Key Issues to assess the SAPS Annual Performance & Strategic Plans in 2015

Gareth Newham
Head: Governance, Crime and Justice Division
Institute for Security Studies

Presentation to the Portfolio Committee on Police, Cape Town
14 April 2015
OVERVIEW

- Introduction to the ISS
- The Current Crime Challenge – the rise of murder & robbery
- How the SAPS can reduce robberies?
- Improving Police Conduct to build Public Trust
- Recommended Focus Areas & Indicators
- How to improve SAPS Leadership?
ABOUT THE ISS

Our Vision: A safe and prosperous Africa for all its people.

Institute for Security Studies (ISS) is an independent African policy research institute. Our work is aimed at contributing to a stable and peaceful Africa characterised by sustainable development, human rights, the rule of law, democracy and collaborative security.

The Governance, Crime and Justice Division works to inform and improve policy and public understanding of crime, corruption, its prevention and the functioning of the criminal justice system.
BREAKDOWN OF SA VIOLENT CRIME CATEGORIES

- Assault GBH: 29%
- Common Assault: 27%
- Aggravated Robbery: 19%
- Sexual Offences: 10%
- Common robbery: 9%
- Attempted murder: 3%
- Murder: 3%
- Sexual Offences: 10%
- Aggravated Robbery: 19%
- Common Assault: 27%
- Assault GBH: 29%
MURDER RATE AT PROVINCIAL LEVEL PER 100 000

International average: 6,2

Eastern Cape: 52,2
Western Cape: 48,3
Northern Cape: 37,7
KwaZulu-Natal: 34,7
Free State: 34,4
RSA: 32,2
Gauteng: 26,2
North West: 22,9
Mpumalanga: 19,6
Limpopo: 13,2
NATIONAL MURDER RATE (PER 100,000)

Total number of people murdered:
- 2009/10: 16,834 (-1,314 cases)
- 2010/11: 15,940 (-894 cases)
- 2011/12: 15,609 (-331 cases)
- 2012/13: 16,259 (+650 cases)
- 2013/14: 17,068 (+809 cases)

© Copyright – Institute for Security Studies – 16 April 2015
NATIONAL ATTEMPTED MURDER RATE (PER 100,000)
The domino effect of serious crime

Need for peaceful surroundings to avoid escalations of crime
ASSAULT TRENDS 2004/05 TO 2013/14

Common Assault

Assault GBH

© Copyright – Institute for Security Studies – 16 April 2015
Figure 33: Percentage distribution of incidents of crime reported by the selected individuals, aged 16 years and older to the police, (2011–2014)

<table>
<thead>
<tr>
<th>Crime Type</th>
<th>2011</th>
<th>2012</th>
<th>2013/14</th>
</tr>
</thead>
<tbody>
<tr>
<td>Theft of personal property</td>
<td>93.3</td>
<td>34.4</td>
<td>31.2</td>
</tr>
<tr>
<td>Car hijacking</td>
<td>52.6</td>
<td>49.4</td>
<td>45.6</td>
</tr>
<tr>
<td>Robbery</td>
<td>39.0</td>
<td>33.1</td>
<td>31.0</td>
</tr>
<tr>
<td>Assault</td>
<td>52.6</td>
<td>49.4</td>
<td>45.6</td>
</tr>
<tr>
<td>Sexual offense</td>
<td>92.3</td>
<td>94.2</td>
<td>72.4</td>
</tr>
<tr>
<td>Consumer fraud</td>
<td>28.2</td>
<td>26.3</td>
<td>15.8</td>
</tr>
</tbody>
</table>

Note: Theft of personal property was not measured in 2011

SUB-CATEGORIES OF AGGRAVATED ROBBERY

- **Street robbery**: 69,074 (58%)
- **House robbery**: 19,284 (16%)
- **Business robbery**: 18,615 (15.5%)
- **Car hijacking**: 11,221 (9%)
- **Truck hijacking**: 991 (0.8%)
- **CIT**: 145 (0.1%)
- **Bank robbery**: 21 (0.002%)
PROVINCIAL AGGRAVATED ROBBERY RATE

