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THE IDENTIFICATION OF A MUNICIPAL POLICING MODEL

FOR MANGAUNG MUNICIPALITY

BY

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SUBMITTED IN FULFILMENT OF THE REQUIREMETS FOR

MAGISTER TECHNOLOGICAE

POLICING

AT

SCHOOL OF CRIMINAL JUSTICE

UNISA (FLORIDA)

SUPERVISOR
PROF: H.F. SNYMAN

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DEDICATE TO:

My father, Phomane and late mother Mapaseka Mokoena who always believed and instilled in me, the sense of personal responsibility.

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I wish to acknowledge and appreciate the assistance and support given by my supervisor, Prof H.F. Snyman. I doubt I could have completed this study without her invariable encouragement and guidance.

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Thank and praise is also given to the "Lord, the Saviour" for guiding me during the testing times.

A BRIEF RESUME OF RESEARCHER

The researcher matriculated in 1980 at Lekgulo Senior Secondary School, Qwa-Qwa. He joined the then Oranje Freestate Traffic Department as a Traffic Inspector in 1981 till 1993, when Phuthaditjhaba Transitional Local Council appointed him as Superintendent Traffic Officer. He was appointed to the position of Chief of Traffic in 1995. He joined the Bloemfontein Local Transitional Council in 1997 as Traffic Chief, the position he still holds. He graduated with Pretoria Technikon in 2001 in a B-Tech degree in Traffic Management.

The researcher is married and blessed with three children; and is the 2nd Vice President of the Institute of Traffic and Municipal Police Officers of Southern Africa.

ABSTRACT

The researcher investigated and identified a municipal policing model for Mangaung Local Municipality. The five municipalities that have established a municipal police services in terms of the South African Police Service Amendment Act, Act 83/1998 were identified. Fifteen members of these municipalities who were involved in the establishment of a municipal police services, were interviewed to acquire First hand information on the process of establishing a municipal police service. The purpose of the study was to explore and therefore it required the research to be a qualitative approach, because the adversities the officials encountered were comprehended. Judgemental sampling was engaged to select participants since it was necessary to describe rather than to generalize and it also relevant to ensure that comparisons on the data collected are recognized. Three out of five municipalities that were investigated converted from traffic departments to municipal police services. Traffic officers of these municipalities undertook a bridging course determined by the National Commissioner of Police and to augment the numbers of the municipal police service members, these municipalities recruited and trained security officers. The Ethekweni municipality converted the then Durban City Police Department and other traffic departments that amalgamated with it to form a municipal police service. Unlike the other municipalities, Cape Town Metro recruited new members and trained them to formed a municipal police service in addition to the existing traffic departments and law enforcement agency. Mangaung Municipality should convert the existing traffic department and follow the route model to establish a municipal police service and augment the number of the municipal police service members by recruiting within the security division.

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CHAPTER 1

Introduction and methodology overview

1.1 Introduction

A consistent and standardized Municipal Policing is a new phenomenon in South Africa and is a result of the democratic elections of 1994. The Parliament of the Republic of South Africa in 1998, in a plan to increase the country's crime combating capacity, passed the legislation on 28 October 1998 providing for the establishment of a Police Service by a municipality in its area of jurisdiction. The State President, Thabo Mbeki, in the State of the Nations address at the beginning of 2001, commended the move and further committed the South African Police Service (SAPS) to assist the various Metropolitan Councils to enable them to establish a Municipal Police Service (MPS). This study therefore aims to investigate the policing model that may be employed by the Mangaung Municipality in an attempt to counter crime activities within its area of jurisdiction in accordance with the passed legislation.

This chapter unfolds by introducing the problem statement of the envisaged study, followed by the methodology of the study that entails the sampling method; the data collection and data analysis that were engaged to conduct the study. The delimitations of the study comprising of the key concepts Policing and Model; the geographical factor as well as the time frame to conduct the study will be brought to perspective. This will be succeeded by the problems the researcher encountered during the process. The principal objectives of the study will be outlined sequentially with the ethical principles regarding the research process. The layout of the subsequent chapters will then conclude this section.

1.2 Problem statement

The State President assented to the South African Police Service Amendment Act, (Act 83/1998) that provides for the establishment, powers, function and control of the Municipal Police Service on 28 October 1998. According to Kgalema (2002) the South African Police Service Amendment Act, (Act 83/1998) provided for the establishment of Municipal Police Services (MPS), to exist independently of the South African Police Service, and to be funded by and be accountable to Local Governments. The intention of this act is to employ a

different approach to Municipal Police Service as compared to the Municipal Police Force employed before the 1994 elections by various Black Townships in South Africa as well as the Durban City Police. According to this Act, the Municipal Police should be accountable to the community it serves. This study therefore focuses on the different strategies and models of establishing a Municipal Police Service in accordance with the South African Police Service Amendment Act (Act 83/ 1998).

