



# Corruption in the South African Police Service

## Civilian perceptions and experiences

### INTRODUCTION

Ever since it was founded in 1995, the South African Police Service (SAPS) has struggled to foster an image as a professional police agency. Its apartheid predecessor, the South African Police (SAP), had little legitimacy because of its often-violent enforcement of discriminatory laws. The SAPS did not have to carry this burden into the democratic era, although inevitably some of the civilian disdain for the SAP was transferred to it. The SAPS's struggle for credibility in contemporary public discourse is linked to South Africa's high levels of crime, and the SAPS's apparent inability to reduce crime. Many South Africans, including some SAPS members, equate high levels of violent crime with police incompetence. This is unfair, since the SAPS cannot be held responsible for the societal fractures that contribute to the cultures and systems of criminality in the country.<sup>1</sup>

As noted by Hornberger, since the late 1990s the ability to control crime has become a barometer for the effectiveness of government. This has led government to declare a 'war on crime' with the police, as its foot soldiers, held up as the state's primary anti-crime intervention. Hornberger points out that this has led to the development of 'a [government] language of state-killing, which envisages a form of pure violence and pure justice that is, almost by definition, not mediated through the authority of the law... [and that this] is startlingly reminiscent of the claims to the effectiveness of violence in controlling violence that were made by the apartheid state'.<sup>2</sup> In March 2011 the *Mail & Guardian* quoted an ANC provincial executive committee member as saying SA President Jacob Zuma appointed General Bheki Cele as National Commissioner of police in order to '[bring] back its fear factor' and that 'the police must be feared and respected'.<sup>3</sup> But is a feared police an effective police? This is one of the questions this paper seeks to answer.

Besides civilian dissatisfaction with the high levels of crime, there is another major reason for the SAPS's poor public image: the perception that many SAPS officials are corrupt. While it is not possible to empirically measure levels of corruption, it is possible to explore perceptions of corruption. This is what this paper sets out to do.

We can begin with quantitative surveys of public trust in police in South Africa conducted every few years. The Human Science Research Council's (HSRC) *South African Social Attitudes Survey* for 2007 showed that 39 per cent of respondents 'trust' or 'strongly trust' police<sup>4</sup> – in other words over 60 per cent of citizens did not trust the police. Similarly, the results of the 2008 Afrobarometer survey showed 54 per cent of respondents trusted police 'just a little' or 'not at all', compared to 50 per cent in 2006.<sup>5</sup> These figures correlate with the Afrobarometer survey's findings on perceptions of corruption, which shows that 46 per cent of respondents believed 'all' or 'most' police in the country were corrupt.<sup>6</sup> In his book *Thin Blue*, Jonny Steinberg suggests that some South African communities actually refuse to be policed by the SAPS because they do not recognise them as a legitimate entity.

Considering the importance of police-citizen trust and collaboration for effective democratic policing, the high levels of public mistrust in police does not bode well for either public confidence in police or crime prevention. In April 2010, in an apparent effort to improve both its image and its function, the SAPS reverted to using military ranks and calling itself a 'force'. During the transition from apartheid to democracy, military ranks were replaced by civilian ranks and the concept of a 'police force' was replaced by 'police service', reflecting the new community and human rights-based approaches to policing. The SAPS leadership explained the 2010 return to apartheid-era rank and terminology as a means to instil discipline within the organisation. It was presented as part of government's 'tough'

approach to crime, apparently an attempt to win public trust and approval.<sup>7</sup>

It remains to be seen if this paradigm shift will have any measurable impact. The findings of this paper suggest that a 'tough' approach to policing has done little to win the SAPS any legitimacy in the eyes of the public thus far. This is consistent with research in the United Kingdom and elsewhere, which has found that perceptions of police as being fair in their actions is the most influential factor when it comes to earning legitimacy in the eyes of the public.<sup>8</sup> Fear does not win respect for a police organisation. It is more likely than anything else to alienate the public.

This paper aims to demonstrate the effect of police abuse and corruption on civilian perceptions. It does this by describing the experiences of South Africans of all social strata who have had recent contact with the SAPS and have experienced what they perceive to be corruption. The findings cast doubt on whether a more forceful and militant approach to policing is likely to win public favour.

## METHODOLOGY

Data was gathered from fifteen one-hour focus groups conducted in May and June 2010 in each of three major cities and their surrounds: Cape Town, Johannesburg and Durban. Five focus groups were conducted in each city, with participants drawn from five generic areas in and around the city:

- An informal settlement
- A formal township
- An inner city area
- A suburban area
- A rural area outside the city

A total of 148 participants took part in the fifteen focus groups; 51 in Cape Town, 49 in Durban and 49 in Johannesburg, which is approximately ten people in each group. Exactly half the total (74) were women and half were men.

Participants had been selected at random by recruiters who approached them on the streets of the target areas.<sup>9</sup> Most were between the ages of twenty and forty (age 18 was the minimum), with the oldest in their sixties. In some focus groups, respondents were asked to give their trade or profession. Where this information was gathered it suggested a largely working class, or lower middle class participant base, with some participants being unemployed, retired, or students.

A criterion for selecting participants was that they had to have had contact (defined as a direct interaction) with one or more members of the SAPS in the preceding

year. A second criterion was that at least half of the participants in each group were chosen because they had experienced what they described as 'police corruption'.

Of the 156 participants initially recruited, most claimed they had experienced police corruption. This suggests that it is not difficult to find South Africans who believe they have experienced police corruption. Those doing the recruiting approached between 50 and 80 people in order to recruit ten for a group, and they confirmed that most of those approached also believed they had experienced police corruption.

Some of those who could not participate said they had prior commitments. Others declined to participate either because they were afraid they would get into trouble, or they didn't trust the recruiter, thinking she was lying or 'scamming' them.

Apart from the initial corruption question asked in the recruitment process, participants were told only that the research aimed to explore civilian perceptions of the SAPS. Corruption was not mentioned by moderators until well into the focus group interviews. Importantly, the study did not set out to determine the extent of police corruption, but rather to ascertain the nature and effects of corruption, and of experiences of police in general.

The moderators were multilingual African women experienced in gathering social data. They asked questions in English but participants were at liberty to respond in whichever language they felt most comfortable. Participants were not asked to answer each question individually. Rather, moderators allowed the discussions to develop naturally, meaning that in some instances certain participants dominated more than others.

The following questions were asked of the focus group (the research motivation for framing the question is given in italics):

- **Describe your 'ideal' police.**  
This question was intended to begin discussions on a positive note and get participants to think about the kind of police they would like to see in South Africa. Responses were recorded on a flip chart.
- **How are police officials different from this ideal?**  
Intended to elicit perceptions of the 'reality' of police in South Africa to compare these with the 'ideal' recorded on the flip chart.
- **Where would you turn if you had a problem with the police?**  
Intended to ascertain to what extent participants knew of formal or informal channels through which they could report problems with police.
- **Do you trust the police generally?**
  - Why / why not?

- What would make you trust the police more? Intended for comparison with quantitative surveys that suggest low levels of civilian trust in police.<sup>10</sup>

■ **What was your most recent experience with the police?**

Intended to ascertain the kinds of experience informing perceptions in the group. Participants were encouraged to share their most recent experience, no matter how mundane. The question was also intended to prevent the discussion focussing solely on negative experiences.

■ **Can you give an example that you personally know of where someone gave a police official something (such as money or a gift) in order to get assistance from the police official?**

This question was phrased so as to describe a corrupt act without using the word 'corruption'. Research suggests that informal exchanges between police and civilians might be common and widespread.<sup>11</sup>

■ **What do you think police corruption is?**

'Corruption' is defined in law, but often takes on a far broader, non-legal definition in the minds of the public. Nevertheless an understanding of the public perception of corruption is essential if the SAPS is to adjust its management and communication around deviance and discipline accordingly.

■ **Have you, or anyone you know, ever experienced police corruption?**

- What happened?
- Did you do anything about it?

The technical/legal definition of corruption was not given to participants. This question was concerned with perceptions of police corruption or abuse, as well as the steps they took to report it or otherwise respond to it.

■ **What would you like the government to do to stop corruption in the police?**

Intended to gauge the kinds of action on the part of government or the police that participants would deem to be a suitable response.

Moderators did not ask any other questions, except to obtain clarity on answers. The audio recordings of focus groups were transcribed, and the non-English sections translated. The transcripts were then analysed using the software package Atlas.ti.

## LIMITATIONS OF THE STUDY

Because this was a qualitative study, the data is not generalisable.

The focus group discussions were conducted by the Community Agency for Social Enquiry (CASE). The ISS provided background literature and project-specific

training to moderators, and observed the pilot focus group, but it was not possible for the ISS researcher to attend the focus group sessions in the three cities chosen. This paper is therefore based solely on an analysis of the transcripts. It does not reflect the group, social and personality dynamics that may have influenced the discussions.

Although questions deliberately avoided an early emphasis on police corruption, participants could have guessed that corruption was a theme of the research, because when they were recruited they were asked if they had ever experienced police corruption. This may have influenced the focus group discussions to some extent.

## FINDINGS

In this section I present primary findings (discussion of the findings is done in a separate section below). For the most part, the findings were similar across all focus groups, regardless of city or area of residence.

### Ideal police versus reality

The moderators started by asking participants to discuss their ideal or perfect police. They recorded answers on a flipchart visible to participants.

In order of prevalence, ideal police were described as follows:

- Competent, providing unproblematic service to the complainant
- Punctual in responding to calls for assistance
- Educated and trained
- Friendly and approachable
- Patient with people
- Respectful of civilians, not using gratuitous violence
- Exemplary in their actions
- Objective
- Committed and passionate about their work
- Physically fit
- Honest
- Well resourced
- Trustworthy

Examples of some of the things said, quoted verbatim:

An ideal police is a patient police with respect. (Cape Town, formal township focus group)

They must love their job as they have learnt it. They must do everything as they were trained. They must apply the law that they were trained to do. (Johannesburg, informal township focus group)

They must show commitment in what they are doing and show interest to the people. (Cape Town, rural focus group)

Participants were then asked to describe how they perceived and experienced SAPS members in reality. Classified in themes in order of prevalence, responses were:

- Rendering a poor service to civilians
- Involved in corrupt or criminal deeds on a regular basis
- Self-interested rather than committed to their jobs
- Biased in their application of the law/in their work
- Often drunk or using drugs on duty
- Uneducated
- Sexually harassing women while on duty
- Beating civilians indiscriminately / having no respect for civilians
- Impatient with people
- Unfriendly
- Dangerous to be around / threatening the safety of civilians
- Not driving within the rules of the road
- Fearful in their duties
- Under-resourced
- Shooting indiscriminately

Verbatim examples of these views:

They can hardly write a statement. A prosecutor in court cannot read what the police has written and that leads to the prisoner being released ... it is a problem, even if they send [the police] to a particular place ... they don't even know where the place is. They are not coping. (Durban, informal settlement focus group)

When you go to the shops they sit and play the machines where they pick up money and toys and things like that and the vans is standing there, but when you phone they will tell you that all the vans are out. (Durban, suburban focus group)

There is still that racist mentality that whites are superior. The way the police deal with the whites or with blacks is very different ... even our own black police officers. When they are going to approach a white person, they have courtesy, they have respect. They approach them in a manner that you know an officer can approach a civilian. (Johannesburg, suburban focus group)

Only a handful of participants expressed views favouring the police. These ranged from praise for police in specific areas, to praise for individual police members

who had served participants in a professional or unexpected manner, such as providing transport late at night to a participant walking home. Participants who had had positive experiences mentioned them to counter the largely critical flow of the focus group discussion.

