

**MAY 2006-AUGUST 2007**

**AN EVALUATION OF NINE PILOT SITES TO PROPOSE A SOUTH  
AFRICAN MODEL OF COMMUNITY PROSECUTION**

**Dr Richard A Griggs**

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## **Abstract**

Nine sites, one in each of division of the National Prosecuting Authority, were established as pilot projects for this comparative study aimed at defining how community prosecution, a method developed in the United States for preventing crime, might best function in the South African environment. The methodology was primarily geographical or field-based involving: (1) a baseline study undertaken at each site (April/May 2006) at the time of the appointment of the community prosecutors; and then (2) a similar but longer evaluation process undertaken in June-August 2007 that included stakeholder questionnaires, site observations, and formal and informal interviews of up to four days at each site. Monitoring also took place in the time period between the baseline and evaluation studies. Thus, the evaluator could observe and measure change within each site over a period of around 15 months. This process furnished data on some 20 critical issues that could be compared between sites to offer an understanding of how to establish the post. This includes details on how to define the role, appropriate targeting, best office location, the qualities of a good community prosecutor, appropriate partnerships, most effective activities, resource requirements, appropriate training and other general lessons for implementation. The lessons from each site are described in detailed evidence-based chapters bearing the name of each pilot site and it is these that provide the best source for a nuanced understanding of the data. However, there is also a good summary provided as Chapter Two of the report that is sufficient to explain why community prosecution can be recommended for South Africa. The study concludes with general recommendations on how to implement the model based on the evidence from nine sites.

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## EXECUTIVE SUMMARY

The main purpose of this study was to understand how community prosecution might work in a South African context since it had only been modelled in Europe and the United States. To this end, nine sites were selected by the National Prosecuting Authority (NPA) for piloting although one site was inactive between the time of the baseline study and the evaluation (Phuthanang, as explained in Chapter 7). The impacts at the eight active sites appear sufficient to recommend the model:

- At each of the eight active pilot sites nearly all project partners reported a positive experience with piloting and altogether some 140 partners in round-table discussions said that they wanted the NPA to implement community prosecutions owing to both perceived and measurable impact.
- The levels of certain crimes targeted by community prosecutors dropped in four out of the eight active pilot sites (Siyahlala, Mamelodi, Ngangelizwe, and Windsor) while police members and other stakeholders testified that the community prosecutors (CMPs) played a major role in this (see each site chapter for details).
- Partners *perceived* the other four sites (Mdantsane, Bohlokong, Kudumane, and Point) to be safer and could identify many specific areas (e.g., streets, residences, commercial areas, etc) that had become safer and attributed these outcomes to the partnership-building activities of the community prosecutors (this is detailed in each site chapter).

The evaluation identified the activities that led to these outcomes and this included:

- Identifying community crime irritants and then building partnerships for either improved service delivery or local crime prevention activities
- Public information campaigns on the law
- Education in the law for strategic groups that deliver services including government departments and non-governmental organisations
- Improving SAPS performance through training activities (e.g., the appropriate way to collect evidence or to complete dockets for successful prosecutions)
- Fast-tracking cases and otherwise identifying and preparing community-based cases for the court (especially to send a message that criminals *will be* prosecuted)

In further analysis of the above, three types of interrelated activities appeared to generate the most impact:

- Educational activities on the law: this can include public outreach or working with particular government departments to improve service delivery or performance
- Building strategic partnerships for crime prevention outcomes: working between community representatives (e.g., a community policing forum or a constituted body) to identify crime problems and then with those at departmental level who can help to prevent these problems.
- Selective prosecutions: this often sends a message that helps to create community interest in a more regulated environment as explained below (involving them in educational activities and partnerships)

First, empowering members of government departments in the law was found to improve departmental performance and to improve relations between departments (e.g., see Point on the improved treatment of ‘street children’ in Durban). Educational campaigns on the law to community members (outreach) was also found to have a strong crime prevention impact but with certain provisos. It must: (a) have a *defined* target area; (b) be frequent and (c) be targeted at many different segments of the population such as business owners, women, leaders, educators and learners, or out-of-school youth. This last form is what occurred at Siyahlala where crime levels dropped based on both statistics and perceptions at that site. Similarly, empowering community members in the law at Kudumane led to citizen arrests of cattle thieves. Educating tavern owners led to many better regulated taverns (Mdantsane, Bohlokong) and an overall drop in crime levels wherever the majority of taverns were targeted (Ngangelizwe and Mamelodi).