The White Paper on Safety and Security (1998) provides for Local Government to play an active role in crime prevention. Taylor (1998:1) underpins this by indicating that the White Paper on Safety and Security recognizes that policing in a society can take many forms and that formal state policing is only one factor within a cooperative policing network; consequently Municipal Policing has become an important constituent in the transformation of policing within South Africa, especially in the light of current demands being placed on Local Government to provide safety and security within the context of service delivery. Bruce (1997:5) provides a National Crime Prevention Strategy of 1996 concepts that Local Authorities; especially in urban areas have a central role to play in crime prevention. Local Authorities are encouraged to implement crime prevention strategies and these strategies should be based on local crime prevention priorities.

Emanating from the preceding literature review, the legislative guidelines and requirements, the problem statement or research question is: Which municipal policing model is best suitable to be implemented by the Mangaung Municipality?

1.3 Methodology of the study

The aim of the study is to acquire first hand information from the municipalities that have established a Municipal Police Service in terms of the South African Police Service Amendment Act, (Act 83/1998). The purpose of this study therefore is to examine, explore, as well as to familiarize the researcher with the process of establishing a Municipal Police Service in terms of the South African Police Service Amendment Act, (Act 83/1998). Consequently, it is implicit that the common purpose of this study is exploration and therefore entails that the research to be in a qualitative approach because of the intricacy of the operations during the establishment of a Municipal Police Service. The adversities or

difficulties the officials encountered during the establishment process; the similarities or dissimilarities of the process; as well as the procedures followed will be experienced and comprehended.

This section, dealing with the methodological coordinates of the study, starts by disclosing the process undertaken to conduct the study, namely the method used to sample study participants and the manner of collecting data. This would be followed by the manner of analyzing data and the method of ensuring reliability and validity, which concludes this section.

1.3.1 Sampling

The five identified South African Local Authorities that have already established a Municipal Police Service in terms of the South African Police Service Amendment Act, (Act 83/1998) were telephonically contacted and approval sought to conduct a study on the establishment of a Municipal Police Service. These Local Authorities, in sequence of the conduction of interviews are Ethekweni Municipal Police Department, Ekurhuleni Municipal Police Department, Johannesburg Municipal Police Department, Tshwane Municipal Police Service and Cape Town City Police Service. While soliciting approval from the Heads of these organisations a request was made to them to identify senior officials who have First hand information on the subject of establishing a Municipal Police Service. The needed people must be those who were involved in the process of establishing a Municipal Police Service. There is no letter of approval since the requests were done telephonically to the Heads of organisations.

These people were selected on the basis of the position they held before and after the formation of a Municipal Police Service, as well as experience in the Traffic profession and/or Police field. The length of service and the involvement of such a person in the formation of a Municipal Police Service either through being a Project Manager or a Project Leader, as well as those who were directly involved in the process by administering a conversion course to Traffic Officers, were selected to provide insight into different perspectives on the establishment and formation of a Municipal Police Service in terms of the South African Police Amendment Act, (83/1998). The method used to sample study participants is purposive or judgmental sampling and it was engaged to select participants for the purpose of

gaining First hand information on the formation of Municipal Police Service. Purposive sampling is appropriate since this is a unique case of the establishment of a Municipal Police Service for Mangaung Municipality; and generalisation is less than to a larger population. The purpose is to gain deeper understanding of methods used to establish a Municipal Police Service.

The open-ended approaches to the questions were particularly valuable in this study, as rich details were captured better. The disadvantage of this approach, namely the difficulty in categorizing the responses, was overcome by interviewing only a few respondents. The purpose of the interviews was thus to describe rather than to generalize (Maxfield & Babbie, 2004:273-274).

For the purpose of this study fifteen people were interviewed of which six were Instructors or Facilitators who conducted training to Municipal Police Officers and nine were in management positions. These officials have an average of 19.1 years experience respectively, in the Traffic and/or Police profession. The positions they hold vary from the Executive Director of Municipal Police Service, Chief of Police and Deputies to Heads of Training Colleges (**see Addendum A**). These officials were interviewed separately in intervals until there were no officials from the identified municipalities who could furnish any different information on the subject, and as such a saturation point was reached. These officials were selected from the view that they were involved in the process of forming a Municipal Police Service by being Project Leaders or Managers and some by way of further conducting a conversion-training course to officers.