### **Ideal vs reality: poor service**

The most prevalent negative perception concerned the service, or lack of service, provided by the police – both the speed and the manner in which police responded to complaints, and how they engaged with people when they arrived. There were negative perceptions of much police behaviour:

- Police are lazy, they defer work to colleagues or send complainants to police stations rather than assisting complainants on the street as they encounter them
- Police are willing to arrest people in any policing area, but they only assist complainants in their own precinct
- Community Service Centre (CSC) personnel are rude and avoid helping clients
- Police complain of not having vehicles as a way of not responding
- Police, particularly younger police members, are disrespectful of people and arrogant in their behaviour
- Complainants often have to follow up their cases and do police work themselves

A verbatim example:

When you see them in the street and you are in trouble that time, you have to stop that car and they are not going to stop. They will tell you to go to the police station. (Johannesburg, rural focus group)

### **Ideal vs reality: police involvement in corruption and crime**

Focus group descriptions of police being involved in crime and corruption were next in prominence. Some examples:

They made a vow when they took their job to protect us in any way. They are now taking our money. (Durban, suburban focus group)

I do not want to say all ... the police that we have are corrupt and they don't care ... there are those who are not like that, but they are not seen because the ones that we see all the time are the ones that do not care. (Cape Town, rural focus group)

Participants mentioned police soliciting bribes from drunk drivers and people drinking in public, and taking money and drinks from shebeen owners. Some participants admitted that they themselves had offered small amounts of money (R10 to R50) when caught committing petty offences.<sup>12</sup> These were the most common types of offences discussed in the focus groups.

Participants also said they knew of police being involved in more serious crimes such as stealing items from people and properties they searched, or retaining for themselves seized alcohol or drugs, or items recovered from thieves, including stolen cars. While some of these allegations were backed up by examples of their own or their friends' experiences, other accounts were more anecdotal and based on 'common knowledge' in their communities. For example, one Cape Town suburban participant said: 'The police that we have, lose docket. They steal docket because they are bribed by the perpetrators.'

In some instances comments on police involvement in crime and corruption overlapped with comments about the quality of police services. Some participants said that without paying a bribe it was difficult for anyone to access service from police. As one participant put it:

The police that we have seem like they are doing us a favour ... Their duty is to serve and to protect us but when we need that service we need to beg for it. Or for them to help us they must get something in return.  
(Cape Town, suburb focus group)

## Trust in police

Asked whether they trusted police, all groups answered no (with only one exception, the Cape Town rural focus group). There were some dissenting voices who said they trusted some (never all) police, but these only emerged after expressions of lack of trust had first been voiced.

The opening comment from the Cape Town rural group was:

I do not want to lie – as a policing system, I trust them because I can imagine if the whole system was not there, it would be anarchy wherever we go, so we do trust the system but it is individual cases where we experience these problems. (Cape Town, rural focus group)

This comment led the five other participants to share cautiously optimistic support for the view that at least some police could be trusted. In this and other focus groups where participants expressed trust in 'some' police, this was explained by the fact that 'some people like their work while others don't'.

Most of the reasons given for the lack of trust in the police can be categorised into four themes. These, in order of prevalence, were:

- Experiences of poor or unprofessional service
- Experiences of police crime or corruption
- Experiences of police sexual harassment
- Perceptions of police as corrupt

As part of the lack of trust, sexual harassment was raised by several participants. Male participants complained that police are always happy to help women, but do not provide the same service to men. Women participants told of sexual harassment, for example:

I cannot trust a policeman who, when I go to certify [documents], he asks for my [phone] numbers. Suddenly he is hitting on me ... (Durban, rural focus group)

I cannot trust a policeman whom, when I go to report that I was abused by my boyfriend, he sees that as an opportunity to ask me out and he starts touching you ... (Durban, rural focus group)

Sexual harassment can lead to extremes:

There is rape. Never stop the police van at night if you are a girl, because they first turn on you, and you stopped them because you trust them as police. (Johannesburg, informal township focus group)

[Police] suspected me of something that I didn't do ... the detective who was in charge of this case ... he actually said that if I don't sleep with him I am going to jail. (Durban, inner city focus group)

The other two most common reasons for not trusting police relate to corruption: either direct experiences of police crime or corruption, or perceptions that police are corrupt.

Experiences of police crime and corruption ranged from being asked to pay bribes to avoid arrest for drinking in public, to passengers witnessing a taxi driver being asked to pay a bribe, to police extortion of sex using a threat of imprisonment. Crimes allegedly committed against participants by police included robbery and assault.

Perceptions of corruption tended to be based on secondhand knowledge of police corruption involving friends, family or community members. It was significant that participants made very little reference to newspaper reports of police corruption, though this may have been because the moderators stressed that they should speak from personal experience.

Apart from the above four most common reasons for lack of trust, other reasons were offered. These can be grouped into themes, in order of prevalence:

- Perceptions that police commit crime
- Civilian misunderstanding of law or of police function, leading to lack of trust<sup>13</sup>
- Experience of abuse by police or community policing forum (CPF) patrollers
- Perceptions that police rape and steal
- Perceptions that police are self-serving
- Perceptions of police as drunks and drug users
- Perceptions of police as illiterate
- Perceptions of police as overworked and mentally unstable

That so many participants spoke of lack of trust in police from their *experiences* (as opposed to perceptions) is perhaps not surprising, as the sampling method selected people who had experienced corruption. Even allowing for this distortion, the implications are severe. That police officials so brazenly commit the kinds of offences mentioned, apparently without any repercussions, suggests a police organisational culture that supports criminality. The implications of this are discussed later in this paper.

## What would make you trust the police more?

Participants were asked what would make them trust police more. The answers were very similar to the 'ideal police' responses that opened the focus group discussions:

- Police should do their jobs 'properly' and provide a consistent service
- Police should refrain from corruption
- Police should be monitored by an independent body
- Police should communicate better in person and with communities
- Police recruiting should require education beyond grade 12
- Police should be required to consult communities in the vetting of new recruits

Some verbatim comments:

If they can know how to control themselves not to take money from people, then things can start to improve. Because that is whereby you will see that they are doing their work honestly. (Johannesburg, inner city focus group)

The only way we can trust them is if they do their job without saying no. There are things that they will do and

things that they won't do. If they would do everything in the same way then we would trust them. (Cape Town, informal township focus group)

Significantly, where participants had witnessed or experienced even a little of what they described as good service, they were more likely to trust the police:

There were these guys who were robbing a taxi and shot the taxi driver. The police were parking near ... so there was this guy [who] ran and told the police ... and they ended up arresting those thugs [therefore] I had trust in them. (Johannesburg, inner city focus group)

Other participants recounted similar examples of police helping them and how this had led them to the view that at least some police are good.

## Police corruption & crime

Asked to describe what they understood by police corruption, most participants defined it as police stealing or extorting money from civilians, and/or stealing confiscated goods or contraband from suspects or after raids. Other definitions were: nepotism, abuse of state resources, fraud, and even police discussing cases in taverns while off duty. Other kinds of police criminality such as robbery or assault were not mentioned as part of police corruption, suggesting a fairly accurate understanding of the concept as it relates to law.

The following were some typical definitions:

That police take bribes [is corruption]... In return after they have taken the bribe, they will do what you tell them to do. For instance, when you say, please do not arrest me and you give them a bribe. Then they release you. (Johannesburg, informal township focus group)

According to me, corruption is that the police are jealous. They check whether this person has money or not. So, if you don't have money they take you in, because you don't have money to bribe them. (Johannesburg, rural focus group)

It is using your place of position in the force as a means of personal gain. That is when you know people in higher positions and know you can get away with anything. (Cape Town, rural focus group)

When participants were asked whether they had personally been victims of police corruption, over 50 (out of the total of 156) said yes. If they believed they had experienced more than one incident of crime or

corruption, they were asked to describe just one. The types of encounters described can be categorised as:

- Petty extortion/bribery
- Serious extortion/bribery
- Attempted bribery
- Theft
- Robbery
- Other illegal and unprofessional conduct

Responses in each of these categories are described below.

## Bribery

The majority of experiences mentioned by respondents related to bribery, or attempted bribery. Most of these can be described as 'petty corruption' and involved traffic- or drinking-related extortion by police.<sup>14</sup> A few involved more serious bribery in return for 'closing cases' on behalf of the accused. Many accounts referred to police asking 'buy me a cold drink', a well-established code that a bribe is expected. According to Durban participants, 'tie the sergeant's boots' carries the same meaning in that city.

## Petty extortion/bribery

'Petty' corruption is not inconsequential, it merely refers to acts that are likely to be routinely found in operational street level policing.<sup>15</sup> Most of the incidents of petty extortion or bribery described reveal the callousness and predatory manner in which some police abuse their power. In such instances participants had not committed a crime but were nevertheless intimidated by police into paying a bribe.

Several examples involved alcohol:

[We went out. Our driver was not drinking that night but the passengers were.] We were stopped by two police officers driving a van, we then parked and they searched us ... They took my friend who was drinking, put him in the van and they said that they wanted money ... his friend gave me R20, I then folded it and gave it to the police ... I said that is all we had, they then released my friend and we left. (Johannesburg, inner city focus group)

We were carrying beers which we had not opened yet, we were going to drink at home. The police stopped us ... and said they are arresting us because we are carrying alcohol. I then asked them why, because it is still unopened ... We had to bribe them with R100 ... We took their registration plate number and everything and called the police from [that station] to try and open a

case for that, they just ignored us. (Johannesburg, rural focus group)

The following example is similar, even though the victim was drinking alcohol on private property, which is not an offence:

My cousin had a cider and she was standing at the gate, not outside the yard and when the police came to her they said, 'We are arresting you or you give us a bribe.' So, my brother had to pop out some money just for her not to be arrested. He gave them the money and they let her go. (Johannesburg, formal township focus group)

In some cases participants had actually committed an offence, which increased their vulnerability to both legitimate police action and police abuse, as in the following example:

I was driving to Mitchells Plain and [the police] were stopping people. They stopped me, I was driving without a driver's licence the police asked for my licence, I don't want to lie I don't have a licence, so he asked, 'My sister, how do you drive without a licence?' I said, 'Sorry my brother, my husband is not around I was just driving to Pick n Pay to buy some groceries to cook.' Then the police said, 'So my sister definitely you have change with you now that you bought some groceries, so you should give me something, anything.' ... He took a drink ... That drink was for R20 or R100.<sup>16</sup> (Cape Town, informal settlement focus group)

## Serious bribery

Some of the accounts of bribery were considerably more serious than the above examples. One involved police promising to drop a case in return for money, then reneging on the promise once the money had been paid. In another, the participant was the owner of an illegal tavern who regularly gave alcohol to police so that they would not shut down his establishment.