As to the second bulleted item, a *very* effective use of CMP time is building strategic partnerships toward crime prevention outcomes. This means using knowledge of crime prevention principles or the law to achieve certain outcomes: (1) crime prevention through environmental design; (2) improved service delivery, or (3) crime prevention activities based on partnerships with the community. The eight active CMPs utilised

these methods to create identifiable crime prevention impacts. These are just four examples of the many impacts that are described in the chapters on each site:

- In Windsor, the evaluator could observe that the SAPS Sector Manager (mentored by the CMP in crime prevention principles and bylaw infractions) became so pro-active in patrolling the site that the drug sellers and bylaw infractions that were so visible on the streets at the time of the baseline study were no longer evident at the time of the evaluation (Windsor appeared *much* cleaner and more regulated).
- In Mamelodi, the worst hotspot for hijacking at the time of the baseline study was dropped from the SAPS hotspot list because the CMP worked with a municipal councillor to see that the land was developed and better street lighting was installed (crime prevention through environmental design).
- In Siyahlala, the CMPs efforts to improve community-police relations saw an end to the vigilantism that had plagued the community at the time of the baseline study.
- In Bohlokong, the Public Participation Officer from the Dihlabeng Municipality, who was not active in Bohlokong at the time of the baseline study, became very much involved in outreach activities on crime prevention owing to the CMP negotiating a strategic partnership between the NPA and the municipality.

Selecting certain cases to fast-track and prosecute in court can also assist with making impact. In analysis of this, a CMP must carefully balance or integrate such casework with those activities that create the largest crime prevention impact possible: public information campaigns, working with other departments to improve their understanding and application of the law, and partnership building for crime prevention activities including the advocacy of specific changes in the environment. Otherwise, too much casework returns the CMP to the courts. However, *selective* prosecutions can send a warning in the form of successful convictions (or closures) that crime and breaking bylaws does not pay (making a crime prevention impact) without consuming too much time of the CMP's time. For instance, closing down one shebeen in Siyahlala led other

tavern owners to enter into a forum to self-regulate. The CMP then offered an education in the law to these *other* shebeen owners.

It appeared that the most effective way for a CMP to structure partnership activities toward making a crime prevention impact include:

- Participation in community based crime prevention groups (preferably pre-existing ones like the CPF) to learn about community-level problems
- Working with a steering committee or strategic partners that can act upon the concerns of the community (the CMP can utilise one or more pre-existing bodies for this such as a Community Safety Forum or a SAPS-created crime combating group)
- Ensuring that the community has representation on the above steering committee (i.e., this provides an appropriate mechanism for reporting back to the community)
- Participating in partnership programmes that address the community more broadly and directly in big information campaigns (community imbizos)

Comparing all sites, partnership building worked much smoother when identifying and working with those bodies that already exist for crime prevention such as a community policing forum (CPF). Creating new structures for crime prevention often duplicated efforts and sometimes created friction between the CMPs and other bodies like the CPF. For example a duplication of structures occurred at Siyahlala because the CMP worked at a very small scale (less than one square kilometre). Friction with the CPF at Mamelodi had to be overcome by allowing the CPF chairperson to chair his Community Prosecution Project Forum meetings (see Section 4.6.1).