The interaction with International Police Departments was made possible through e-mail and use of a snowball sampling technique. The use of electronic correspondence is cost effective, since clarity can be attained and follow-up questions can instantaneously be answered. The snowball sampling technique was used by including a concluding question in the questionnaire asking whether the respondent knew of any person or Police Authority that might provide more information on the subject, and if so, provide such person's or authority's particulars. Structured questionnaires containing the above concluding question were e-mailed to twenty International Police Authorities, Associations and individuals. Responses were

received from the Royal Canadian Mounted Police, the Los Angeles Police Department, the New York City Police Department and London Metropolitan Police Department. These authorities recommended nine new contacts which included Police Authorities and individuals. The same questionnaire was forwarded to these contacts and only six respondents were prepared to provide information.

1.3.2 Data collection

The empirical data to identify best practices in determining how Municipal Police Services in terms of the South African Police Service Amendment Act, (Act 83/1998) were established was gathered using a qualitative approach, as a result of the nature of the data. Data on the topic is highly specialized, and in-depth interviews are necessary, that can only be conducted with persons in various individual local municipalities that have already established Municipal Police Services in accordance with the South African Police Service Amendment Act, (Act 83/1998). This provided the opportunity to focus on the views of experts in the field, especially those who were involved in the establishment of Municipal Police Services in terms of the South African Police Service Amendment Act, (Act 83/1998). Although specialized interviewing does not allow for generalisation of the data, it is not necessary in this instance since the methodologies that were used were unique to each municipality. A conversational less structured open-ended approach towards the interviews was followed. This allowed for consistency in the data collection, as the same questions were put to all the respondents, yet it was flexible as probing was done and new areas of inquiry explored where it was necessary.

This approach of data collection is relevant in order to ensure that comparisons were recognized and established. It was further indispensable to solicit more information on the item and to request more clarity from the interviewees, and therefore a first hand information process was necessary. The study was conducted on the principles based on the constant comparative method (Babbie, 2001:328), since it was an endeavor to learn and explore policing models employed by other Police Authorities from the subjective perspective of such authority's high-ranking police officials and facilitators. The study therefore prescribes the research to be in a qualitative approach because the intricacy of the operation, the adversities the officials encounter, the similarities as well as the procedure followed to establish a Municipal Police Service were experienced and comprehended.

This study therefore, endeavored to explore policing models employed by other Municipal Police Authorities from the perspective of high-ranking police officials at these municipalities. Following the literature study of the recent and relevant local and international literature on crime prevention strategies, as well as the local enabling legislations and respective Municipal Laws, an interview schedule was drawn up which was used during the interviews (**see Addendum B**). This schedule was tested by means of an interview schedule construction exercise with four facilitators with experience on Police, Traffic and Organizational Work-Study of Mangaung Training Unit. The questions were primarily designed to collect practical information on the establishment of a Municipal Police Service in accordance with the South African Police Service Amendment Act, (Act 83/1998).

The questions established what measures were put in place to ensure that traffic services were not prejudicially affected by the establishment of a Municipal Police Service? How much did the establishment of a Municipal Police Services cost? Who funded the establishment of a Municipal Police Service? Which strategies were engaged to ensure that the establishment of a Municipal Police Service would improve policing in the region? How is the Municipal Police Service sustained? What type of training did the Traffic Officers complete to conform to the requirements of Municipal Police Officers? How was proper conversion from Traffic Departments to Municipal Police Service conducted? How were Traffic Departments phased out? Which policing style was adopted? How is political independence ensured by the Municipal Police Service?

The five Local Authorities that have already established a Municipal Police Service in terms of the South African Police Service Amendment Act, (Act 83/1998) were identified as Ethekweni Metropolitan Police Department, Ekurhuleni Municipal Police Department, Johannesburg Municipal Police Department, Tshwane Municipal Police Service and Cape Town City Police Service. The aforementioned structured interview schedule was used to interview 15 high-ranking officials that were involved with the establishment of a Municipal Police Service. Formal interview sessions were conducted during the period January 9 to March 20, 2003. These interviews were done individually and were face-to-face in the respective officials' offices with limited disturbances or interruptions. Twelve questions were

asked excluding follow-up or clarification questions. The duration of the interview sessions varied between 45 minutes to 90 minutes.