Gauteng: 335.0
Western Cape: 324.5
RSA: 225.3
Eastern Cape: 203.7
KwaZulu-Natal: 201.2
Free State: 194.6
North West: 150.9
Mpumalanga: 128.0
Northern Cape: 120.8
Limpopo: 93.9
STREET ROBBERY CASES: 20013/04 - 2013/04

2011/12 – 2013/14
19% increase
11 101 additional cases
## ROBBERS OF SHOPPING CENTERS TREND

<table>
<thead>
<tr>
<th>Crime types</th>
<th>2011/12</th>
<th>2012/13</th>
<th>%</th>
<th>2013/14</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Armed robberies (Incidents)</td>
<td>274</td>
<td>438</td>
<td>+60%</td>
<td>665</td>
<td>+52%</td>
</tr>
<tr>
<td>Armed robberies (Financial loss)</td>
<td>R20,545,924m</td>
<td>R38,713,795m</td>
<td>+88%</td>
<td>R29,425,481m</td>
<td>-24%</td>
</tr>
<tr>
<td>Burglaries (Incidents)</td>
<td>144</td>
<td>125</td>
<td>-13%</td>
<td>147</td>
<td>+17,5%</td>
</tr>
<tr>
<td>Burglaries (Financial loss)</td>
<td>R3,865, 961m</td>
<td>R4,688,976m</td>
<td>+21%</td>
<td>R11,724,617m</td>
<td>+150%</td>
</tr>
</tbody>
</table>

Consumer Goods Risk Initiative (CGRI)
Increases in the 2013 calendar year compared to 2012

BANK RELATED 2013

South African Banking Risk Information Centre

- Cash-in-Transit robberies: 18%
- Credit card fraud: 30%
- Robbery: 89%

© Copyright – Institute for Security Studies – 16 April 2015
THE GAUTENG AGGRAVATED ROBBERY STRATEGY

• The strategy was develop jointly by the Gauteng SAPS & the Department of Community Safety in 2008.
• The strategy was canvassed with the NPA and other law enforcement agencies.
• The key objective of the strategy was to substantially increase the arrest, prosecution and conviction rates of the direct perpetrators & those in their support networks.
• Overseen by a Joint Steering Committee comprised of SAPS and the MEC for Community Safety.

Key Components of the Strategy

• Established the Gauteng Crime Management Centre (CMC) to coordinate intelligence and investigations & provide technical to investigators
• Strengthening Crime Intelligence and Analysis.
• Established 22 specialised investigating units deployed across the province.
• Enhancing forensic support to crime investigators.
• Improving response times to 10111 emergency calls
• Disrupting perpetrators through intelligence led road blocks and saturated policing.
• Improving case management through the criminal justice system
IMPACT OF THE GAUTENG AGGRAVATED STRATEGY

Gauteng Aggravated Robbery Strategy

- House Robbery down 21%
- Business robbery down 19.8%
- Hijacking down 32%
NVCS 2014 PERCEPTIONS OF CORRUPTION TRENDS

Figure 38: Percentage distribution of perceptions of the level of corruption in the last three calendar years, 2010–2013

Public violence has increased by 239% in the last 7 years.