The decision to pilot community prosecutions in the high crime priority areas defined by the South African Police Service (SAPS) was found to be appropriate given limited human resources and the need to work strategically to prevent crime. However, the pilot sites within these areas were found to be too small. Some sites like Siyahlala or Phuthanang were less than one SAPS sector. Two others were historic areas either falling across or situated within SAPS sectors making it difficult to measure impact. The

vast majority of research participants (100% of them at 7 sites) recommended working from entire SAPS station areas in a strategic manner and in accordance with the particular crime being targeted (each one might have a different distribution across sectors).

Entire SAPS station areas are fairly large areas (perhaps distinguishing the South African model) but were recommended for targeting in order to:

- Create stability for the CMP post by ensuring a wide range of partnerships (e.g., it slowed progress at Mdantsane when a cooperative station commissioner was transferred and replaced by an uncooperative one)
- Fit with SAPS crime prevention strategies and profiles (which are designed for entire station areas and not sectors)
- Avoid a duplication of efforts since structures and partners are found at a wider scale that might not be evident in one sector
- Address the appropriate range of sectors for addressing any particular crime problem
- Develop strategies to avoid the displacement of crime between policing sectors
- Enable the appropriate monitoring and measuring of impact
- Make the best use of limited resources (which makes it strategic and practical to target entire SAPS areas that produce the most crime nationally)

While targeting station areas in their entirety appears appropriate in South Africa (the NPA and SAPS national can work together), this is different than in the United States where the model of community prosecutions originated. First, police in the United States are *municipal* and ‘community prosecutions’ is municipally owned. In South Africa, SAPS is not municipal but a national department and policing takes place in terms of nationally defined policing areas. Secondly, in the United States many community prosecutors are in shopping centres, commercial areas and municipal offices but all these locations were deemed to be either unsafe or unsuitable by the South African informants for this study including all nine CMPs.

South Africa has a particular history and the terms ‘community prosecutions’ and ‘community prosecutors’ have some inappropriate associations. In round-table discussions at every site, the *majority* of community informants said that their first reaction to these terms was that the NPA was coming to prosecute the community! Furthermore, some of the recommended sites include several communities (e.g., Kudumane involves 156 communities). A slight change in the name (e.g., ‘public liaison prosecutors’ or ‘public outreach prosecutors’) might limit negative responses and clarify the role.

Given all of the above, a community prosecutor (CMP) in South Africa might be defined as:

An appointed member of the National Prosecuting Authority (NPA) working with concerned stakeholders found throughout a high priority area for crime (as defined by the South African Police Service) to identify the *causal factors* producing the high crime rates and then helping to reduce the pressure on the courts by preventing these crimes from occurring through various activities including: the selective prosecution and fast-tracking of cases; public education in the law; educational and partnership activities with government departments that can improve service delivery; or otherwise facilitating partnerships between those concerned with crime at community level and various government departments and service providers.

The majority of interviewees from the NPA recommended that the model be institutionalised within existing management structures, the management role falling to each DPP as part of their performance contracts. The reasons for this are detailed in Chapter 13 but include these:

- Reorganising community prosecutions under one new director could undermine the progress made both in terms of developing internal NPA support and actual implementation at various sites
- One new manager could get sidelined
- Directors, deputy directors and chief prosecutors need to be part of the development and management of community prosecutions from an early stage to

ensure appropriate implementation and a deeper understanding of this particular activity throughout the organisation.

Upon analysis of these and other factors, it was NOT recommended by the evaluator that community prosecutions fall under the Sexual Offences and Community Affairs Unit (SOCA) or any new unit (see Section 13.2 in the recommendations). Nonetheless, a champion to drive the process of integrating community prosecutions into the NPA is recommended in Chapter 13.