To ensure validity of information collected, it was first verified that all participants had substantial Traffic and/or Police experience and each one was prominently involved in the restructuring of the organization in forming a Municipal Police Service. The interviews were conducted with only high-ranking officials who were involved with the process of establishing a Municipal Police Service. The most senior official of the organisation, the Chief of Police or the Executive Director assisted in identifying the appropriate persons who were involved in the process and who were Facilitators who conducted the conversion courses to prospective Municipal Police Officers.

An inductive approach was followed during the interview, although deductive concepts were also engaged where necessary. An audio tape recorder was used during the interviewing process to gather information and a notepad kept to note additional important issues. In addition to the interview process, extensive information was necessary to investigate how the international world would practically respond to this matter; hence electronic mail arrangements were made to interact with other countries. Once more, an open-ended question set was compiled from literature studies and sent electronically to various International Municipal Police Departments. The focus of the questionnaire was once again on the process of establishing a Municipal Police Service and incorporated the following: the focal point during the amalgamation or formation of a Municipal Police Service and the process of conducting such role; what policing style is adopted to ensure Civilian Oversight; how the Police Department ensure political independence; and what is the standard population ratio per Police Officer. Responses from 10 policing authorities were received from Canada and the United States of America through the e-mail and through the post.

1.3.3 Data analysis

A qualified transcriber was assigned and entrusted to transcribe the audiocassettes. The researcher was trained by an experienced and qualified qualitative researcher from Unisa to analyze the data. The data compiled from the transcriptions were at this stage in a form of verbatim words or phrases describing the actions the interviewees undertook to establish a

Municipal Police Service in their respective areas. The aim of the analysis was to examine patterns of similarities and/or differences in all the transcriptions therefore an open coding was done. Organizing the data into conceptual categories and themes or concepts was done to code different themes. These were done to retrieve the relevant parts of the study and were derived from the research question and the legislative requirements.

Data were coded in categories to illustrate themes, comparisons or contrast in the data. The process of analyzing data begins when the data has been collected and completely transcribed. This was done manually. The meaning categorization method of analyses was used to interpret and analyze the data as guided by Kvale (1996:196) and the eight-step analysis process developed by Tesch (1990:142-145). Tesch's analysis process is set out in Table 1.1 below.

Table 1.1 ANALYSIS PROCESS DEVELOPED BY TESCH (1990)

	Tesch's eight step process of data analysis
1.	**Get a sense of the whole. Read through all the transcriptions carefully and perhaps jot down some ideas as they come to mind.**
2.	**Pick one document (one interview) which could be most interesting, the shortest or the one on top of the pile. Go through it, asking yourself: What is it all about? Do not think about the "substance" of the information, but rather its underlying meaning. Write thoughts in the margin.**
3.	**When you have completed the task for several informants, make a list of the topics that emerge. Cluster together similar topics. Form these topics into columns that might arrayed as major topics, unique topics and leftovers (they have no specific category)**
4.	**Now take this list and go back to the data. Abbreviate the topics as codes and write the codes next to the appropriate segment of the text. Try out this preliminary organizing scheme to see whether now categories and codes emerge.**
5.	**Find the most descriptive wording for your topic and turn them into categories. Look at reducing your total list of categories by grouping topics that relate to each other. Perhaps draw lines between your categories to show the interrelationships.**
6.	**Make a final decision on the abbreviation for each category and alphabetize these codes.**
7.	**Assemble the data material belonging to each category in one place and perform preliminary analysis.**
8.	**If necessary recode your existing data.**

According to Mouton (2001:108) the aim of analysis is to understand the various constitutive elements of one's data through the inspection of the relationship between concepts, constructs or variables, and to see whether there are any patterns or trends that can be identified or isolated, or to establish themes in the data. The two combined used methods made it easier for the researcher to cluster and code the topics.

1.3.4 Method of ensuring validity and reliability

Interviewing people with experience and knowledge of the subject matter ensured the validity and reliability of the information's relevance because they were identified by the Heads of the organisations as persons who were involved in the formation of a Municipal Police Service. The fact that the Heads identified them, verifies their involvement in the establishment process. The interview schedule that was used was tested by means of a questionnaire construction exercise with four facilitators of Mangaung Training Unit who have experience in policing and members of the Organizational Work-study of Mangaung Municipality. The purpose of this exercise was to ensure that the questionnaire was not vague and is simply understood. This interview schedule was used to interview selected experts who were involved in establishing a Municipal Police Service and the researcher made sure that the same questions were asked to all interviewees. To ensure consistency while collecting data, the researcher used the interview schedule and questions were asked in the sequence as they were tabled in the interview schedule.

