs varies greatly from place to place.

Community policing has its core reference in the Constitution of the Republic of South Africa, Act No. 108 of 1996. Section 221(1) and (2) of the interim constitution directed that an Act of Parliament was to “provide for the establishment of community-police forums in respect of police stations” with the various functions thereof outlined. In reinforcing the constitutional precepts on safety and security, in 1994 the then Minister of Safety and Security released a draft policy document entitled “Change”. In the document, greater emphasis on the democratic control of the SAPS, and community involvement in safety and security issues were key milestones. Gauteng announced that as part of the CPF initiative, the Department of

Community Safety and Liaison would spend more than R1.3 million that year, providing accredited training to 400 CPF members from 100 policing precincts throughout the province. CPFs, Community Safety Patrollers and Victim Support Workers were among the categories of volunteers who would be trained and recruited.

### **[B]ALLIANCE FOR CRIME PREVENTION**

In 2003, with support from the Open Society Foundation of South Africa (OSF-SA), the Alliance for Crime Prevention (ACP) was established, including key organisations engaged in crime prevention, research or capacity building work in the CJS. Membership is made up of the Centre for the Study of Violence and Reconciliation (CSVR), the CSIR, NICRO, the PROVIDE NAME IN FULL (UMAC), the University of Cape Town (UCT) Institute for Criminology, ISS, the PROVIDE NAME IN FULL (NC CPC), and the PROVIDE NAME IN FULL (CJCP).

### **CHILD JUSTICE ALLIANCE**

The Child Justice Alliance (CJA) is an unconstituted network of organisations and individuals who are concerned with child justice issues in South Africa and in particular the content and implementation of the Child Justice Bill (49 of 2002) (CJB).

The CJA was formed in February 2001 largely in response to the release of the CJB in July 2000 by the South African Law Commission. The main purpose of the CJA is to create awareness around, and gather support for, the enactment of the CJB. The CJB is innovative in its interpretation and handling of children in conflict with the law and conforms to the principles of the United Nations Convention on the Rights of the Child. However, although the CJB came before Parliament in 2002, at the time of writing, it had not yet been enacted. Also during the Parliamentary process and debates over the years the CJB has been altered a number of times which has to some extent impacted negatively on its original essence. In response to this and the belated enactment of the CJB, the CJA – although not deviating from its original purpose – has subsequently committed itself to conducting research with respect to the enactment and implementation of the CJB (CSIR 2007a).

### **BUSINESS AGAINST CRIME**

Business Against Crime (BAC) was initially established in 1996 as a short-term intervention in response to a request from then President Nelson Mandela for the business sector to assist with the fight against crime. BAC's major focus has always been on strengthening the CJS, but BAC has also contributed to the development of Victim Support and School Safety



programmes. BAC coordinates a wide range of sectoral forums including those representing the private security industry and the retail sector. BAC pioneered the use of closed circuit television (CCTV) in Cape Town and Johannesburg, an initiative that garnered extensive support from business communities.

## **OTHER PRIVATE SECTOR RESPONSES**

Although it could be assumed from its name that BAC is a collective and inclusive sectoral response to crime, this is not true. There have been many other responses from within the private sector, such as large corporations engaging in community-based projects or crime prevention related sponsorships within their social responsibility programmes. Many such responses are more directly related to local crime prevention initiatives or specific interventions and programmes in the CJS, related to their own priorities or needs. For example, Vodacom has provided financial support (R5.8 million) to conduct research and formulate a strategy for “clamping down on women and child abuse. Vodacom’s support has seen the establishment of seven Sexual Offences Courts and four Thuthuzela Care Centres” (Vodacom 2004).

Others businesses have internal strategies or policies that impact on safety; for instance a petrol station owner in Beaufort West employs mainly women to work on the forecourt. He found that they were at great risk travelling to and from home to work night shifts, so he hired a taxi to transport the women to and from work.

The role of the private sector is often measured in terms of material donation, but in reality localised initiatives focusing on the safety of employees and their families are often the most appropriate and useful contribution that a company can make.

South Africans are not getting value for their tax from the state-run CJS. Greater private sector involvement in South Africa’s CJS will make the country a safer place to live in. It will also be cost effective for both the consumer (who will be able to choose in a competitive market) and the state (which can contract out many of its criminal justice functions to the competitive sector) (SAIRR 2007).

## **CONCLUSION**

### **UNDERSTANDING THE “CYCLE OF CRIME, VIOLENCE AND DISTRUST”**

An interpretation of the inter-relationship between the elements and characteristics of the South African environment is encapsulated in the Cycle of Crime, Violence and Distrust (CSIR 2005b) (hereafter the cycle) shown in



Figure 1. This cycle is based on primary research findings and lessons learned during the development of, amongst others, the Local Crime Prevention Strategy (LCPS) (CSIR 2005a) for the Central Karoo and the Gauteng Safety Plan (GSP) (CSIR 2005c). An effective strategy to address crime must be based on an understanding of what is behind the cycle that characterises the life cycle of many South Africans. This strategy aims to identify entry points for planned interventions that will break the cycle and therefore reduce crime and increase peace and stability. The cycle predicates that the earlier the intervention in an individual's life cycle, the less the cost to society and the greater the return on investment. If the intervention is made after a child has progressed beyond the meridian line, then the money spent should be regarded as a cost rather than an investment.