Interviewed NPA members suggested that the human resources required for addressing the recommended target sites (SAPS high priority areas that are often composed of more than one station or one community) would be one senior CMP (D3) supervising two more at a C5-D2 level. In cases where there are insufficient human resources to address the proposed target area, it is not recommended to reduce the size of the target area. Rather, the CMP can reduce the number of crime types targeted or even develop a strategic plan on a time budget for the entire area. Where community courts are available; the court prosecutors can help the CMP (e.g., see the Chapter on Point). It is also possible to work with the Sexual Offences and Community Affairs Unit (SOCA) in four areas (Phuthanang, Mamelodi, East London, Mthatha). Most importantly, it is critical to make these appointments as soon as possible in order to make use of an experienced CMP developed through 18 months of piloting (before any departures, illnesses, etc).

The kind of person that makes a good CMP is one who is: (1) willing and able to empower community members to take ownership of certain crime prevention activities; and (2) senior enough to negotiate partnerships between the community and those decision-makers in various government departments and organisations that manage service delivery. Chapter 11 on Point helps to describe and explain why a CMP should empower the community and capacitate decision-makers rather than take ownership of crime prevention activities. Otherwise, activities and programmes are not sustained when one CMP is replaced by another one or when one of them leaves the area (see also Chapter 3 on Siyahlala).

The very *best* office location for a CMP in South Africa appears to be next to a community court *at* a SAPS station. This distinguishes the CMP role and also allows the CMP to make rapid progress owing the accessibility of partners and the site. However, it is NOT accurate to say that a CMP should *only* go where there is a community court since seven community prosecutors without such a court made *significant* impact on preventing crime. Based on the piloting situation, the next best options are (in order):

- A community court not at a SAPS station
- An office at a SAPS station *without a community court* (preferably a mobile unit to distinguish the NPA role).
- The last choice is an office in a Magistrate's Court (if nearby the target area)

Furthermore, an alternative office location that was *not* part of the piloting situation was being discussed at Mdantsane: a multi-purpose centre or 'one-stop centre that would cluster different kinds of government and nongovernmental stakeholders.'<sup>1</sup> This also seems feasible and more suitable than an office at a Magistrate's Court, which can be a problematic location because the data at these sites indicated that it: (1) was not perceived by the public as accessible; (2) tends to involve the CMP in daily court matters, reducing the time available for community prosecutions; and (3) confuses colleagues to see a prosecutor in the courts not working full time on court business. Furthermore, two CMPs at the Kimberley Court failed to be released to pilot (during the entire time of the study).

A much more detailed summary of evidence-based findings explained in accordance with the objectives of the study can be found on page 25.

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<sup>1</sup>Facilitated Survey and Workshop Discussion, Mdantsane, 27 June 2007.

**CHAPTER ONE:**

**INTRODUCTION TO THE STUDY**

## **I. INTRODUCTION TO THE STUDY**

This chapter has five sections that introduce the study as follows: (1) Background; (2) Site Selection; (3) Aims and Objectives; (4) Methodology; and (5) Design of the Report.

### **1.1 BACKGROUND**

Crime prevention as an activity of South Africa's National Prosecuting Authority (NPA) is very new. Traditionally, the emphasis was on criminal proceedings but by 2001 it was evident that prosecution alone was not having a large enough impact on reducing crime. Despite increased efficiency in terms of prosecutions, the public did not view the criminal justice system as effective. Owing to this and the need to play a part in National Crime Prevention Strategy (NCPS), the NPA underwent three-years of managed change and transformation that generated a new range of responses to crime that moved beyond the traditional role of processing cases.<sup>2</sup> One example is the development of a community court in Hatfield in April 2004. This method for fast-tracking cases is now being replicated across the country.

In late 2005, the NPA decided to test out the model of community prosecution and by May of 2006, a pilot programme was underway involving ten community prosecutors (one for each NPA division except the Western Cape, which initially had two prosecutors at one site). In setting up this pilot study, the exact definition of Community Prosecutions was viewed as an unknown that would come to be defined through piloting. It was broadly viewed as a system whereby prosecutors form partnerships at community level to help foster more creative, flexible and community driven initiatives and problem-solving strategies to *prevent* crime and improve public safety.