The transcriptions were compared with the notepad that was used to take notes during the interview process to ensure the authenticity of the transcriptions. Further, the process of triangulation was used where interviewees were once more contacted telephonically to clarify and confirm the data analysis contained in the transcriptions. Responses to structured interviews were analyzed and coded to determine the trends, reliability and validity was confirmed by the saturation of the data. Validity and authenticity were also ascertained through the assistance of a qualified scientific qualitative technique analysis. The purposive sampling technique used to sample people who were involved in the process, also contributed to the validity and reliability of the data.

1.4 Delimitation of the study

In order to eliminate any confusion and misunderstanding of any terms used in the study, it is imperative to elucidate on the terms used. In every research endeavor, the researcher should eliminate any possibility of misunderstanding by for example, delimiting the research by giving a full disclosure of what he or she intended to do and, conversely, did not intend to do (Leedy, 1989:58).

1.4.1 Conceptual Limitation

In the course of the study, the following key concepts featured prominently and repeatedly. In order to identify and refine the different literature sources, it was necessary to achieve conceptual coherence and to clarify the terms and geographical applicability of the study, as well as the period during which the study was conducted. The key concepts on this study that need to be defined are "Policing and Model". In view of the preceding statement, the word "policing" must first be defined

1.4.1.1 Policing

Mncadi (in Ncholo, 1994:1) warns that the verb "policing", should not be confused with the noun "police" therefore it is imperative to deal with the distinctness of the concept "policing models". Shearing (1998:1) simply defines policing as what police do or the activities of members of the police. Nell and Williamson (1993:4), on the other hand, argue that policing means preservation of the peace so that persons and property are free of interference and can go about their business safely.

Holtzman and Nina (in Ncholo, 1994:1) maintain that policing is an activity characterised by protecting the individuals so as to maintain a safe and secure order in society. For the purpose of this study, policing means the preservation of peace in order to maintain a safe and secure order in the society. The term policing is often understood as pertaining to the South African Police Service and not to other agencies such as Municipal Policing Officers. Policing is therefore denoting what is DONE and not WHO is doing it.

1.4.1.2 Model

According to the Concise Oxford Dictionary (1990:762) a "model" is a particular design or style of a structure. Jiao (1997:1) conceptualises a model to be construed as a widely accepted concept or theory that offers the best way of understanding a social or natural phenomenon, it explains and describes the essential aspects of a concept or theory based on structure and it is supported empirically with observations and experiments. Based on accurate simplification and representation of reality, it can be operationalised for empirical studies. The model should respond to its input patterns in a manner sufficiently close to the reality that it is designed to present.

Ponsaers (2001:3) therefore concludes that a police model should give answers of content to questions such as: What is the objective of policing? What is the meaning of prevention? How should we evaluate police discretion and what is the meaning of community? Stated differently, the choice of a police model should give a detailed answer to the question: What kind of policing do we want? In a sense, a police model always implies statements concerning values, objectives and norms. It is therefore submitted that in this study a model would mean a style, technique or strategies used to influence the demeanour of certain characters.

The term policing model would therefore, for the purpose of this study, have a meaning comparable to styles, techniques or strategies engaged by Police Departments to police antisocial behaviour of the community, or the arrangements embarked on by the Police Authorities to counter crime.

1.4.2 Geographical Limitation

Mangaung Local Municipality is a large municipality situated in the centre of South Africa and incorporates the City of Bloemfontein which is the capital city of the Free State Province, the towns of Thaba Nchu and Botshabelo, a commercial farming area and a game park. This municipal area forms part of the Motheo District Council area and adjoins Mantsopa Local Municipality to the East and Naledi Local Municipality to the South. The Free State Integrated Development Plan (2001:19) distinguishes this municipality as the most densely populated area in the Province with 104 people per square kilometre and covering 6263 square kilometres. According to this document, the 1996 Census estimates the population of this municipality to 641359, which is 23 percent of the population of the province and represents 89 percent of the total population of Motheo District. Further, this municipality is the largest municipality in the Motheo District Council. Bloemfontein is the location of the Appeal Court of the Republic of South Africa and it is the economic hub of the municipal area, with the economy based on services and government. A detailed environmental description of Mangaung Municipality will be given in Chapter 2.

1.4.3 Time Limitation

The official field interviews began on 9 January to 20 March 2003. The first municipality which was visited and its members interviewed, is the Ethekweni Metro on the 9-10 January

2003. Ekurhuleni Metro was visited on 3 February 2003 and its members interviewed on the same day. Interviews to members of Johannesburg Metro and Tshwane Metro were conducted on 4-5 February 2003 respectively. Members of the City of Cape Town were the last to be visited and interviewed on 19 and 20 March 2003. This is irrespective of the e-mail communications with the International World where the last correspondence by post from the Los Angeles Chief of Police was received by the end of June 2003.