In the following example the participant does not mention the crime he committed, though he does say it was a 'serious' offence:

This investigating officer came ... and apologised that he has to arrest me because the case is serious, he can't just let me go. I agreed and said we will talk and indeed he arrested me and the following day he told me that he will take me to court ... He [said] that I must see what I can do so that my case does not go further than it should. I [gave him] R1000 ... So he promised that every time I appear in court he will tell the magistrate that he is still investigating. I appeared five times in court

... and the magistrate [dropped the case]. (Cape Town, suburban focus group)

One account of bribery to 'close a case' was a case involving counterfeit money (described later) and another was a case of assault. In both, the accused paid the police official money to sabotage the cases. The same happened in a case of domestic violence:

I was in love with my boyfriend and he beat me. I called the police, they said they are going to take him to the police station and arrest him. He gave the police money and he was released in front of me. (Johannesburg, informal township focus group)

Two participants in the Johannesburg informal township group referred to bribery with goods. In both cases police were called in to control employee strike action, one at a diaper (nappy) factory and the other at a biscuit manufacturer. In the first account police met with management, after which they were seen loading diapers into the police van, and they then proceeded to fire rubber bullets at workers. In the second, a striking worker had laid a charge against an abusive manager. Police were called to confront the manager, and after they had met with him, they were seen leaving with boxes of biscuits. The case was not pursued.

## Attempted bribery

In addition to the numerous experiences of bribery, there were accounts of *attempted* bribery. In most of these the potential victims simply refused to pay the money requested by police and were let off. Two accounts by people who were unable to pay stand out. In the first, the participant had been drinking when his car stalled. While he was standing on the side of the road attempting to get help police picked him up and drove him out of the area. At some point they stopped and demanded his wallet. Discovering it was empty, they told him to sleep on the side of the road and abandoned him in the rain.

The second account is worth quoting in full:

I had crossed the robots wrongly ... [the police] appeared out of the blue and they were all over me as if I had drugs in the car... As they found nothing wrong in my documents the other cop asked for a cold drink from me and I told him I did not have money.<sup>17</sup> The one told the other one that he ... will make me fit. He told me to go and fetch a stone across the road and I did but it was very busy on that road. They insisted that I should run to fetch this stone ... They told me they wanted me to be fit because I refused to buy them cold drink, so I should bring this stone back and forth across the street ... I

started to quarrel with them seriously now, but they let me go later on. I was so cross with the SAPS that day, so much that when I see them I feel like beating them. (Cape Town, formal township focus group)

## Civilian complicity in bribery

Bribery requires two parties. When South Africans consider police corruption they almost always position the police official as the initiator and beneficiary of the transaction, and the civilian as the victim. While this is often accurate, civilian complicity in (and initiation of) corrupt exchanges cannot be ignored, as the following accounts attest:

We were six in a car when I was involved in a car accident. The insurance was not going to pay us because we were overloaded, so we paid the police and gave them a R200 tip so that they could write that we were five in the car, it is so simple to convince police. (Durban, informal settlement focus group)

The question is in any given situation right; you are confronted by the police, what is the best way of avoiding it? It's bribery. If you do not have money then there is a greater possibility or probability of you being arrested. If you have got cash, like R200, then you know that even if you are drunk, I will pay and I must be honest, I do that in most cases. I do that. (Johannesburg, suburb focus group)

In both cases the participants admitted that they initiated the exchange. The first one's comment that 'it is so simple to convince police' suggests this may not be the first time he has done this.

Even if a citizen enters into corrupt acts willingly, this does not mean that he or she sees corrupt acts in positive terms:

I was in an incident where I came from a night club drunk at night and I got stopped on the freeway ... So instead of them locking me up, they said 'Give me four hundred bucks and you can go.' So I mean what use is that? They can go to a housebreaking and they can offer the criminals the same thing. They can say, 'Listen here, come out of the house give me a thousand bucks and you can go.' If it happened to me, it can happen to anybody. (Durban, suburban focus group)

In reflecting about how his experience could be repeated with more serious offenders, this participant realises he feels even less trust in the police. Other participants who had initiated bribes had similar feelings:

I was arrested and I bought the case, so how am I going to trust them? (Johannesburg, rural focus group)

I sold my car to someone, who didn't pay me the full amount, and then they told me to go the Small Claims Court ... In the end the police that I was supposed to go with to that person to issue the summons didn't want to come with me, I had to persuade him; I have done it personally, [I gave him] money ... that was the only way. (Johannesburg, rural focus group)

Civilians who initiate offers of bribes can only do so if they have little fear of reprisal. In other words, civilian-initiated corruption is only possible in an environment where it is commonly known that police do not arrest those who try to bribe them. Civilians who do this lose their trust in police even though, ironically, they initiated the criminal activity.

Although civilian-initiated bribes may be linked to 'petty' offences, they are likely more commonly offered when faced with arrest or conviction. The following is an account of the fraud case referred to above:

My tenant [gave] another person counterfeit R2 400. This person went to the police and they came into ... my house ... I said, 'Monkey [tenant] these guys are looking for you,' ... and the monkey [tenant] said ... 'No man...can you not talk to them?' I said, 'Okay, captain can I talk to you aside?' I told him that this man agrees to what he did, but there is a grand hanging, how about that? He said 'Okay' ... so this captain took the complainant aside and I went to the accused and said, 'Bring that thing here and everything will be all right.' He gave it to me, and the captain came and said [to the complainant], 'We are going to address this thing, you can go home.' I got a grand to squash them ... Because life is life, I am not a policeman, I'm subjected to starvation. (Johannesburg, formal township focus group)

The narrator was not the accused and was not put under duress, yet he very willingly assumed the role of mediator between the police official and his tenant in return for his share of the bribe. His reference to the tenant as 'monkey' suggests that his intervention did not come from a desire to help the tenant, but out of an opportunity to benefit from police corruption. It is this kind of symbiotic interplay between civilian complicity and police willingness to bend the rules for personal gain that could undermine all efforts to reduce police corruption in South Africa.

## Robbery

A small number of respondents described being robbed by police.<sup>18</sup> One of the Johannesburg suburban group

described how he participated in an armed robbery together with an off-duty policeman:

I also have a friend you see ... That guy is a policeman ... Most of the time we go in the night with that guy, right. He has a firearm ... We have our own firearms with our licences. When we didn't have money, we could say, 'Man here is the people let us stop them.' We used to stop the people and take their money. (Johannesburg, suburban focus group)

Much time and resources are spent by the SAPS policing immigrants, and there are well-documented accounts of corruption related to this.<sup>19</sup> One participant described the police robbing a foreign national (this account also illustrates the sexism of some male police officials):

I was with [a foreign national] and the police just searched him and took everything he had, even his passport, they tore it up, just to vandalise him. They will swear at you as a girl, 'What are you doing with this person? What is this that you're with?' They took his phone and his money. He ran away. (Durban, rural focus group)

Other accounts described police stealing items from people they were searching. In one, cellphones and wallets were taken from nightclub patrons during a raid. Patrons were reportedly made to lie on the ground and were slapped if they looked up.<sup>20</sup> In another, police searched members of a community following a vigilante attack on suspected thieves. Money was allegedly removed from one of the attackers after which the police fired their weapons into the air and left the scene. Another incident involved police taking wallets and cellphones from the occupants of a taxi that had been involved in an accident.

## Theft

Some participants had experienced theft by police officials, others simply feared that police would steal from them (during searches for example).<sup>21</sup> Here is a recollection of a theft:

My vehicle was impounded by the police ... When I went to pick my car two months later they had stolen all the contents out of the car. (Durban, suburban focus group)

Reluctance to leave private vehicles and possessions in police custody is not uncommon.<sup>22</sup> Another participant recounted how, following a fire at their house, police had removed a safe from the property. When the residents went to the station to claim the safe they were told it had been broken into and its contents were missing.

Another account of theft highlights the ambiguities and complexities of police-civilian relations:

My uncle was involved in a car accident very far from home. A noble thing the policeman did was to phone us at home as he had found a phone number on him and phoned because my uncle had died in that car accident. But a bad thing that the police did was not to return the cellphones they kept them for themselves. (Durban, rural focus group)

To say that a police official notifying relatives of a deceased person is 'noble' demonstrates the public's very low expectations of police in South Africa.

### Other unprofessional and criminal conduct

Several participants described acts by police that were not technically criminal but could still be perceived as abusive or corrupt. Such grey areas exist because of the environment of police work. The police are mandated to use force, they are required by law to enforce what often appear to be morally reprehensible laws (such as forcibly removing squatters), they have to operate in situations where anyone may be a potential threat – in short, they have to navigate a difficult moral environment. Without effective oversight or command and control, acts such as the abuse of force and torture can become normalised and routine. As one Johannesburg detective said:

If you want to know more about a suspect, you must interrogate him. Sometimes we use illegal means to get information from the suspect. Sometimes you must *moer* him [beat him up]. Sometimes you must break the law to get the information ... Most of these people are hardened criminals. They are not afraid of police officers. They won't tell you anything unless you make them tell you.<sup>23</sup>

When such attitudes are entrenched in organisational culture, regular abuse is inevitable. There are undoubtedly pressures to act like this, especially as SAPS performance is driven by arrest and crime reduction targets and a general understanding among both politicians and communities that justice should be punitive.

For instance, one focus group participant described being at a club that was raided by police. He described liberal use of pepper spray and brandishing of firearms, and expressed his sense of violation; he was not aware of any patrons having committed an offence. It is possible that a high level of risk may have been identified via intelligence information and the degree of force used may have been justified. On the other hand, the police's

actions may simply have constituted assault and gross misconduct.<sup>24</sup>

One very disturbing focus group account illustrates how criminal use of violence by police can become organisationally accepted as a means to 'get the job done'. The participant described how while she was visiting her cousin, her car had been stolen by 'boys' in the community, one of whom was soon apprehended by community members. She called the police, but:

The community members started to beat this child and he was lying flat on the ground ... The group took a big stone and hit the boy in the face and his eye came out. By that time I was crying and when the police came they asked who called the police and I said it was me ... The police forced me to identify the people who beat up the boy and I refused because they were trying to help me. When I denied they told me to go to the van and they took me to the police station and took me to a dark place. They tortured me and I was so scared and begging them to open at least the window ... I sat in the corner scared and the police asking me to tell the truth about the people who had beaten up the boy. They even told me that I am the one who killed the boy because he was in the mortuary then, already dead. I told them to leave me alone and take me home to prepare for my children who are coming from work. This other police was told me to open another door and showed me a white car which he said I must get in it and sleep at the back seat of it. I asked why and he said he will take me home. Indeed I went to the car and sat instead of sleeping at the back seat. It was at night around two in the morning. When he found that I was not sleeping at the car he insisted that he asked me to sleep because the Boers [whites] in the police station will ask how I was taken out. I refused to sleep and asked him to drive the car. He drove the car and on the way he started telling me that even though I was older than him but my vagina was not old, using other words like 'it is not big, a shoe can fit' ... I just kept quiet ... We were driving towards my house and he asked who I was staying with and I said with my husband and children ... I said goodbye to the policeman. He told me he will come back. Indeed the following day the police came in civil attire and told me that he is the one who helped last night and I asked what he wanted. He asked if I still did not know the people who killed the boy and I said no ... I immediately called for my husband. I was just lying because I did not even have a husband [but] he ran away. (Cape Town, formal township focus group)

This horrific scenario could only occur in an organisational environment where torture and sexual harass-

ment are accepted, even if it is in only pockets of the organisation or a particular police station.