The existing models for community prosecution came mainly from the United States, the United Kingdom, and Holland but there was no expectation that the model would be the same. The key question informing the pilot and this evaluation was this: what should the South African version of community prosecutions look like? It was believed that this

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<sup>2</sup> National Prosecuting Authority, NPA Strategy 20202, 18 April 2006

could not be known in advance of a pilot study but the learning emanating from one could help transform the NPA into an institution that is highly proactive in terms of crime prevention. Certainly it would require some “prosecutors to transcend their traditional roles as case processors and forge partnerships with law enforcement, the community, and various public and private agencies to act as problem solvers.”<sup>3</sup>

From late 2005, a partnership began to develop between the Independent Projects Trust or IPT (a Durban-based NGO that is involved in both change management and criminal justice) and the NPA to undertake a national pilot study. The IPT had already worked in partnership with the NPA and had even supported one ongoing project of community prosecutions at Durban Point since September 2005. Thus, the organisation was well-positioned to help coordinate a national pilot study and to develop funding for it.

A formal partnership agreement was signed in March 2006 and this resulted in a 15-page Project Scoping Document that defined the roles and responsibilities in piloting a community prosecution project at nine sites.<sup>4</sup> Ownership of the Community Prosecutions Project would rest with the NPA which would provide the salaries and infrastructure for the community prosecutors. The IPT would help support learning processes (training and workshops), project management, selected support costs at sites and this evaluation, which began with a baseline study in April/May 2006.

### ***1.1 Selecting the pilot sites and the community prosecutors***

Nine pilot sites were selected prior to the baseline study by an internal process within the NPA. First, two pilot sites were nominated by each Director of Public Prosecutions (DPP) within the nine districts of the NPA according to criteria developed by a sub-committee on site selection. Then the site selection committee made a final determination from the list based on discussion and ten criteria as outlined here:

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<sup>3</sup> Independent Projects Trust, “Proposal for Support of Community Prosecution Initiative with the National Prosecuting Service,” November 2005, pp 10

<sup>4</sup> The Delivery Project, ‘NPA Community Prosecution Project Concept Scope of Work’, 02 March 2006, pp 15

1. The community is affected by high crime or else persistent levels of minor crime
2. The potential exists to reduce crime
3. The target site is clearly defined geographically
4. SAPS high priority sites are included (8 out of 9 are high priority)
5. Senior public prosecutors are available
6. Access to the identified community is relatively easy
7. Court infrastructure is available so that prosecutions that flow from the pilot can be speedily finalised
8. Support structures and services are available and there are good working relationships with key partners
9. The selected sites justify the costs and resources required to make the pilots a success
10. There is potential for social and economic development

These criteria resulted in the selection of the following sites:

**FIGURE 1: THE PILOT SITES**

<b>SAMPLE TYPE</b>	<b>SITE</b>	<b>PROVINCE</b>
URBAN	<b>POINT</b> (DURBAN)	KWAZULU-NATAL
URBAN	<b>WINDSOR</b> (RANDBURG)	GAUTENG
PERI-URBAN	<b>SIYAMLALA</b> (NYANGA OUTSIDE OF CAPE TOWN)	CAPE
PERI-URBAN	<b>MANDELA EXTENSION</b> (MAMELODI OUTSIDE PRETORIA)	GAUTENG
PERI-URBAN	<b>PHUTHANANG</b> (GALESHEWE NEAR KIMBERLEY)	NORTHERN CAPE
PERI-URBAN	<b>NU1</b> (MDANTSANE NEAR EAST LONDON)	EASTERN CAPE
PERI-URBAN	<b>NGANGELIZWE</b> (MTHATHA)	EASTERN CAPE
PERI-URBAN	<b>BOHLOKONG</b> (BETHLEHEM)	FREE STATE
RURAL	<b>KUDUMANE</b> (KURUMAN)	NORTHWEST

Of the nine sites, six are peri-urban, two are urban and only one is rural. It is also notable that two of the sites, Point and Kudumane, were already piloting community prosecution a year or more prior to the start of the study. The situation in Kudumane offered the only opportunity immediately available to observe and document the development of a rural community prosecutor. The situation in Point also furnished an urban example.