1.5 Problems that complicated the study

Some events were encountered during the process of research, which had not been anticipated during the planning process. These challenges obliged various concessions or else they would have disrupted the objective of the study.

1.5.1 Keeping the respondents focused

The first challenge that the researcher was confronted with was to guard against the interviewee taking over the process. This occurred when the interviewee attempted to relate the whole story of how they established a Municipal Police Service without concentrating or following the interview process or questions. This could derail the research; hence the respondent was reminded of the purpose of the interview and its structure. The interviewee had to be diverted to respond to interview questions consequently.

1.5.2 Timing of interviews

The timing for this research was a bit inappropriate for some authorities. During the planning process it was never anticipated that the Cricket World Cup that was to take place in South Africa would be launched in Cape Town on the 8 February 2003. This was an international event and the Cape Town Municipal Police Service was involved with the preparation to uplift the safety and security during the event. According to Rupstein (2003) approximately 150 000 spectators were anticipated to attend the three scheduled matches that were to be played in Cape Town. The persons who were intended for interviews were engaged with the above activities and therefore it was difficult to secure the appointment within the scheduled period. Eventually the date was reset to accommodate the occasion. This did not have any effect on other cities as the field research had already been conducted.

1.5.3 Failure to honour interview appointment

Due to unforeseen circumstances, as a result of possible labour unrest in Johannesburg Municipality, the scheduled interview with the Chief of Johannesburg Metro Police Department did not materialize. The Chief was forced to attend to this matter as a matter of urgency and thus failed to honour the appointment. To recompense for this matter, an official who was a project leader during the process and later seconded to Tshwane Metro to assist with the same project of establishing a Municipal Police Service, was then interviewed. The interview schedule was then sent to gather information from him and his Deputy. They were the primary persons during the project of establishing the Metro Police Service through the conversion of the Traffic Department. The response to t his was not received from the Chief, but received from his Deputy. The information obtained from his deputy plus the one from the person seconded to Tshwane Municipality was comprehensive.

1.5.4 International data gathering

The interaction with the International society was also problematic due to the war between the coalition of the United States (US) and Britain against Iraq that started on 20 March 2003. The information that was requested was either delayed or inconclusive. According to Lee-Irvine (2003) in her e-mail, the Hamilton Police Service was in the midst of a business planning process. Kriesz (2003) in his e-mail, apologized for the delay and indicated that the response was delayed due to other compelling work load issues (**see Addendum C**). In some instances the information received was not to the expectation. Structured questionnaires were redirected to countries that were less affected by the conflict between the US and Britain against Iraq. Initially e-mails were sent to twenty various International Police Authorities including individuals and Associations. Four Police Authorities responded and further recommended nine contacts that may be contacted. The e-mails were redirected to the nine recommended Authorities, individuals and Associations of which only six responded with the relevant information, while some had irrelevant information and the others did not even respond. All in all there are twenty e-mails sent to various Police Authorities, individuals and Associations. The relevant electronic correspondence received provided vital information for the study and were appropriately used since some like Canada, offered and sent relevant documents they used to amalgamate Police Forces.

1.5.5 Obtaining of crime statistics

It is imperative to analyse the crime statistics in order to give a clear picture of what the municipality has to face, therefore a requisition was made to the South African Police Service in Bloemfontein to provide crime statistics for Mangaung Municipality. At first the researcher was sent from pillar to post by the officials dealing with statistics, till he was advised to approach the Provincial Commissioner who instructed that the statistics be made available. The researcher was then provided with a first set of statistics depicting the trends for 2000/2001. To use a three-year period analysis the researcher once again approached the Authority with a request to be provided with crime statistics of 2002/2003 so that the picture should be relevant to those occurrences. This time the researcher was provided with statistics that were totally different from those he had in possession.

The main distinction identified was a major diversity of recorded crimes classified under Less Policeable crimes. It was apparent from the recent statistics that the number was exceedingly reduced. According to Dennis (2004) certain types of crime like malicious damage to property, arson, theft general, fraud and shoplifting were reclassified, and hence they do not appear on the new list. The researcher decided to describe the crime stats separately in order to avoid confusion on the patterns of crime in Mangaung Municipality.

1.6 Objectives of the study

The study was centred on the subjective experience of the process of establishing and introducing a Municipal Police Service from Local Authorities in South Africa, which have already introduced and established Municipal Police Service within their area of jurisdiction.