## Sexism and sexual harassment

The gendered bias of the police service was referred to many times, during focus group discussions about lack of trust and experiences of corruption. One female participant explained how a former lover had threatened her with a firearm. She attempted reporting the incident at her local police station but was turned away. Eventually she opened the case at a neighbouring station, which then transferred the case back to the station in her area. On arriving at her local station to enquire about the case, she recounted:

I asked for this [superintendent in charge of the case] ... [He] was wearing a jacket and in it was an Oudemeester Peppermint Brandy. [He] held me close to him and led me outside the police station and told me that I must be aware that they as police have families and they would not like to be killed for family issues. He reminded me that I was in love with this man ... He then gave me some of his brandy, I drank it and I left. (Cape Town, formal township focus group)

It emerged that the superintendent (a 'colonel' in the new rank system) had interfered in the registration of the docket so that it was not on the station's computer system and had not been assigned to a detective. But beyond this interference, his sexual harassment of the complainant, inappropriate touching, drinking, offer of alcohol and attempt to dissuade the complainant from pursuing charges, all add up to grossly unprofessional conduct and a failure of justice.

Abuse of police power regarding women is evident in the following account by a male participant:

I had an affair with a woman who was also having an affair with a policeman. It was not too serious, but the policeman found out. He called me since he knew me, and he told me that if I proceeded with that woman I was going to face the music. [He said he would] beat me. I was scared and when I saw the police vehicle I would hide. His friends were also threatening me, they accused me of having a firearm. (Durban, informal settlement focus group)

One participant had heard about police arresting a man who was 'enjoying himself in the forest' (having sex) with his girlfriend, so that the police themselves could 'go jolling' (party or have sex) with the girlfriend. Another said that if police find a South African woman walking with a male foreign national 'they will swear at

you as a girl'. Another spoke about the rape of a friend's daughter in police cells (the rape was reported to police and the media). Another spoke about a rape by police told to her by a policeman:

[My policeman friend] told me about police from [Station A] ... Say now a girl [is] walking at night on the road and she gets raped. Then she goes to the police station or she phones the police and they come and fetch her, then they take her to [Station A] and the police [there] ... also rape her and then only take her home ... and he told me about prostitutes that if they see prostitutes they make them sleep with them for free ... That is what they do with girls that walk at night. (Durban, suburban focus group)

All these experiences, together with gender-related incidents of mistrust, indicate an entrenched police culture of sexualised patriarchy and abuse.

## Civilian knowledge of police complaints mechanisms

Despite the numerous experiences of police crime and corruption by participants, only one attempted to report their experience to the police. The complainant tried to report the crime at a police station but was ignored.

When questioned in the focus groups about police oversight bodies and complaints bodies, participants revealed both ignorance and mistrust. Asked where they would turn to for help if they had a problem with the police, they offered the following answers in order of prevalence:

- Don't know/ nowhere
- Senior police (usually a station commander)
- Lawyers
- Independent Complaints Directorate
- Media
- Presidential hotline
- Other unnamed 'hotlines'
- Community Policing Forums
- Friends in the police
- Ombudsperson
- Social workers
- 'Take the law into your own hands'

A typical answer was:

I just get confused; you see I would be happy if I have knowledge that if I have a problem with them, I know who can talk for me, straight ... Because if it happens that I have a problem with a police, I just give up because I cannot see where I can go. (Johannesburg, inner city focus group)

The most commonly advanced suggestion was to complain to senior police at station level. But few believed this worthwhile:

If you are upset in the police station and you ask for the commander they will make a fool of you ... I don't know where I can go because they cover for each other, so you don't know where to report. (Cape Town, informal settlement focus group)

Some participants did have a sense that there were formal channels available to them, but their knowledge was usually incomplete or inaccurate. In the following examples participants are trying to refer to the ICD or Independent Complaints Directorate:

They talk about the IDC ... [the] Independent, ICD that is Independent Complaints Commission ... They say if you have a problem with the police, you must go there for help. (Johannesburg, rural focus group)

If the police don't do their job you just go straight to the, what is it? Independent Directorate Commission. You just give them the name of the police station, the name of the policeman, and the time that the problem happened, so that they can trace the policeman on that day. The Independent Directorate Commission opens its own case and you sit down, they will solve it. That's the only place we should report to. (Cape Town, informal settlement focus group)

Despite the inaccuracy about the name, the second statement was one of the most accurate answers offered.

A few participants were so desperate that they wanted to contact the President of the country:

If I knew Zuma's address I could write to him so that he can help me and solve my problem ... I think he can help me because I've had enough of the police. (Cape Town, informal settlement focus group)

The general consensus was that there was no safe and effective way to lay a complaint against police. Participants felt that senior police were loyal to their subordinates and unlikely to take action against them (in one participant had been successful in doing this, but in relation to a service delivery rather than corruption complaint). Lawyers were considered to be a luxury option beyond the reach of most participants. Only one participant reported having employed a lawyer to sue the state (for wrongful arrest) but believed that the case had been squashed through corruption in the court.

South Africa's official independent police investigations body, the Independent Complaints Directorate

(ICD, soon to be renamed the Independent Police Investigations Directorate, IPID) was mentioned in some groups, but it was generally not spoken of favourably.<sup>25</sup> Not one participant reported having ever laid a complaint with the ICD. Some believed that the ICD was too closely connected to the police and that complaints would not amount to anything. Other complaint options were hardly mentioned, apart from Community Policing Forums (CPF). Participants in two focus groups mentioned that CPFs could be approached with complaints, but they did not believe this would be effective.

## Indirect knowledge of police corruption

Besides their own experiences, participants were also asked whether they knew of experiences of others having given police money or a gift in return for assistance. This question and other general discussion elicited numerous 'secondhand' accounts of police corruption or crime. Of these, about a third involved relatives or partners of the participants, or the participant being present but not involved in the incident.

The various offences described indirectly were categorised in order of prevalence as:

- Petty bribery
- Serious bribery
- Nepotism
- Rape
- Selling firearms
- Drug dealing
- Drinking

These descriptions ranged from 'police friends' boasting of their involvement in bribery and rape, to offering an unemployed participant a job in the police, to participants' friends having bribed police to evade arrests, to tavern owners and drug dealers paying protection fees to police. The following is an example:

Relatives of mine had a serious case with the police ... The police advised the victim not to come to court the next date of appearance as they were going to pay him a certain amount of money. This guy was obviously intimidated and did not show up at the court on the court date. The case was dropped and he received the money that he was promised and the case disappeared just like that. You can see *mos* if someone that you trust like a police starts threatening you like that, I think that was serious corruption. (Cape Town, inner city focus group)

Several others gave accounts of indirect knowledge of police corruption, although a number of these accounts lacked reasonable evidence. These need to be taken

seriously, because even rumour and myth about police abuse and corruption will influence civilian perceptions. In the following account the participant clearly believes he is offering a clear-cut example of police corruption, yet his deductions cannot be called evidence:

Sometimes it happens that property goes missing, like school windows, then it is perhaps discovered later that we stole the windows and we were arrested. Then the government will fit new windows in the school, and those that were taken to the police station as evidence in two or three months time you would find that at a certain policeman's house they have fitted windows that look exactly like those that were stolen at the school ... I won't mention any names but there was an officer where there had been stolen goats, thereafter we found that the policeman is now farming goats that looked exactly like those that had been stolen. (Durban, rural focus group)

### Perceptions of government's role in reducing police corruption

Asked what government should do to reduce police corruption, many answered in terms of what needed to be done to improve the SAPS in general, suggesting an insightful understanding that corruption was a byproduct of a breakdown in the overall organisational system.

What civilians wanted most was an effective police agency close to the picture of 'ideal' police that they described at the beginning of their focus group session: police who would be better trained, not drink on duty, communicate with the public, be sufficiently resourced, respect civilians, be better educated and look to police in other countries for lessons. It was taken for granted that such police would not be plagued by corruption.

Some participants felt that the gulf between the ideal and the current situation was not the fault of the police themselves. Some pointed out that the police needed to be better paid, while others said their working conditions should be improved. Those calling for salary increases perceived police to be earning around R5 000 per month on average, and felt they deserved salaries between R8 000 and R12 000.

In addition to suggesting improvements to police working conditions and salaries, participants made a number of other recommendations for preventing corruption and improving discipline. These included:

- Arrest and make examples of police involved in criminal and corrupt activities.
- Introduce toll-free reporting numbers and a complaints office separate from the SAPS where corruption can be reported.

- Introduce technology to monitor police.
- Initiate public education about police.
- Depoliticise the top echelons of the police. Related to this, participants also called for a clean-up of government as a whole, perceiving corruption in the SAPS to be part of a much broader public sector problem.
- Some more impractical suggestions were to hire spies to monitor the police, and to move police personnel to different police stations every few months.

Many of these initiatives are already in place, but it would seem that participants were either unaware of them or lacked faith in them. Importantly, only two participants suggested a need for a specialised anti-corruption unit – an initiative often called for by civil society anti-corruption advocates, and probably one of the simplest and most effective mechanisms the SAPS could introduce.

## DISCUSSION OF FINDINGS

The focus groups expressed significant discontent and lack of faith in both the SAPS and independent complaints structures. Interestingly, there were hardly any comments about the ability of police to prevent and solve crime. Participants were mainly concerned about being treated fairly, and to be able to trust police.

This section discusses the findings under the same heading in which they were presented above.