Figure 1: The cycle of crime, violence and distrust

### The cycle explained

Everything in the first half of the cycle (right-hand side of Figure 1) deals with children and their vulnerability to victimisation of one kind or another. Once the child moves past the meridian line to the left-hand side of Figure 1, his/her risk profile shifts from vulnerability to anti-social and ultimately criminal behaviour – and a perpetuation of the cycle. In this cycle the likely perpetrator is a young male, while young women fall victim to ongoing abuse and risky sexual behaviour, either willingly, or without explicit consent, under the influence of alcohol, drugs, or non-consensual sex, i.e. rape. They perpetuate the cycle by becoming mothers at an early age with no plan or vision for their children, few or poor parenting skills, and no visible means of support or career opportunities (MRC 2002; Holtmann 2001).



In the centre of Figure 1, substance abuse, drug syndicates and illegal shebeens are identified as forces that drive the cycle. In many places in South Africa, these drivers are significantly impacted by the availability of guns/ firearms. The proliferation of firearms contributes to a heightened fear of crime and also to much worse crime statistics, for instance, whereas the theft of a cell phone is a minor crime, the theft of a cell phone at gunpoint is a serious crime. Serious crime also has a much more significant impact on the CJS, requiring more capacity and resources in response, as well as resulting (where detected and a perpetrator convicted) in much longer prison sentences.

The cycle starts and ends with dysfunctional families: parents who have neither the skills nor the capacity to nurture their children or provide opportunities for them are thus incapable of raising them to become good parents themselves. The young men described in this cycle achieve adulthood with no experience of love or nurture, no self-esteem and most significantly, no hope for the future. While social control models promote the idea of external and enforced deterrents against anti-social and violent behaviour, research points to the need for inner and more immediate constraints: a sense of self and a relationship with family and community that would not allow an individual to contemplate committing a crime of violence against someone else. Inherent in this constraint is the notion of a better tomorrow, of inter-generational well-being that anticipates a safe and happy future for his children. A young man who has no experience of safety and happiness cannot be expected to conjure such a vision.

The inner part of Figure 1 also reflects an underlying cycle of crime and poverty. Employment opportunities are few, substance dependence is expensive (young people commit crimes to support their drug habits) and entry-level crime often commits a young person to a life of poverty and at worst a lifetime of serial prison sentences. Alcohol abuse contributes to the entrenchment of poverty.

Apart from the direct cycle of impact described above, other key consequences are an ever-deteriorating relationship between the police and communities, as a result of poor trust between them. Communities also believe that the police should “do something” about street children. Poor relations between the police and communities result in low levels of cooperation. This in itself has a negative impact on crime and law enforcement.

In South Africa today, people experience and are exposed to crimes of unspeakable violence. The CJS does of course have a key role to play in enforcing the law, as well as removing from society (and correcting) those



who make it dangerous for the rest of society to live their lives in accordance with the rights afforded them in the Constitution. The problem of crime, however, is never going to be solved by the CJS alone. It is a problem embedded deeply in South African society, in communities and in the country's violent history. If South Africans want to live in a safe place, they need to urgently commit themselves to rebuilding South Africa from the core – by supporting families and investing in them so that they can raise children who will in turn be good parents.

## THE THREE SPHERES CONVERGENCE CRIME PREVENTION MODEL



**Figure 2:** The Three Spheres Convergence Crime Prevention Model

Crime is the convergence of a willing offender, a vulnerable victim and an environment that enables the offence. All three spheres must be present for crime to occur.

- Where there is the will to offend and an enabling environment, but no potential victim, anti-social behaviour results.
- Where there is the will to offend and a vulnerable victim, but no enabling environment, there is threatening behaviour, bullying and harassment – but crime itself cannot occur.
- Where there is vulnerability and an enabling environment, but no willing offender, fear and perceptions of insecurity proliferate, but once again, no actual crime occurs.

### **Transformation model**

If this convergence is to be transformed into peace and safety, the three converging spheres must be transformed. In defining this transformation, the Three Spheres Convergence Crime Prevention Model identifies the need for an inclusive range of role players who must work together to achieve



peace and safety. This model highlights the need for the establishment of sustainable multi-disciplinary partnership mobilised around a common vision as a precursor to effective crime prevention, and sustained safety for all. By examining the population of each sphere, role players and interventions can be identified that will reduce that sphere and consequently reduce the area of convergence. Crime is arguably a complex social problem and deserving of a complex solution or set of solutions. It is clear that there is a rich and diverse set of responses already in place in South Africa, yet crime appears to be a problem that will be around some time to come.

The NCPS and the policies and strategies that have followed its lead provide an enabling framework for a safe South Africa. What remains is a sustained, dedicated and well coordinated effort to ensure that mandates are met and role players are equipped to play their part. Implementation requires a combination of political will and administrative accountability. Crime prevention is not someone else's role, it is everybody's role.



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