The objectives of the study are:

- Identify various International-policing models.
- Evaluate best practices in Municipal Police Service in South Africa
- Deduce a model for Mangaung Municipal policing
- Refine a model for Municipal Policing in Mangaung

1.7 Ethical issues

In order to uphold the integrity of the research, the ethical principles of this discipline as contained in the Code of Ethics for Research at Technikon S.A. (2001:1) were complied to inform each participant and authority about the purpose and objective of the study. The method that would be followed to conduct the study and its duration were relayed to the participant. Although a senior person of the department identified and chose them, the study participants were informed that participation to the study is voluntary and each has the right to withdraw at any time if the respondent feels that there is undue influence and coercion placed upon him. What is expected from him in participating in this study and the results would benefit the Mangaung Municipality. Further, there were no risks or physical harm that the researcher was aware of regarding each participant involvement to the study and the interviewees should indicate whether they would prefer to stay anonymous and be assured that the information they furnished should be kept confidential. All information learned from any publication, other research or anybody consulted directly or indirectly will be acknowledged in the research.

1.8 Layout of the study

This study would be based on an exploration of prevalent gaps existing in various policing models pledged by different policing disciplines around the world to prevent crime. Preparatory to this research, will be the part focussing on the nature and extent of the problem that encompasses and attempts to address the question why Municipal Police Service is necessary for Mangaung Municipality, or the need for the introduction of Municipal Policing structure and the necessary supporting circumstances. Chapter 2 will thus commence with the demographics of Mangaung Municipality in relation to the Province of Free State and the Republic of South Africa. The Integrated Development of this municipality will be explained and its financial conditions explored to confirm the viability of the vision of the Integrated Development Pan. Contributory risk factors crime in South Africa and the crime statistics precedes challenges facing law enforcement in Mangaung. The following chapter details the legislative provisions of establishing a Municipal Police Service in South Africa.

An overview of the development of law enforcement in South Africa is explained in Chapter 4. This includes the evolution of policing in South Africa and an overview of International

Police Services. The following chapter, (Chapter 5), will reflect the research findings. This chapter encompasses the details of data collection, which was gathered through interviews from the five Municipalities that have already established Municipal Police Service in South Africa. The discussions will include the interviews conducted and the discourse achieved from the exercise. The discussions of the research question will be extensively done from different points of view of the interviewed persons and the views derived from the responses from the questionnaires. Chapter 6 contains the interpretation and findings developed from the nature and extent of the problem, the literature review and the presentation of the research finding. This will in fact be the synthesis of the data collected. The last chapter, that is Chapter 7, would contain the recommendation on the research findings.

CHAPTER 2

Need for introducing a Municipal Police structure

2.1 Introduction

Mangaung Municipality, like most other municipalities in South Africa, is experiencing high levels of crime. This might be attributed to various factors including the inequalities that were experienced during the apartheid regime when certain people resorted to crime to fulfil their needs and the present day to day corruption that is prevalent in the Local Government structures.

This chapter will concentrate on the attributes that led to the concept of introducing a Municipal Police Service for Mangaung Municipality. The demographics of Mangaung Municipality will be discussed first, followed by the contributory factors to crime in South Africa. Crime statistics of the Southern Region and eleven police stations situated in Mangaung Municipality will be examined and the attributes that led to the concept of introducing or establishing a Municipal Police for Mangaung Municipality will also be outlined.

2.2 Demographics of Mangaung Municipality

This section deals with the demographics of Mangaung within the Free State Province and the crime trends of the Southern region in the Free State where this municipality is situated. The composition of the Mangaung Municipality, as well as the contributory factors to crime in South Africa will be described in detail.

2.2.1 The Free State Province in relation to the Republic of South Africa

The Free State Province is one of the nine provinces in the Republic of South Africa and is, according to the Mangaung Local Municipality Integrated Development Plan, (2003-2004:9), classified as the third largest province in South Africa. It covers 10.6 per cent of the surface area of South Africa. The Statistics South Africa, Census (2001) estimates the population of this province to be 2 699 338. This province is further ranked as the second least densely populated area in the country.