The pilot sites that were selected are highly challenging ones. For instance:

- Two sites, Mamelodi and Nyanga, are among SAPS 15 top priority target areas for the entire country owing to very high levels of crime in most categories
- Eight out of nine sites are SAPS priority areas for contact crimes and are challenged by very high crime rates
- Although Windsor East is not a SAPS priority site it is a high crime area and a major site of drug sales
- The pilot sites include areas with some of the highest crime rates not only within South Africa but also globally since, in terms of general crime figures, South Africa often ranks among the top three countries of the world.

These features make this an unusual challenge in terms of a pilot project and it is more typical to develop pilots in less challenging areas.<sup>5</sup> However, successes in these areas will also make it possible to say that the model will work in nearly any area of South Africa.

Ten community prosecutors (eight men and two women) were initially selected for the nine sites. At the time of the baseline study there were nine community prosecutors, of which two were women (both in Cape Town). The original plan was to have one CMP at each site (nine in total). However, there were two female appointees for the site in Cape Town (Siyahlala) because one appointee was from the Cape Town Magisterial District but the targeted area fell within the Wynberg Magisterial District. So, each sent a prosecutor. These were the changes:

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<sup>5</sup> In November 2006, the evaluator recommended and motivated for an extension of the pilot.

- In February 2007 Machel Jacobs (Wynberg) left the project for personal reasons and was not replaced (only Fiona Jacobs remained in the post).
- The CMP at Durban, Sunil Prithipal, took extended sick leave from October 2006, and was not replaced until February 2007 and this was a female appointee (Val Mellis).
- CMP Louis Heunis in Galeshewe never piloted and then his replacement, SPP Joey Magoboane, was not appointed until April 2007 and at the time of the evaluation had still not worked at the pilot site (Phuthanang)

These changes affected Siyahlala very little. There was a six month gap at Point until Val Melis assumed the post. She offered some strong leadership skills that helped to re-establish partnerships and make up for lost time but trust with the community did have to be redeveloped. Phuthanang (Galeshewe) was the site most severely impacted by the many months of not piloting such that the key question to ask was: why did community prosecutions take off so slowly at this site? This is really the focus of Chapter Seven since piloting had not occurred at the designated site right up to the time of the evaluation. Interestingly, all three of the described changes in personnel helped to provide information significant to the implementation of community prosecutions in South Africa that might not otherwise be understood.

### **1. 3 THE AIMS AND OBJECTIVES OF THE EVALUATION STUDY**

The aims and objectives of the evaluation were developed through consultations between the National Prosecuting Authority and IPT.<sup>6</sup> These are to identify, describe and explain the following:

1. Can a CMP make an impact on crime levels?
2. Can a CMP make an impact on the environment?
3. Can a CMP improve interagency and interdepartmental cooperation?
4. Can a CMP improve community cooperation/involvement in crime prevention?

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<sup>6</sup> Final discussion of this was held on 25 May 2007 at the Serurubele Offices.

5. How does a CMP affect community perceptions of safety and the NPA?
6. What is the appropriate geographic unit for targeting?
7. What human resources are required?
8. What is the best office location?
9. What are the qualities of a good community prosecutor?
10. What is the appropriate rank for a community prosecutor?
11. Which are the appropriate CMP activities?
12. Is the term community prosecutions appropriate to South Africa?
13. How should community prosecutions be defined in South Africa?
14. Should there be different models for rural, peri-urban and urban areas?
15. How should a CMP structure delivery and strategic partnerships?
16. What partnerships are most important for a CMP locally?
17. How do other prosecutors and members of the NPA perceive a community prosecutor?
18. What material resources are needed for a CMP to be effective?
19. What kind of training is required for a CMP?
20. What are the general lessons for implementation? How should the model be institutionalised?