### Ideal vs reality: poor service

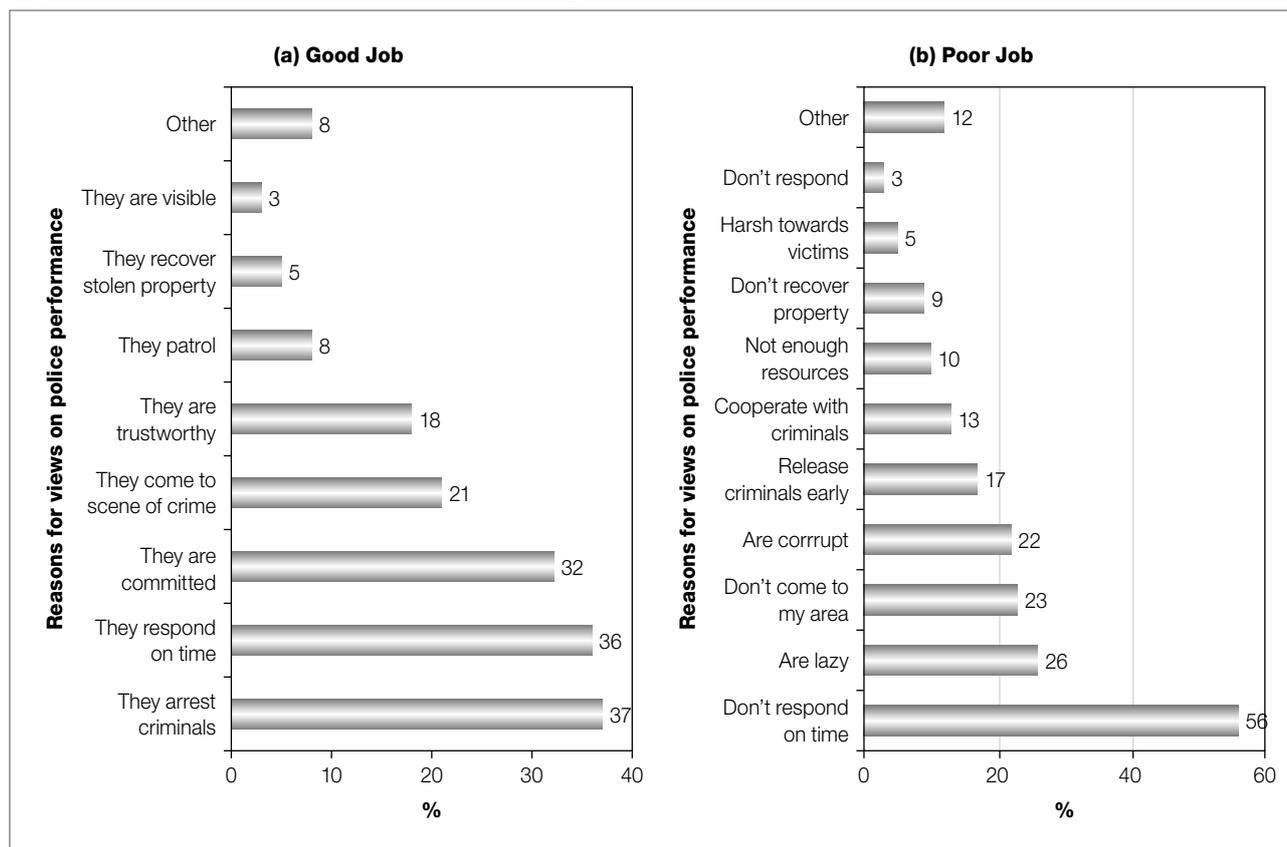
Public trust in police is necessary for the successful implementation of community policing, which is the model currently used in South Africa.<sup>26</sup> If trust is low, or police are not perceived as fair and professional, this will affect their ability to perform their duties and realise their mandate.

The focus groups were almost unanimous that police provided a poor service. They said that police were lazy, rude and disrespectful as opposed to polite, educated and well trained. Of course such negative perspectives must be considered in the context of a group discussion where shared feelings build in momentum. But even allowing for this, these perceptions are likely to be close to those of the public as a whole.

### Ideal vs reality: involvement in corruption and crime

The perceptions that the police are involved in corruption and crime echo the findings of the 2007 National Victim of Crime survey conducted by the Institute for Security Studies (ISS). In that study, respondents were

**Figure 1** ISS 2007 National Victim of Crime Survey



asked whether they thought the police were doing a 'good job' or 'poor job' in their area. The survey found that 51 per cent believed police were doing a 'good job', 37 per cent believed police were doing a 'poor job' and 12 per cent said they didn't know.<sup>27</sup> When asked to qualify their answers a number of reasons were given, as shown in Figure 1:

The ISS survey showed highest negative perceptions that police 'don't respond on time', 'are lazy' and 'don't come to my area' – all of which can be described as poor service delivery. Similarly, the focus group data gathered here suggests that police could significantly bolster their public image by improving response times and improving the way that they engage with the public. In particular, this study adds that the SAPS must take action against the inappropriate behaviour of some male police when interacting with women.

The 2007 ISS survey found that the next area of dissatisfaction after poor service delivery was that police 'are corrupt'; 'release criminals early'; and 'cooperate with criminals'. Again, similar perceptions were expressed in our focus groups, and in the same order of priority.

The close similarity in findings of the two studies is important. The focus group participants in this study were chosen because they believed they had experienced corruption. The similarities between the two studies indicate that this criterion of selection

has probably not distorted this study's findings very significantly towards negative perceptions of the SAPS.

Other studies reach similar conclusions. Julia Hornberger's ethnographic research in downtown Johannesburg found that poor and marginalised people struggle to access services from the police, or must pay a bribe to do so. Hornberger describes how civilians forge personal relationships with individual police by providing information, food or gifts in order to secure themselves the guarantee of police service when they need it.<sup>28</sup>

Further ethnographic studies by the Forced Migration Studies Programme at the University of the Witwatersrand (now called the African Centre for Migration and Society) also analyse the complex informal relationships that form between police and the mostly poor civilians who seek their service.<sup>29</sup> These studies confirm that the marginalised have to actively negotiate their relationships with police if they want to access police service and protection of their human rights.

What was most notable about the focus group discussions in this study was the minimal discussion (regarding both 'ideal' police and the current SAPS officials) about police preventing or investigating crime. The discussions were exclusively concerned about whether police responded to calls for assistance timeously and engaged with civilians courteously and competently. The implication is that it is more important that civilians feel respected and served, than that

police actually solve and prevent crime. In fact similar conclusions are to be found in studies in the United States and United Kingdom.<sup>30</sup>

### **Trust in police**

The focus groups expressed very low levels of trust in police. The most common reasons given for this were both *experiences* of poor or unprofessional service, police crime or corruption, and sexual harassment, as well as *perceptions* of police as corrupt.

It is the unprofessionalism of police officials that most severely damages the SAPS's image, whether it be a vehicle arriving two hours late, or an absence of communication after a case has been opened, or police claiming the loss of evidence and thus closing a case.

A common refrain among police managers (though more so among metropolitan police than SAPS) is that it is the public who corrupt police, and therefore the public should share the blame for the pervasiveness of police corruption.<sup>31</sup> As mentioned under the section *Civilian complicity in bribery*, corrupt exchanges leave the corruptor believing that police are easily bribed and that he or she therefore need not fear being punished for similar future crimes. Furthermore, as police are the most visible public representatives of the state, corrupt exchanges lead to negative perceptions of broader government as well.

The focus group discussions always assumed the police to be men, implying that the SAPS is a male-dominated organisation. In fact women make up 32 per cent of the SAPS workforce, and recent intakes of recruits appear to be 50-50 gender balanced.<sup>32</sup> However, it should be borne in mind that many female police employees occupy administrative or station-bound rather than operational positions, meaning they are less likely to interact with the public. Research by the Forced Migration Studies Programme at the University of the Witwatersrand confirms the view that women police are often restricted to station-bound roles while men conduct the 'real' police work outdoors.<sup>33</sup> There is also anecdotal evidence that women police officials, particularly those new to the SAPS, often resist or refuse being posted outside the station for fear of danger.<sup>34</sup>

These factors all support focus group perceptions that the SAPS remains a male-dominated organisation with a sexist machismo culture. While the SAPS has made significant progress since 1990 in recruiting and promoting women, there is no evidence that this has made any difference to this patriarchal culture.

### **Sexual harassment and a patriarchal organisational culture**

In their research on the gendered nature of HIV risk and prevention, Jewkes and Morrell speak of the 'hegemonic

masculinity' prevalent in South Africa, which promotes the subordination and control of women by men.<sup>35</sup> Drawing on other scholars, they suggest that this kind of masculinity is often connected to notions of sexual virility and success.<sup>36</sup> Kopano Ratele, writing about patriarchal societies in general, notes:

Where there is a large social power gap between males and females, such as where the levels of violence against women are high, the sexual pleasure of males, indeed their entire sexuality, is more likely to be influenced by the dominance motivation. In these contexts the use of violence against women and girls and sexual harassment to reaffirm aggressive heterosexual masculinity is to assert control and is widespread.<sup>37</sup>

Ratele and Lebohang Letsela argue that 12 per cent of premature male deaths in South Africa are a result of 'masculine beliefs' while 17 per cent are linked to 'HIV related behaviors'.<sup>38</sup> The construction of masculinity in South Africa may well be characterised by elements such as sexual dominance and a tendency to take risks, and these would be more pronounced in a male-dominated environment such as the SAPS.

Nevertheless, sexism is not unique to police in South Africa. Literature on police culture from the US and the UK has for decades recognised machismo and sexist attitudes as characteristic of police occupational culture.<sup>39</sup> According to Robert Reiner, 'Sexism in police culture is reinforced by routinised "sexual boasting and horseplay".<sup>40</sup> He quotes an English police official as stating that sex is readily available to members of the UK police. Similar dynamics exist in South Africa. Consider the following three statements from different SAPS Warrant Officers:<sup>41</sup>

It's easy to get sex when you're a policeman in uniform. Most police proposition ladies when they are in uniform or in a marked police car. Ladies like uniform.

I saw many police proposition suspects. When a person is arrested, they will do anything for their release because they are under duress. I know many cases where policemen were arrested for rape. Where women are arrested, especially for shoplifting, the policeman is then attracted to her and they start having sex in the police cells.

It is not difficult for a policeman to get a girlfriend. I used that kind of advantage for a period of time. But after I got married to my wife, I stopped. Also, there are now diseases; you can't do that as much.

These testimonies suggest much greater attention needs to be paid to sexual attitudes in the SAPS and how these intersect with the abuse of power. The fact that public

perception almost always casts police as male suggests there is a need to bolster the number of women in operational policing. Although numbers alone cannot solve the problem, visibility of women could help to change the overall public image of the SAPS.

### ***What would make you trust police more?***

Focus group participants tended to agree that the most important factor likely to win their trust would be if police did their jobs 'properly' and provided a consistent service. Some recounted examples of police helping them and explained that this had led them to the view that at least some police are good.

The 2007 ISS Victim of Crime survey showed that perceptions of police tended to improve following contact of citizens with police officials.<sup>42</sup> Focus group participants whose last contact had not involved police crime or corruption expressed the same perception. This confirms the importance of respectful, professional engagement.

Despite the overwhelming lack of trust in police that emerged from discussions, it is important to allow the police one caveat. Some participants expressed their disaffection when police did in fact behave according to proper procedure. For instance, one spoke of an accused suspect who had been released from police custody the day after his arrest. This is in line with standard bail procedure, but the participant didn't seem to know this, and assumed a bribe had been paid. Another example was a complaint that police failed to provide transport for someone stranded late at night. While this is something police sometimes do, they are not technically allowed to. Both these examples suggest the need for public education so that civilians know what can be expected of police and other justice officials.

## **Police corruption**

When asked to describe what they thought police corruption was, many answers suggested something close to 'corruption is abuse of power for personal gain'. However, once participants began to talk about their experiences of corruption, incidents of police criminality were also described. This is to be expected, because for many people 'police corruption' is a term that encompasses both abuse and crime.

### ***Bribery***

Petty bribery as described in the focus groups took place mainly in the course of roadside confrontations with police. In fact, in urban centres traffic enforcement is left to the Metropolitan Police Services (themselves notorious for traffic-related extortion) rather than SAPS members. While it is routine for SAPS members to examine drivers' and vehicle licences at roadblocks, it is rare that they

issue fines for transgressions related to licences. The public is not always aware of this and can easily be manipulated into paying bribes in such situations.

Alcohol featured prominently in participants' experiences of bribery. As it is illegal to be drunk in public and to drink in public in South Africa, consumers of alcohol are easy targets for predatory police. There is an irony in the fact that inebriation puts one at a greater risk of criminal predation in South Africa and, it would seem, police victimisation too.<sup>43</sup>

Participants also reported examples of attempted bribery, where they claimed police had abused them for not being able to pay requested bribes. This raises a further warning about the predatory attitudes of some police. Police officials who go out of their way to seek out vulnerable civilians to exploit, deliver an irrecoverable blow to the image of the SAPS. This is well expressed by one abused participant who said, 'When I see [police] I feel like beating them.'