SAPS Recorded incidents of Public Violence

SAPS Public Order Personnel
SAPS ARRESTS & NPA CASE FINALISATIONS

SAPS Arrests

NPA Finalisations

1 763 012 ?
## SAPS Crime Intelligence Performance: 3 Year Trend

<table>
<thead>
<tr>
<th>Actions</th>
<th>2011/12</th>
<th>2012/13</th>
<th>2013/14</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Network Operations</td>
<td>49 019</td>
<td>37 188</td>
<td>34 534</td>
<td>-29.5%</td>
</tr>
<tr>
<td>Operational Analysis Reports</td>
<td>353 628</td>
<td>311 807</td>
<td>309 165</td>
<td>-12.6%</td>
</tr>
<tr>
<td>Profiles</td>
<td>110 033</td>
<td>123 069</td>
<td>162 131</td>
<td>+43.3%</td>
</tr>
<tr>
<td>Intelligence Analysis Rep’s</td>
<td>137 228</td>
<td>90 761</td>
<td>92 987</td>
<td>-32.2%</td>
</tr>
<tr>
<td>Comm’s Analysis Rep’s</td>
<td>15 388</td>
<td>6 204</td>
<td>7 743</td>
<td>-49.7%</td>
</tr>
<tr>
<td>Comm’s Interception Rep’s</td>
<td>8 299</td>
<td>4 595</td>
<td>4 541</td>
<td>-45.3%</td>
</tr>
<tr>
<td>Station &amp; Cluster CTA Rep’s</td>
<td>82 680</td>
<td>87 178</td>
<td>41 763</td>
<td>-49.5%</td>
</tr>
</tbody>
</table>
FOCUS OF THE PORTFOLIO COMMITTEE

• What specific strategy does the SAPS have to reduce robberies through increasing the arrest and conviction of perpetrators?

• If there is a strategy, how will its implementation and impact be assessed and by whom?

• What specific strategy does the SAPS have to improve its arrest & convictions of those involved in murder, rape & corruption?

• If there are strategies, how will these be assessed and by whom?

• What specific steps are being undertaken to improve the performance of the SAPS Crime Intelligence Division in relation to key crime challenges confronting the SAPS?
Arguably, the ability of the police to control crime through using additional resources so as to increase policing activities appears to have reached a limit.

Modest but consistent scientific evidence supports the hypothesis that the less respectful police are towards suspects and citizens generally, the less people will comply with the law.

THE SHIFT TOWARDS CIVIL LITIGATION AGAINST SAPS

Number of complaints registered by IPID vs number of claims incurred by SAPS

- IPIID - number of complaints (total intake for the financial year)
- SAPS - claims incurred
CIVIL CLAIM PAYOUTS AGAINST THE SAPS 2009/10 – 2013/14

In Millions

R300 000
R250 000
R200 000
R150 000
R100 000
R50 000
R-

R79 451 m
R85 605m
R105 960m
R187 132m
R251 192m

33.4% Increase
137% increase

INDICATORS OF POLICE ABUSE OF POWER?

• While fewer people are reporting cases to the IPID, there is a greater proportion using civil cases to hold SAPS to account.

• In 2013/14 a total of 3,916 cases of assault opened with the IPID – an average of almost 11 per day.

• 66% of the adult population think that corruption is a widespread problem in the police (HSRC)

• Less than half (41%) of population have any level of trust in the police (HSRC)

• “Three quarters of South Africans believe that a lot of police are criminals themselves” and 33% said that they were “scared of the police” (Futurefact, 2015)
SAPS VALUES & CODE OF CONDUCT

These values and codes:

• Set out the core values and principles to guide police decision-making & behaviour

• All police officials sign the code stating that they understand and will adhere to these values and principles.

• National Development Plan (NPD) states that, ‘In the short term, the code of conduct should be included in the disciplinary regulations and the performance appraisal system of the police.’

• ‘Any breaches of these codes should be dealt with by the disciplinary system as a matter of priority.’

• Rewards and promotions should be explicitly based on adherence to these codes
RECOMMENDED FOCUS AREAS

• Members of all police oversight agencies and structures become familiar with these codes and use them in their interactions and engagements with the SAPS.

• Request practical examples as to how these codes are integrated into the disciplinary procedures and performance appraisal systems of the SAPS. *(NB only 2.2% of the disciplinary charges prosecuted in 2013/14 specifically referred to contravening the Code of Conduct).*

• Request explanations about how these codes are integrated into the recruitment and vetting processes of the SAPS.

• Request explanations of how training is provided so that police officials use these codes to guide their decisions and behaviour.

• Request explanations of how SAPS plans and strategies specifically promote the values and principles contained in these codes.
Effective Police complaints mechanisms are crucial for police leadership to understand the nature & trends of officer conduct.