The answer to each of the above 20 questions is given in the summary of findings (next chapter) which is a succinct comparative analysis of the nine sites based on the detailed evidence provided in the Chapters 3-13.

#### **1.4. METHODOLOGY**

The conditions and plans at the nine pilot sites were documented in a baseline study before the community prosecutors had implemented any projects. This created many of the benchmarks that could be used to measure change or progress as the model developed. It also helped to create an understanding of types of questions and tools that

needed to be designed for the evaluation process (interview forms, questionnaire forms, research processes).<sup>7</sup> Furthermore, the baseline study made it possible for the evaluator to observe, document and photograph what conditions were like before the community prosecutors began their work and thereafter to identify and document some of the more visible changes that had taken place at each pilot site at the time of the evaluation.

The evaluator was appointed just prior to the formal induction of the community prosecutors in April 2006 and the baseline study had to take place by their first workshop scheduled for 11/12 May.<sup>8</sup> Thus, the evaluation process was *action research* from the start: time-bound to delivery dates, field-based, and responsive to the need to roll out the project according to a schedule. This resulted in a 243 page baseline study that documented:

1. A geographic description of each of nine pilot sites
2. The definition of community prosecutions according to each newly appointed CMP
3. Priority crimes, crime statistics and crime prevention challenges at each pilot site
4. Place-specific sites for measuring progress from the baseline
5. Strategic opportunities owing to the pilot site
6. Key resource challenges at the CMP office site
7. Additional skills requirements needed to meet the challenges
8. Early ideas on the proposed model and possible strategic components
9. Critical questions for the evaluation
10. The data requirements for the evaluation

The baseline study methodology and the evaluation methodology were designed as similar processes in order to create a standardised methodology to enable measurements

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<sup>7</sup> Griggs, Richard, "Developing a Community Prosecution Model for South Africa: The Baseline Study for a Planned Evaluation," October 2006, pp 243.

<sup>8</sup> Griggs, Richard, "Developing a Community Prosecution Model for South Africa: The Baseline Study for a Planned Evaluation," October 2006, pp 243.

over time and comparisons between sites at the time of evaluation. These ‘before and after’ methodologies include:

1. A qualitative questionnaire designed for 20 potential CMP partners at site followed by a documented workshop discussion with partners (facilitated by the evaluator)
2. Formal interviews with each community prosecutor at site (an interview template is used)
3. Site observations, photographic documentation and random interviews at sites
4. An analysis of documentation including crime statistics, news articles, strategic plans, etc
5. Participant observation at planning events and workshops (this helps with monitoring)

The evaluation study was similar to the baseline study as outlined above but differed in these four ways:

- The process of data collection was longer (4 days per site compared to 1 day).
- The formal interview with the CMP involved an entire day of discussion and a review of documentation.
- The qualitative questionnaire with stakeholders was augmented by a much longer round-table discussion at each site involving 4 hours for the entire process and this was usually followed by a lunch that included some informal discussions.
- Some of the chief prosecutors and directors who helped to manage and implement the project were sent e-mail surveys via the project owner, DPP Shamila Batohi, but very few responded. The evaluator then used the survey as a guideline for an interview when a DPP or chief prosecutor was available during the site visits. Finally, a project team meeting was held 31 October 2007 to review the findings and accept comment from NPA project team members in that manner.

At all sites, the CMP was the critical informant. The appointees were not identical but each one represented a unique approach and style that can be compared *between* sites to furnish a critical understanding what works or does not for community prosecutions.<sup>9</sup>

The evaluator used a formal interview process for a full day interview supplemented by

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<sup>9</sup> This difference in style is best exposed in the chapter on Point because there was a change in appointees with very different styles between the time of the baseline study and the evaluation.

three more days of informal discussions while touring the site to understand other issues like landscape change. This may seem lengthy to some but the time of piloting was slightly longer than a year per site with nine sites in total. Therefore, there was much to be translated from the experience of each prosecutor into ordered data sets that would allow for comparisons between sites.

