

**Opening Address: Jakkie Cilliers
For ISS Conference on**

**“Policing in South Africa: Key Issues and
Developments**

Centurion, 31 October 2007

Good morning. It is a pleasure to welcome you all to this conference to consider developments in policing in light of the restructuring of the South African Police Service and the 2010 FIFA World Cup.

The Institute for Security Studies (ISS) is, as I am sure most of you know, an African-wide NGO based in South Africa with a mandate to conceptualise, inform and enhance the security debate in Africa. Although most of our work takes place outside South Africa, one programme focusing on crime and justice that organised this conference, is one of the ISS's oldest.

Over the years ISS engagement on crime and related matters has increased substantially. This is in part because we believe that we should shift our focus to a capacity building and state-building approach. As a result much of our work is done in collaboration and in support of the various Interpol subregional bureaux in Nairobi and Harare. I had the opportunity to visit Interpol headquarters in Lyon earlier this year for extensive consultations and discussions along these lines.

With SRB Harare, or SARPCCO we assist with:

- Three types of training namely peacekeeping training for the police, training on violence against women and children and HIV/Aids awareness for the police
- In terms of policy development we are engaged with peacekeeping, counter-terrorism, control of small arms and light weapons, countering money laundering and organized crime.

This support is apart from the bilateral support that we provide to a number of SARPCCO member states and the teaching support that we provide to the Police Training Centre in Botswana.

Since the establishment of our office in Nairobi we have also stepped up our work in Eastern Africa. Working in support of the SRB Nairobi, or EAPCCO, we also provide peacekeeping training and policy development in a number of Eastern Africa countries..

We have recently signed an agreement with EAPCCO to launch a joint project to help combat cattle rustling in Eastern Africa. The project aims to develop appropriate mechanisms for preventing and eventually eradicating cross-border illicit activities in general and cattle rustling in particular. While the project covers the Eastern African region it will focus on Ethiopia, Kenya,

Somalia, Sudan, Tanzania and Uganda as the countries most affected by stock theft. This is a five million euro project over three and a half years and is funded by the Government of Germany.

From Nairobi we also run a complementary process to the African Peer Review Mechanism (APRM) that is undertaking an in depth review of crime and the criminal justice system in 5 African countries – Zambia, Tanzania, Benin, Mali and one more country. Funded by DFID (UK) this is a three-year project currently in its second year. Our aim is to undertake work that will feed into the APRM process in these countries.

Then, as many of you are aware, we also undertake considerable work on money laundering and organized crime from our office in Cape Town – much of which is in support of various policing agencies in Southern and Eastern Africa. We have plans to expand our work on organized crime both in Southern and Eastern Africa.

In the wake of the 9/11 attacks we have also increased the amount of work that we do on counter-terrorism issues, both from Pretoria and our office in Addis Ababa. In Addis we run a multi-million dollar counter-terrorism capacity building programme for IGAD that involves considerable policing work. This is an innovative arrangement where for the first time a regional intergovernmental agency is using an independent research institute to implement a Heads of State agreement. I was in Addis Ababa last week where I attended the opening of the second month long counter-terrorism course that we are presenting for IGAD member states.

Our Crime and Justice Programme in Pretoria that is hosting this event is committed to analysing crime and assessing the impact of policies, strategies and laws in terms of their effectiveness and seeking remedies and solutions in the criminal justice sector where necessary. We want to make our research count through targeted briefings to government, policy makers, the media, and, in particular the Police. Given this, it is especially pleasing to see so many SAPS members here today.

Crime is undoubtedly an extremely emotional matter in South Africa. There is an unfortunate tendency for most South Africans to hold the police responsible for the high levels of crime in this country. This is, of course, entirely misplaced. The police constitute an important component within the CJS but our high levels of crime in this country reflect upon challenges that the police can respond to, but can do little about. I tend towards those that argue that the police have a minor role in crime prevention. South African crime levels will start coming down when our local government works efficiently, our schools and education system is managed effectively, providing quality education to all, and when we have a welfare and housing system that delivers and improves service delivery year on year. Crime is not a police problem. It is the problem of every one in this hall, police, civil society, government and the private sector. Government is a key player, possibly the key player in this process and there can be little doubt that high crime is underpinned by poor delivery and often a failure of governance. But

even government alone cannot deliver a safer, more secure South Africa. Together, all of us can and we need to start pulling together instead of pulling apart.

I spend a tremendous amount of my time travelling in Africa. I therefore know how false the view is that South Africa is the crime capital of Africa or indeed of the world. In fact, in a study that the Institute did for the UNODC that was published in 2005 found that Police-recorded crime figures are not available for about half of all African countries. There are also problems with the reliability of such statistics. Definitions of crimes vary greatly between countries. Many people do not report their victimisation, and reported crimes are not always recorded by the responsible authorities (usually the police). There are two primary sources for police statistics at the international level: the UNODC and Interpol. Member States submit police statistics to the UNODC in response to its Crime Trends Surveys (CTS). The ICVS has conducted surveys in only thirteen African nations, and it appears that the in those few countries where they are available, police statistics greatly underestimate the scale of crime in Africa. Official crime figures are not available for about half of all African countries, and those that do exist are rarely released on a regular basis.

South Africa is different. While there are concerns about the way in which crime data is being handled South Africa does have detailed and largely accurate crime statistics. We also have a number of research institutes and thinktanks that work on crime such as the Centre for the Study of Violence and Reconciliation, the Centre for Criminology at the University of Cape Town, the Centre for Justice and Crime Prevention, the CSIR, BAC, etc.