### ***Civilian complicity in bribery***

It is not always police who initiate corrupt exchanges. But the fact that a number of participants were willing to admit to a room of strangers that they had initiated a corrupt exchange with police, indicates something about the social environment. Even if citizens view themselves as victims, they clearly do not consider such exchanges to be particularly serious violations of the social contract.

The sentiment expressed by one participant that 'the only way' to get service from the police is through the offer of money or some other gratuity echoes the findings of researchers at the Forced Migration Studies Programme at the University of the Witwatersrand. They have suggested that police services can be difficult to access for poor inner-city residents unless relationships have been forged through illicit, though fairly low-level, exchanges.<sup>44</sup> Only a somewhat dysfunctional police service could lead poor civilians to seek out inappropriate relationships with police in order to access what they are entitled to.

The symbiotic interplay between civilian complicity and police willingness to bend the rules for personal gain, if sufficiently widespread, will surely sabotage any efforts to reduce police corruption in South Africa. It is for this reason that widespread and intense public education drives have been shown elsewhere to be necessary for an anti-corruption campaign to be successful.<sup>45</sup>

## **Robbery, theft, and other criminal or unprofessional conduct**

Though less common than experiences of bribery and extortion, some of the outright criminal acts allegedly carried out by police were highly disturbing. While

petty corruption is sometimes considered a victimless crime, acts such as robbery and theft and the torture of witnesses of crime go against the most basic principles of police ethics and the law. Police who commit such crimes destroy community trust in the SAPS. These actions support the sentiments expressed by some focus group participants that police cannot be let into one's home, that they cannot be trusted with one's private property, and women should not turn to police for help as they are likely to be harassed or raped.

It is known that foreign nationals, particularly asylum seekers and migrants from African countries, are often preyed upon by police who see them as easy sources of money. The Forced Migration Studies Programme at the University of the Witwatersrand found that 8,7 per cent of asylum seekers and one in six detainees at Lindela<sup>46</sup> reported paying bribes to police, while one in three researcher-observed interactions between police and civilians in a high-density migrant area involved the solicitation of a bribe.<sup>47</sup> Considering the predatory actions of some police described by participants across all focus groups, it is easy to imagine that such police seek out vulnerable people such as migrants and sex workers.<sup>48</sup> The problem is not new either. One former police official recalled his work in the late 1990s as follows:

We used to go for illegal immigrants. People were abused. We used to lock up bakkies and trucks full of immigrants, and whoever had money would get out. If you had nothing you went to Lindela; if you had one hundred rand or upwards you put it in the hand. I don't know how they can try to stop that. Everyone was involved.<sup>49</sup>

This testimony suggests an organisational culture that encourages the abuse of foreign nationals and the protection of police who carry out such abuse. Similarly, the horrendous account of a victim and witness of crime who was tortured by police as they tried to force her to name community members who had killed an alleged car thief, could only occur in an organisational environment where such behaviour is accepted, at least to a degree. The fact that the (black) police officials involved did not want their white colleagues (whom they called 'Boers') to become aware of what they were doing indicates that this behaviour may not have been pervasive throughout the station. It is likely that the police involved justified their actions by weighing the severity of the crime (the murder of a child) with performance expectations (the need to secure cases to court and convictions), and this could have explained the methods of intimidation and violence used.<sup>50</sup> Threats and 'torture' then become the tools to

get the job done. This is illustrated by this statement by a Johannesburg police official mentioned earlier in the paper and repeated below:

If you want to know more about a suspect you must interrogate him. Sometimes we use illegal means to get information from the suspect. Sometimes you must *moer* him. Sometimes you must break the law to get the information.<sup>51</sup>

A statement from a Cape Town police officer highlights how such acts are hidden by police group solidarity:

I think there are police who want to speak out about [police torture] but we go and see them and make them keep quiet. There have been people who've spoken about it but we deny it; we lie. We say, 'Are you crazy? We wouldn't do that!'<sup>52</sup>

These statements confirm the existence of pockets of secrecy and tolerance of criminality within the SAPS.

### ***Civilian knowledge of police oversight and complaints mechanisms***

Focus group participants had very little or no knowledge of structures where they could report abuse by police, despite the fact that South Africa has a relatively well-developed police oversight infrastructure. It cannot be said that there is a shortage of avenues for complainants – at least on paper. Complaints can be made at local police stations, to police cluster commanders, provincial offices, the national complaints desk at SAPS head office, as well as via Community Policing Forums. Provincial Departments of Community Safety (and their equivalents) provide additional civilian oversight and can be approached, though few members of the public are aware of this.

The ICD (soon to be renamed the IPID) is another avenue for complaints, although it requests complainants to first approach the SAPS with their grievances – which is enough to scare many away. Victims of corruption may contact the Public Service Commission while victims of human rights abuses can contact the Human Rights Commission. The media, political parties and various community-based organisations are often willing to support victims with grievances against police, while large scale complaints can be taken to parliament or the Civilian Secretariat for Police.

Despite all these avenues for making complaints, a series of investigative articles published by the *Sunday Independent* in October and November 2010 clearly illustrated the difficulty that victims face, particularly women, in reporting abuse by police.<sup>53</sup>

The apparent ignorance of focus group participants about channels for complaints could in principle be countered by concerted education campaigns. However, one has to bear in mind that participants correctly located police stations as the most immediate places to lay complaints, and despite this knowledge, they did not have faith in the reporting and investigation process. One can conclude that while an education campaign may be helpful, it will serve little purpose if the SAPS does not address the reasons why the public has little faith in the police. The same can be said of other complaints-receiving bodies. Unless complainants are made to feel that these bodies are trustworthy and accessible, that their concerns are taken seriously and will result in tangible outcomes, it is unlikely that the broader public will have faith in, or make use of, their services.<sup>54</sup>

Having nowhere to turn, it is not surprising that the public has begun to see petty bribery as inevitable and normal. The more entrenched such attitudes become, the more difficult it will be to bring an end to such practices. Ultimately, most participants felt there was little that could be done. It is a terrible indictment that not one of the participants who experienced over fifty crimes involving police had reported these crimes to the official channels. Civilian trust in police is already damaged through police abuse, but it will be irrevocably damaged if police officials abuse or further harass the victims who turn to them for help.

### ***Perceptions of government's role in reducing police corruption***

Raising police salaries is very often thought of as a quick fix to raising the standards of police practice in South Africa. Some focus group perceptions were that police salaries were currently around R5 000 per month and should be raised to R8 000–R12 000. In fact, permanent SAPS members do earn close to this pay range. In 2009 the lowest income band for a constable was R7 871 per month. Allowing for inflation this would have stood at about R9 500 per month for newly qualified constables in 2010, and that is without adding the 7,5 per cent increase made to all civil servants at the end of 2010 after an agreement between government and public sector unions. Police officials are thus relatively well paid by South African standards, particularly those in the upper ranks.

Money alone will not change police behaviour, but it can be linked to incentives that require police to professionalise, and higher recruitment criteria such as a post-secondary qualification and higher standards of service. The SAPS has to shake off its image as a 'job creation factory' and mould itself into an organisation

that attracts and develops 'elite professionals' rather than simply provides jobs for its members.

The focus groups recommended a number of strategies they thought government should pursue to eradicate police corruption. The most frequent suggestion was that ***police should arrest and make examples of those involved in criminal and corrupt activities***. While the SAPS might claim that it arrests and disciplines all criminal offenders within the organisation, this is certainly not the case, judging even from their own reports. For the 2009/10 financial year, the SAPS reports having charged 362 members with corruption – only 193 of whom were suspended pending investigation. It recently emerged that 945 SAPS employees had been found guilty of social grant fraud – none of whom were dismissed.<sup>55</sup> This will make it difficult for the organisation to dismiss members who might commit fraud in future. Police managers often lament in private the difficulties they face in dismissing criminal police, at times because provincial commissioners overturn guilty verdicts for no apparent reason.

Participants also suggested ***tollfree reporting numbers and establishing a point outside of the SAPS for the reporting of corruption***. As has been pointed out, numerous such reporting mechanisms do exist. Clearly though, people either do not know about these channels, lack faith in them, or cannot access them.

***Technology to improve the monitoring of police*** was another suggested solution. The SAPS has in recent years introduced vehicle tracking technology that should ensure, among other things, that police vehicles remain in their designated areas of operation.

Focus group participants wanted cameras to record engagements with the public to gather evidence of illegal police conduct. Although such interventions are technically feasible (such as dashboard- and CSC booth-mounted cameras), they do have privacy, practical, and cost implications. The SAPS should consider that dashboard-mounted camera footage could also exonerate honest police of allegations of abuse, and may contribute to a reduction in civil claims.

***Public education around what can be expected of a police official*** would clarify issues such as 'legitimate use of force', and how to report both good and bad behaviour. This could empower civilians and police in their engagements with one another. In the absence of public education, the onus falls on police to keep complainants and accused persons informed of what to expect from them and the justice system.

Civil society organisations have, for a number of years, called for the ***depoliticisation of the position of National Commissioner of Police***, and this was echoed by the civilian focus groups in this study. For three consecutive terms the position of National Commissioner

has been held by politically appointed and politically well-connected civilians with no prior policing experience. Such appointments only cast doubt on the expertise and integrity of police leadership. This was particularly evident in the long corruption trial and conviction of former National Commissioner Jackie Selebi in 2010. Allegations of nepotism and tender irregularities surfaced against the current National Commissioner, Bheki Cele, in 2010, and a Public Protector investigation has found him to be guilty of 'maladministration' for his role in an 'unlawful' building lease deal in 2011.<sup>56</sup> Shortly before this paper went to print, Cele was suspended by Zuma.

Participants in this study also called for a *clean-up of government as a whole*, perceiving corruption in the SAPS to be part of a much broader public sector problem. The Special Investigations Unit (SIU) is involved in a number of wide-scale investigations into public service corruption, including investigations into tender irregularities in the SAPS, but the challenge of corruption in government remains an uphill battle, particularly in a context of a lack of political will.

While many of the initiatives suggested by participants are already in place, it would seem that participants were largely unaware of them, or lacked faith in them. Importantly, only two participants suggested an anti-corruption unit – an initiative often called for by civil society's anti-corruption advocates, and probably one of the simplest and most effective mechanisms the SAPS could introduce to have an immediate effect on police corruption.

## CONCLUSION

This paper has sought to detail the experiences and discourse that inform the current widespread lack of trust and public perception of corruption in the SAPS.

The ordinary citizens who participated in this study proposed strongly that the simplest way for the SAPS to improve its legitimacy is through basic improvements to its professionalism and service delivery. Ideal police, as described by participants, would be competent, punctual, friendly, respectful and patient. They made it clear that it was less important for them that police are able to 'solve' crimes than to engage in a manner that recognises the needs and possible trauma that the complainant is experiencing. Such an approach would make it unthinkable for police to request bribes, sexually harass people, or abuse citizens, even if they are offenders. This finding is a key conclusion of this study, and is particularly important in relation to the new emphasis on forceful, militant policing currently being promoted by police leadership.