Partners of the CMP at each site completed a questionnaire on the impact of community prosecutions (two hours to complete). The questionnaire required written essay-type responses to a series of 12 questions by community-based, government and non-government partners in CMP piloting. It was also a facilitated process so that the intent and meaning of each question could be explained. One to two hours of group discussion followed to ensure that the responses would be understood in context and as intended.

There are good reasons for the above-described methodology. Tick-box answers on a short questionnaire might be easier to tabulate but this is not good methodology in South Africa because the population is not homogenous in culture, thinking or attitudes. Rather, there are a huge variety of cultures and many ways of reading and interpreting the meanings of questions. In the experience of the evaluator, questionnaire and survey forms are *not* always read as opportunities for objective expression in South but as political processes leading to or informing economic or social investment.

In analysis of the questionnaires it was evident that the above-described design was appropriate. Many participants viewed the questionnaire as an opportunity by community and departmental representatives to tell the NPA about whether or not to invest in community prosecutions in *their* communities. Therefore responses to questionnaires were studied in that context. The results are explained toward the end of each site chapter where it is best contextualised. In that manner, much valuable information is furnished.

The site tour by the evaluator was also critical to the findings. The evaluator holds a PhD in geography and is trained and experienced in reading the cultural and political

landscape for understanding and documenting change. This experience and methodology furnished much detailed information about actual impact that enters into each chapter of the report. Such conditions at each site were also photo-documented both at the time of the baseline study and then at the time of the evaluation. While these photographs form part of the report, they are located at the CMP website: <http://cmpjusticeforum.co.za>

## **1.5 THE DESIGN OF THE REPORT**

Much time and effort was placed on delivering a document that offers evidence-based explanation in clear language that is accessible to anyone who might be involved with implementation. The report is also organised in a manner so that reading Chapters 2, and 13 will provide an effective understanding. However, it is hoped that readers will not skip over the detailed site chapters because these provide a much *deeper* understanding than just reading the summary and recommendations. This is where the detailed evidence is presented and cited. Furthermore, embracing the detailed findings will build confidence in the recommended strategy because it *is* evidence based.

There are fourteen chapters designed for easy reading organised as follows:

**CHAPTER TWO** follows this introduction to give the Summary of Findings. This is as succinct as possible and gives the basic findings regarding the 20 objectives (outlined in 1.3 above) of research. The format is simple: the objectives become questions in the sub-headings and then *evidenced-based* answers drawn from the chapters on each site are offered below these sub-headings.

**CHAPTERS 3-11** then offers the detailed evidence and references for the summary of findings. There is one chapter on each site organised in the same manner with the identical eight sub-headings (this is the method that allowed for the summary of findings):

1. Introduction to the pilot site
2. Impact of the site on piloting community prosecutions

3. Impact of the appointed community prosecutor
4. The impact of the office location
5. Definitions of community prosecutions and impact
6. CMP structures for delivery and impact
7. CMP activities and impact
8. General impacts (on crime levels, local cooperation, perceptions of the NPA...)
9. Lessons from the site for institutionalising a model

**CHAPTER 12** offers findings on the training and the resources required for the role in one place because it was so similar between sites that it would be redundant to enter it into every chapter. A summary of this without the detailed evidence is also provided in the Chapter Two Summary (Sections 2.18 and 2.19).

**CHAPTER 13** considers the experiences and lessons across all nine pilot sites to identify certain strategic components emerging from the evidence that appear important for institutionalising the model in South Africa.

**CHAPTER 14** offers a listing of all the people who participated in the research at each site. Any literature used in the report is located in footnotes but most of the evidence is field-based.

**CHAPTER 15** is the appendix and includes some of the materials used to guide the research although those in large format (the CMP questionnaire and the stakeholder questionnaire) must be viewed separately on the website (<http://cmpjusticeforum.co.za>)