Many of you will know that the Institute is in the process of undertaking a national victimization survey with funding from the Open Society Foundation (OSF) and the Government of Ireland. The results will be available early next year and will be able to track the previous victimization surveys that we completed in 2003 and earlier.

The main benefit of victimisation surveys is that, if conducted regularly over time, they provide an independent statistical source on national crime trends that compliments official data. The surveys can, for example, reveal whether increases in crime in the police database are in fact the result of more victims reporting, or whether there has been a real increase in prevalence. South Africa is fortunate in this regard because two national victim surveys have already been conducted: the first in 1998 by Statistics SA together with the Ministry of Safety and Security and the United Nations Interregional Crime and Justice Research Institute (UNICRI); and the second by the ISS in 2003. The ISS participated in the 1998 survey process, and ensured that the methodology used in 2003 was consistent with the earlier study, in order to allow comparability. Our 2007 survey will again be comparable with those of the previous surveys.

Then the CJP is also engaged in the establishment of a one stop information hub on crime in South Africa. This is part of an effort to contribute to the

debate on crime and crime prevention in a responsible manner - replacing emotion with analysis.

There are two main reasons why credible information about crime, that is available in the public domain, is essential. The first is that information is needed in order to respond to the problem. Accurate information is, after all, the basis for any good policy development, planning, and monitoring and evaluation. The second equally important reason relates to the importance of public information about crime for promoting the rule of law, and for strengthening good governance – two fundamentals of a young democracy that require constant attention. This is a function that should, of course, be provided by government. Feeling increasingly under assault the police and other components of the CJS have however retreated from public engagement. Receiving a daily battering in the media, the SAPS appear to have battened the hatches down and adopted a defensive and limited media engagement approach.

This is dangerous and worrying. It is something that we should work actively to counter. In much of Africa we see that the police are not your friendly 'bobby on the beat' but an instrument of executive power and feared by locals as a paramilitary structure with scant regard for locals. This is not the situation in South Africa although there are obvious concerns about apparent executive dabbling in the judicial processes surrounding the National Prosecuting Authority. Details surveys that the Institute did a few years ago indicated that those South Africans that have come into contact with the police have a much more positive attitude towards them than is reported in the media - or that one would expect if you read the daily newspapers. At the same time there are worrying trends regarding corruption and a shift from evidenced based convictions to one based on confession.

Since the transition to democracy in 1994, the transformation of policing in South Africa has sought to re-invent the way that the state polices South Africa's diverse communities. Much of this effort has been directed at developing models of community policing, the local interpretation of which combines elements of structured police-community liaison (CPFs), problem-solving and partnership policing (crime prevention), and increased commitment to, and training in, human rights norms.

While there is much that has been written about these efforts and their impact, from both policy and evaluative points of view, comparatively little effort has been made to understand the transformation of detective work in the new South Africa. Since detectives serve as the front line in dealing with physical evidence, this is a serious gap in the attempt to develop an understanding of policing in South Africa and the constraints on the implementation of a rights based approach. This is an issue that the Institute aims to investigate next year.

The victory of the Springboks in France has given our preparations for the soccer world cup a tremendous boost and helped focus us away from the

succession battle within the ANC and the daily grind of crime reporting. Even the brutal slaying of Lucky Dube could not dampen the World Cup spirits.

Given that the 2010 FIFA World Cup is to be hosted by South Africa, the Crime and Justice Programme has recently engaged in a study of the capacity of the South African Police Service and other related structures to successfully provide security at public gatherings. This conference forms part of that process. The conference is timely given the pending 2010 World Cup – this event will be the largest and most diverse event hosted by democratic South Africa. The idea of the Conference is therefore to contribute positively to ensuring that 2010 is indeed the occasion that it ought to be.

Special mention should be made of our donors without whose assistance this Conference, and the work that the Crime and Justice Programme does, would not be possible. Here I am of course referring particularly to Sean Tait of the Open Society Foundation and Gerd Liska of the Hanns Seidel Foundation. The HSF is also involved in various trips by the SAPS before and after the soccer world cup in Germany and will be hosting a seminar on emergency services in Cape Town next week. The OSF has supported our research on the ACCU's that will be presented here today, as well as the ICD compliance study and our work on the International Criminal Court.

To the presenters who have taken time out of their busy schedules to speak at the conference, I am sure your active participation in the discussions and debates will make this worthwhile. It is always risky to attempt to name names, but I think it would be remiss of me not to recognise Helmut Bayerl, from the Munich Police Headquarters, who was a member of Germany's World Cup planning committee and a member of the operational staff and tactical advisor for the operations commander, and Mr Mathe from the National Secretariat for safety and Security. To the other speakers, we are most grateful for your presence.

We have received apologies from the Minister of Safety and Security, Mr Charles Nqakula, and a number of SAPS' Senior Management, including Commissioner Pruis, Comm Van Vuuren and Commissioner Lamoer. We will certainly be conveying the results of this Conference to them.

Finally, on behalf of ISS, may I wish every success for this Conference. We have a relatively long history of working with SAPS and SARPCCO. Please be assured that ISS will continue to work with both to make South Africa and the region a more peaceful and secure environment – one which we can all enjoy – as I am sure we will during the FIFA World Cup – which by the way is only 953 days away.

Thank you!