- A clear description of how the citizen complaints system functions,
  - The resources available to run the system,
  - Key challenges facing the system, &
  - Details on how these challenges are being addressed so as to strengthen the efficiency and effectiveness of the system?

- Number of complaints against police officials that are received by the SAPS complaint mechanisms each year?

- Breakdown of the nature of complaints (number of criminal, misconduct and service delivery related complaints received?)

- The average length of time investigations take until a decision is made to prosecute or dismiss the complaint?

- The profile of police officials that receive the most numbers of complaints by station, unit, component, rank and time employed in the SAPS
THE CHALLENGE OF POLICE IMPUNITY?

- In 2013/14 the IPID received 4 585 criminal cases against police officials. A total of 950 (20.7%) cases were before the courts, & there were 84 (1.8%) convictions.

- In 2013/14, out of the 6 053 hearings that were held, 2 294 cases (39%) were withdrawn or ended in a not guilty verdict.

- The single biggest outcome of a disciplinary hearing was a “not guilty verdict” – 1 467 hearings (24%).

- While 39 per cent of disciplinary hearings ends with no sanction, only 9 per cent end in a dismissal. There were an additional 664 ‘suspended dismissals.’

- Out of 537 dismissals only 126 (23.5%) were confirmed in 2013/14.
RECOMMENDED FOCUS AREAS

• What proportion of disciplinary hearings is generated as a result of public complaints received by the SAPS?

• The reasons for many hearings end in a relatively light sanction (e.g. verbal or written warnings) when these disciplinary outcomes can be decided upon by line managers without a hearing being necessary?

• The reasons that so many cases end in a ‘not guilty’ verdict or withdrawn if there was sufficient evidence to hold a hearing?

• What is the reason for the difference between 537 hearings recommending dismissal and only 126 officers being dismissed in 2013/14? What are suspended dismissals & why are there so many?

• What plans are there to improve the functioning of the disciplinary system in the SAPS and what indicators will be monitored to ensure that the system is improving?

• What systems are in place for recording members of the public that want to report positive behaviour of police officials and how are these linked to awards and promotions in the SAPS?
The Police Portfolio Committee should receive this information on an annual basis to assess the extent to which police leadership are taking practical steps to improve police conduct:

- The total number of police officials facing criminal charges?
- A breakdown of the various criminal charges?
- The number of cases per crime category that are referred to court for prosecution, that are withdrawn, that end in a “not guilty” verdict, & that end in a criminal conviction?
- The sentences received for the convictions per category?
- The numbers of police officials that are dismissed & not dismissed after being convicted of a criminal offence?
- How much of the SAPS annual budget is allocated towards implementing and monitoring the SAPS Anti-Corruption Strategy.
- The number of staff members who are involved in implementing and monitoring the SAPS Anti-Corruption Strategy.
- The measurable indicators that the SAPS will use to assess whether the Anti-Corruption Strategy is being effectively implemented and its impact. When will an independent evaluation of the implementation and impact of this strategy be undertaken?
- The numbers of announced & unannounced station level inspections & consequences for Station Commanders not improving problematic areas?
National Development Plan 2030: Refining recommendations to improve SAPS leadership

- To establish a National Policing Board with multi-sectoral and multi-disciplinary expertise to set objective standards for recruitment, selection, appointment and promotion

- The National Commissioner and Deputies should be appointed by the President only on recommendations by a selection panel that would select & interview candidates against objective criteria following a transparent & competitive recruitment process

- To conduct a competency assessment of all officers. Start with an independent assessment of the competency and integrity of all officers above the rank of Brigadier, starting with those holding the rank of Lt-General.

- In the next 5 years a two-stream system should be developed to create high calibre officers & recruits (Non-commissioned officer and officer streams) to be trained as professionals

- No officer may be appointed to a higher rank until they have passed the appropriate training for that rank.

- Finally, the organisational culture and subcultures of the police should be reviewed to assess the effects of current management practices …& “the serial crises of top management.”
CONTACT & SUBSCRIPTION DETAILS

www.issafrica.org/crimehub

gnewham@issafrica.org