While some police who engage in petty corruption may believe their actions are harmless, or that they are delivering immediate justice (imagined as a 'spot fine') to a perpetrator, the SAPS must realise that such actions destroy trust in the entire police organisation and only makes the work of police officials harder. This is true even when the victim has committed an offence or instigated the corrupt exchange.

Focus group discussions did reveal gaps in civilian understandings of police functions. Some participants complained of police behaving illegitimately even though the police were working by the book. Such misunderstanding is to be expected, and it is important that police respond to accusations of this kind with patience and calm, explaining their actions to people they engage with, particularly those whom they arrest.

Victims of police crime or corruption usually encountered criminal police working in isolation or in pairs. The SAPS should consider introducing regular integrity tests, both targeted and random, to increase the risk for criminal police when they attempt to extort a bribe. A 'professional standards' unit should conduct such tests and also monitor the professionalism of SAPS members. These standards must include the manner in which male police engage with women, which is clearly an issue of concern. Such a unit would provide targeted and generalised education initiatives among SAPS members to improve professionalism and people skills.<sup>57</sup> Dashboard-mounted cameras, and requirements to engage with civilians in view of the camera lens, could also contribute significantly to improved professional behaviour. At the same time civilians need to be empowered to handle corrupt and criminal police through education and access to functional complaints systems.

If the SAPS hopes to discourage a culture of corruption and crime in the country, police need to arrest civilians who attempt to enter into illicit exchanges with them. As long as there is minimal threat of exposure to either of the corrupt parties, there will be little incentive for them to change. Civilians will continue to distrust and look down upon police, and the police will continue to blame civilians for 'tempting' its members. Neither way will contribute to the reshaping of the SAPS's image that is so urgently needed.

Participants in this study appeared to be largely ignorant of the oversight and complaints infrastructure that exists to support civilians who want to lay complaints against police. Again, this can be rectified through public awareness campaigns, but only partly. Many participants knew that the first point of call for complaints is a police station, but not a single one trusted this system enough to use it. The SAPS needs to consider the possibility that civilian ignorance about complaints may be born out of the complaints systems having failed them.

Instead the SAPS needs to develop accessible procedures which civilians are not afraid to engage with, which leave legitimate complainants with a sense that justice has been served. This has to start at station level, with reporting fed to provincial and national databases. The SAPS might claim that such systems are already in place but they are clearly not working.

## NOTES

- 1 See for example: Centre for the Study of Violence and Reconciliation, *Why does South Africa have such high rates of violent crime?: Supplement to the final report of the study on the violent nature of crime in South Africa*, 2009; and other reports linked to this study [http://www.csvr.org.za/index.php?option=com\\_content&view=article&id=2441&Itemid=41](http://www.csvr.org.za/index.php?option=com_content&view=article&id=2441&Itemid=41) (accessed 6 August 2011)
- 2 Julia Hornberger, *Policing and Human Rights: the meaning of violence and justice in the everyday policing of Johannesburg*, Routledge: Abingdon, 2011, 6.
- 3 Rapule Tabane & Niren Tolsi, Don't hold your breath for action on Cele findings, *Mail & Guardian*, 11 March 2011, <http://mg.co.za/article/2011-03-11-dont-hold-your-breath-for-action-on-cele-findings> (accessed 26 July 2011).
- 4 Human Science Research Council, *Between trust and scepticism: public confidence in institutions*, [http://www.hsrc.ac.za/HSRC\\_Review\\_Article-85.phtml](http://www.hsrc.ac.za/HSRC_Review_Article-85.phtml) (accessed 13 September 2010).
- 5 Citizen Surveys, AfroBarometer: summary of results South Africa, 2008, [http://www.afrobarometer.org/index.php?option=com\\_docman&task=cat\\_view&gid=180&Itemid=31](http://www.afrobarometer.org/index.php?option=com_docman&task=cat_view&gid=180&Itemid=31) (accessed 4 August 2011); Citizen Surveys, AfroBarometer: summary of results South Africa, 2006, [http://www.afrobarometer.org/index.php?option=com\\_content&view=category&layout=blog&id=24&Itemid=51](http://www.afrobarometer.org/index.php?option=com_content&view=category&layout=blog&id=24&Itemid=51) (accessed 4 August 2011).
- 6 R Mattes, Good News and Bad: Public perceptions of crime, corruption and government, *SA Crime Quarterly* 18 (2006), 9–16.
- 7 SAPS Media Statement, *Police ministry announces new police ranks*, 12 March 2010.
- 8 See for example Ben Bradford & Jonathan Jackson, *Public trust and police legitimacy in Great Britain: Short term effects and long-term processes* (undated), [eprints.lse.ac.uk/33155/1/La\\_Vie\\_des\\_idees\\_-\\_final\\_english.pdf](http://eprints.lse.ac.uk/33155/1/La_Vie_des_idees_-_final_english.pdf) (accessed 26 July 2011).
- 9 Recruitment and moderation were carried out by different individuals at each location. Both recruiters and moderators were employees of the Community Agency for Social Enquiry (CASE).
- 10 R Mattes, Good News and Bad: Public perceptions of crime, corruption and government, *SA Crime Quarterly* 18 (2006), 9–16.
- 11 Darshan Vigneswaran & Julia Hornberger (eds), *Beyond 'Good Cop'/'Bad Cop': Understanding Informality and Police Corruption in South Africa*, Open Society Reports, 2009.
- 12 'Petty corruption' can be defined as follows: 'Small-scale, bureaucratic or petty corruption is the everyday corruption that takes place at the implementation end of politics, where the public officials meet the public. Petty corruption is bribery in connection with the implementation of existing laws, rules and regulations, and thus different from "grand" or political corruption. Petty corruption refers to the modest sums of money usually involved, and has also been called "low level" and "street level" to name the kind of corruption that people can experience more or less daily, in their encounter with public administration and services like hospitals, schools, local licensing authorities, police, taxing authorities and so on.'; U4 Anti-Corruption Resource Centre, *Corruption Glossary*, <http://www.u4.no/document/faqs5.cfm#pettycorruption> (accessed 28 July 2011).
- 13 This relates to participants describing dissatisfaction with police action, whereas the behaviour they describe reflects police acting according to the law/as expected by – hence the misunderstanding.
- 14 U4 Anti-Corruption Resource Centre, *Corruption Glossary*.
- 15 Ibid.
- 16 In this example 'drink' implied a monetary sum.
- 17 Again, 'cooldrink' refers to a bribe.
- 18 Robbery means taking money or goods from a person by force or intimidation.
- 19 Darshan Vigneswaran and Marguerite Duponchel, *One Burden Too Many? A cost-benefit analysis of immigration policing in Gauteng*, Open Society Report, 2009.
- 20 The abuse of force used by some police officials during raids of night clubs was highlighted through CCTV footage of a bar in Stellenbosch in 2007 (footage available at [http://www.youtube.com/watch?v=dLzp\\_4L5tCA](http://www.youtube.com/watch?v=dLzp_4L5tCA), accessed 29 July 2011) and a restaurant in Johannesburg in 2011 (footage available at <http://www.youtube.com/watch?v=51JAWHLr3U>, accessed 29 July 2011).
- 21 The SAPS has been implicated in massive loss and theft of firearms in recent years with up to 8 000 weapons reportedly unaccounted for. Further evidence of civilians' fear of leaving valuables in police custody is illustrated by the October 2010 court order obtained by an accused, compelling the SAPS to produce three bars of gold seized from him during his arrest five months earlier. The purpose of the order was simply to prove that the gold was still in official custody and had not been stolen by police. For a court to grant such an order suggests civilian mistrust of police extends to the judiciary.
- 22 In the book *Killing Kebble: an underworld exposed* by Mandy Wiener (Macmillan: Johannesburg, 2011) it is alleged that the SAPS captain in charge of impounding the Mercedes Benz of slain mining magnate Brett Kebble did not want it stored in the police vehicle pound for fear that police officials on duty would strip it overnight. In *Behind the Badge: the untold stories of South Africa's Police Service members* by Andrew Faull (Zebra Press: Cape Town, 2010, 224) a SAPS member recounts his partner removing a stereo system from a vehicle just prior to their booking it in to the police pound as a recovered vehicle. Police pounds are infamous for the thefts that occur on their premises, presumably at the hands of police.
- 23 Andrew Faull, *Behind the Badge: the untold stories of South Africa's Police Service members*, Cape Town: Zebra Press, 2010, 203.
- 24 As mentioned in endnote XX, allegations of abuse of force during a number of such raids have garnered significant public attention in recent years.
- 25 Legislation was passed in July 2011 that will see the ICD become the Independent Police Investigations Directorate (IPID), a body

- with a significantly expanded mandate, and greater powers to compel police implementation of its recommendations. This is an important development, considering the evidence that most ICD recommendations are ignored by the SAPS: Johan Burger & Cyril Adonis, *South African Police Services' compliance with recommendations made by the Independent Complaints Directorate*, Pretoria: Institute for Security Studies, 2007.
- 26 John Casey, *Policing the World: The Practice of International and Transnational Policing*, Durham (North Carolina): Carolina Academic Press, 2010, 75.
  - 27 Michael O'Donovan, *South Africans' perceptions of the police and the courts: results of the 2007 National victims of crime survey*, ISS Occasional Paper 176, Institute for Security Studies, December 2008.
  - 28 Julia Hornberger, *Policing and Human Rights: the meaning of violence and justice in the everyday policing of Johannesburg*, Abingdon: Routledge, 2011.
  - 29 Darshan Vigneswaran & Julia Hornberger (eds), *Beyond 'Good Cop'/'Bad Cop': Understanding Informality and Police Corruption in South Africa*, Open Society Reports, 2009.
  - 30 For example J Bradford & J Jackson, *Public trust and police legitimacy in Great Britain: Short term effects and long-term processes* (undated), [eprints.lse.ac.uk/33155/1/La\\_Vie\\_des\\_idees\\_-\\_final\\_english.pdf](http://eprints.lse.ac.uk/33155/1/La_Vie_des_idees_-_final_english.pdf) (accessed 26 July 2011); M Hough, J Jackson, B Bradford, A Myhill, P Quinton, *Procedural justice, trust and institutional legitimacy*, *Policing: a journal of policy and practice*, 4(3) (2010), 203–210; J Jackson and B Bradford, *What is trust and confidence in the police? Policing: a journal of policy and practice*, 4(3) (2010), 241–248; T Tyler, *Enhancing Police Legitimacy*, *Annals of the American Academy of Political and Social Science* 593, *To Better Serve and Protect: improving police practice* (May 2004), 84–99.
  - 31 For example Thandi Skade, *Crooked Cops caught on tape*, 28 March 2011, *Independent Online*, <http://www.pretorianews.co.za/crooked-cops-caught-on-tape-1.1048226?pageNumber=2> (accessed 14 July 2011).
  - 32 South African Police Service, *Annual Report 2009/10*, [http://www.saps.gov.za/saps\\_profile/strategic\\_framework/annual\\_report/index.htm](http://www.saps.gov.za/saps_profile/strategic_framework/annual_report/index.htm) (accessed 5 October 2010); Statement by the Minister of Police, Nathi Mthethwa, 24 January 2011, in which he noted a near 50-50 gender balance in the latest intake of police recruits.
  - 33 Barbra Nyangairi, *Stealing Time: Hiding within the Police*, in Darshan Vigneswaran & Julia Hornberger (eds), *Beyond 'Good Cop'/'Bad Cop': Understanding Informality and Police Corruption in South Africa*, Open Society Reports, 2009.
  - 34 This has been communicated to me personally by various police officials during the course of my duties as a volunteer police member (reservist).
  - 35 R Jewkes & R Morrell, *Gender and sexuality: emerging perspectives from the heterosexual epidemic in South Africa and implications for HIV risk and prevention*, *Journal of the International AIDS Society*, 13(6) (2010), <http://www.jiasociety.org/content/13/1/6> (accessed 22 October 2010)
  - 36 M Hunter, *Cultural politics and masculinities: Multiple partners in historical perspective in KwaZulu-Natal*, *Culture, Health & Sexuality* 7(4) (2005), 389–403, quoted in *Ibid.*
  - 37 Kopano Ratele, *Masculinities, Maleness and (Illusive) Pleasure*, Africa Regional Sexuality Resource Centre Working Paper, February 5 2008, 1.
  - 38 [www.brothersforlife.org/docs/Men\\_and\\_their\\_perceptions\\_of\\_Risks.pdf](http://www.brothersforlife.org/docs/Men_and_their_perceptions_of_Risks.pdf) (accessed 6 August 2011).
  - 39 See for example, Robert Reiner, *The Politics of the Police*, 4<sup>th</sup> ed, Oxford: Oxford University Press, 2010, 128.
  - 40 *Ibid.*
  - 41 Andrew Faull, *Behind the Badge*, 230–232.
  - 42 Michael O'Donovan, *South Africans' perceptions of the police and the courts: Results of the 2007 National victims of crime survey*, ISS Paper 176, December 2008.
  - 43 For example, a study into the causes of murder in South Africa revealed that 55 per cent of murder victims tested positive for alcohol. See Centre for the Study of Violence and Reconciliation, *STREETS OF PAIN, STREETS OF SORROW: the circumstances of the occurrence of murder in six areas with high murder rates*, 2008, [www.csvr.org.za/docs/crime/murder\\_final.pdf](http://www.csvr.org.za/docs/crime/murder_final.pdf) (accessed 6 August 2011)
  - 44 Julia Hornberger, *Everyday police corruption in South Africa: Beyond 'Good cop'/'Bad cop'*, presentation given at an Institute for Security Studies and Independent Complaints Directorate workshop, 16 September 2010, Garden Court Marine Parade, Durban.
  - 45 See for example M Manion, *Lessons for Mainland China from anti-corruption reform in Hong Kong*, *The China Review* 4(2) (2004), 81–97.
  - 46 Lindela is a dedicated repatriation and holding facility in South Africa.
  - 47 Darshan Vigneswaran and Marguerite Duponchel, *One Burden Too Many? A cost-benefit analysis of immigration policing in Gauteng*, Open Society Report, 2009, 21.
  - 48 For a summary of research on the vulnerability of civilians, sex workers and foreign nationals occupying certain sectors of South African society, see Andrew Faull & Gareth Newham, *Protector or Predator: tackling police corruption in South Africa*, Pretoria: Institute for Security Studies, 2011.
  - 49 Andrew Faull, *Behind the Badge*, 227.
  - 50 For more on the manner in which crime reduction performance targets influence the work of police officials in South Africa see David Bruce, *The ones in the pile were going down: the reliability of crime statistics*, *South African Crime Quarterly* 31 (2010); Andrew Faull, *Missing the target: When measuring performance undermines police effectiveness*, *South African Crime Quarterly* 31 (2010).
  - 51 Andrew Faull, *Behind the Badge*, 203.
  - 52 *Ibid.*, 207.
  - 53 See for example, Mary Corrigan, *We won't tolerate impunity*, *Sunday Independent*, 7 November 2010, and other articles in this series. Among the police criminality Corrigan documents are extortion, illegal arrest and sexual abuse. The victims are left traumatised, unable to identify their abusers, and their faith in police destroyed.
  - 54 While focus group participants demonstrated little knowledge of or faith in the ICD, the Directorate has recorded significant increases in complaints in recent years, particularly regarding assault by police officials. While this may simply mean greater abuse of force by police, it may also mean greater awareness and faith in the ICD by civilians. See for example a presentation by ICD spokesperson Moses Dlamini at a seminar on police

killings and use of force hosted by the Institute for Security Studies, Pretoria, 25 May 2011, <http://www.issafrica.org/crime-hub/pgcontent.php?UID=1000366> (accessed 5 August 2011).

- 55 Some dismissals were issued but they were suspended for six months so that, provided the offenders did not commit another offence within six months of the verdict, they would remain in the SAPS. See Jacques Pauw, Almost 1000 corrupt cops still working, *News24.com*, 12 September 2010, available at <http://www.news24.com/SouthAfrica/News/Almost-1-000-corrupt-cops-still-working-20100912> (accessed 5 October 2010).
- 56 Sapa, Cele suspected of nepotism, *IOLnews.co.za*, 10<sup>th</sup> October 2010, <http://www.iol.co.za/news/politics/cele-suspected-of->

nepotism-1.685048 (accessed 24 October 2010); and Zilikazi wa Afrika & Stephan Hofstatter, Bheki Cele's R500m police rental deal, *Times Live*, 1 August 2010, <http://www.timeslive.co.za/sundaytimes/article579403.ece/Bheki-Celes-R500m-police-rental-deal> (accessed 24 October 2010); Public Protector of South Africa, *Against the rules*, Report 33 of 2010/11, 22 February 2011, <http://www.info.gov.za/view/DownloadFileAction?id=142293> (accessed 21 July 2011).

- 57 For more on a possible model and uses of a professional standards unit see Andrew Faull, Taking the Test: policing integrity and professionalism in the MPDs, *South African Crime Quarterly* 27 (2009).



# SUBSCRIPTIONS TO ISS PUBLICATIONS

If you would like to subscribe to ISS publications, complete the form below and return it to the ISS with a cheque, or a postal/money order for the correct amount, made payable to the Institute for Security Studies (marked not transferable). Please see ISS website for credit card payment and you may also deposit your payment into the following bank account, quoting the reference: **PUBSPAY**.

**ISS bank details: ABSA, Brooklyn Court, Branch Code: 632005, Account number: 405 749 8921**

Kindly fax, e.mail or mail the subscription form and proof of payment to:  
 ISS Publication Subscriptions, PO Box 1787, Brooklyn Square, 0075, Pretoria, South Africa.  
 ISS contact details: (Tel) +27 12 346 9500, (Fax) +27 12 346 9570, Email: [pubs@issafrica.org](mailto:pubs@issafrica.org)  
 Website: [www.issafrica.org](http://www.issafrica.org)

► **PERSONAL DETAILS** Title: ..... Surname: ..... Initials: .....

Organisation: ..... Position: .....

Postal Address: .....

..... Postal Code: .....

Country: .....

Tel: ..... Fax: ..... Email: .....

Please note that the African Security Review (ASR) will be published by Taylor & Francis. Kindly refer to Taylor & Francis website [www.informaworld.com/rasr](http://www.informaworld.com/rasr), subscription requests and inquiries can be forwarded to Helen White ([Helen.White@tandf.co.uk](mailto:Helen.White@tandf.co.uk)).

► PUBLICATIONS	SOUTH AFRICA	AFRICAN COUNTRIES*	INTERNATIONAL
<b>ISS Monographs</b> (Approx. 15 per year)	<b>R 370.00</b>	<b>US\$ 75.00</b>	<b>US\$ 95.00</b>
<b>ISS Papers</b> (Approx. 12 per year)	<b>R 150.00</b>	<b>US\$ 30.00</b>	<b>US\$ 40.00</b>
<b>SA Crime Quarterly</b> (4 issues per year)	<b>R 115.00</b>	<b>US\$ 25.00</b>	<b>US\$ 35.00</b>
<b>Comprehensive subscription</b> (Monographs, Papers and SA Crime Quarterly)	<b>R 600.00</b>	<b>US\$ 130.00</b>	<b>US\$ 170.00</b>

► SUBSCRIPTIONS	INDICATE COST
<b>ISS Monographs only</b>	
<b>ISS Papers only</b>	
<b>SA Crime Quarterly only</b>	
<b>Comprehensive subscription</b>	
<b>TOTAL</b>	

**The mission of the  
 ISS is to  
 conceptualise,  
 inform and enhance  
 the security debate  
 in Africa**

\* Angola; Botswana; Burundi; Congo-Brazzaville; Democratic Republic of the Congo; Gabon, Kenya, Lesotho, Madagascar; Malawi, Mauritius; Mozambique; Namibia; Reunion; Rwanda; Seychelles; Swaziland; Tanzania; Uganda; Zambia; Zimbabwe (formerly African Postal Union countries).



As a leading African human security research institution, the Institute for Security Studies (ISS) works towards a stable and peaceful Africa characterised by sustainable development, human rights, the rule of law, democracy, collaborative security and gender mainstreaming. The ISS realises this vision by:

- Undertaking applied research, training and capacity building
- Working collaboratively with others
- Facilitating and supporting policy formulation
- Monitoring trends and policy implementation
- Collecting, interpreting and disseminating information
- Networking on national, regional and international levels

© 2011, Institute for Security Studies

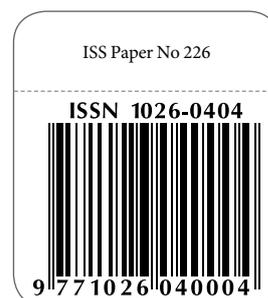
Copyright in the volume as a whole is vested in the Institute for Security Studies, and no part may be reproduced in whole or in part without the express permission, in writing, of both the authors and the publishers.

The opinions expressed do not necessarily reflect those of the Institute, its trustees, members of the Council or donors. Authors contribute to ISS publications in their personal capacity.

Published by the Institute for Security Studies,  
P O Box 1787, Brooklyn Square 0075  
Pretoria, South Africa  
Tel: (27-12) 346 9500 Fax: (27-12) 460 0998  
iss@issafrica.org

[www.issafrica.org](http://www.issafrica.org)

Design, layout and printing Marketing Support Services



## ABOUT THIS PAPER

This paper discusses the findings of fifteen focus groups that explored civilian perceptions and experience of police corruption in South Africa. The research was conducted in and around three cities, Cape Town, Johannesburg and Durban, in mid-2010. The paper suggests that a 'tough' approach to policing is unlikely to win public favour or change public perceptions. Instead the South African Police Service (SAPS) needs to concentrate on moulding itself into an organisation of well-trained professionals. Above all, the police have to treat South Africa's citizens respectfully.

## ABOUT THE AUTHOR

At the time of writing Andrew Faull was a Senior Researcher in the Crime and Justice Programme at the Institute for Security Studies. He has published widely on the topic of police corruption, police oversight and police culture in South Africa, and is the author of the book *Behind the Badge: the untold stories of South Africa's Police Service members*. He served as a police reservist for a number of years in different police precincts in the Western Cape and Gauteng. He is currently pursuing a DPhil in Criminology at the University of Oxford.

## FUNDER

This publication was made possible through funding provided by the Open Society Foundation. In addition, general Institute funding is provided by the governments of Denmark, the Netherlands, Norway and Sweden.