FIGURE 2.1 MAP OF FREE STATE IN RELATION TO SOUTH AFRICA

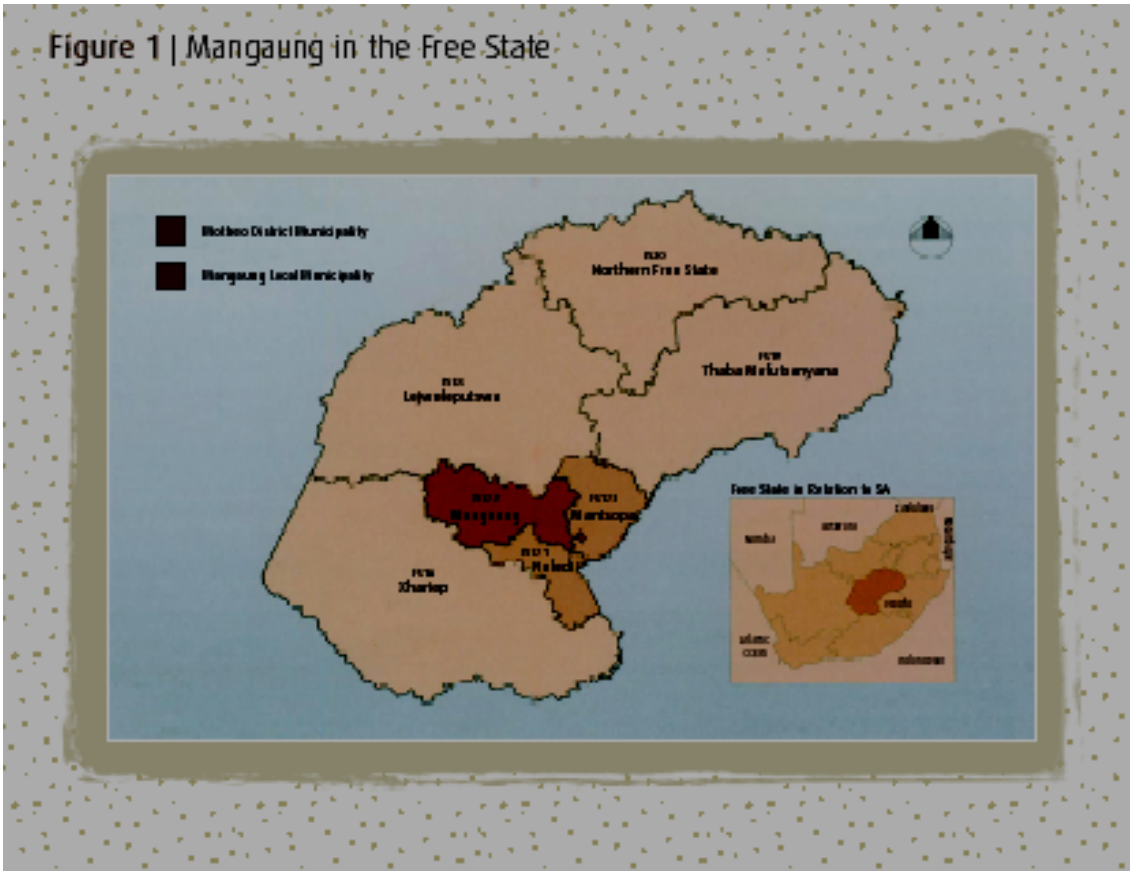
Source: Mangaung Local Municipality Integrated Development Plan 2003-2004

The above map clearly shows that the Free State Province is situated in the centre of South Africa. This province is divided into five regions or districts; the Northern Free State, Thabo Mofutsanyana, Lejweleputswa, Xhariep and Motheo. Mangaung Local Municipality is situated in the Southern region of the Free State Province. The other provinces of South Africa are Gauteng; Limpopo; North West; Northern Cape; Western Cape; Eastern Cape; Mpumalanga and Kwa-Zulu Natal. According to Louw (2000:7) the Gauteng Province has high volumes of crime, but the chances of becoming a victim of crime are increasing much faster in other provinces. This will be further detailed when dealing with a crime statistics analysis of the Free State, as well as that of Mangaung Municipality.

2.2.2 Mangaung Municipality in relation to the Free State Province

According to the Mangaung Local Municipality Integrated Development Plan (2002-2007:2) the Mangaung Municipal area forms part of the Motheo District Municipality and adjoins Mantsopa Local Municipality to the East, and Naledi Local Municipality to the Southern side. The Free State Provincial Government Integrated Development Plan (2001) proclaims the Mangaung Municipality as the largest municipal area within Motheo District Municipality, covering 6363 square kilometres and as the most densely populated area in the Free State with 104 people per square kilometre, and represents 23 per cent of the population of the Free State. This figure represents 89 per cent of the population of Motheo District Municipality.

FIGURE 2.2 THE MAP OF MANGAUNG IN THE FREE STATE



Source: Mangaung Local Municipality Integrated Development Plan 2003-2004

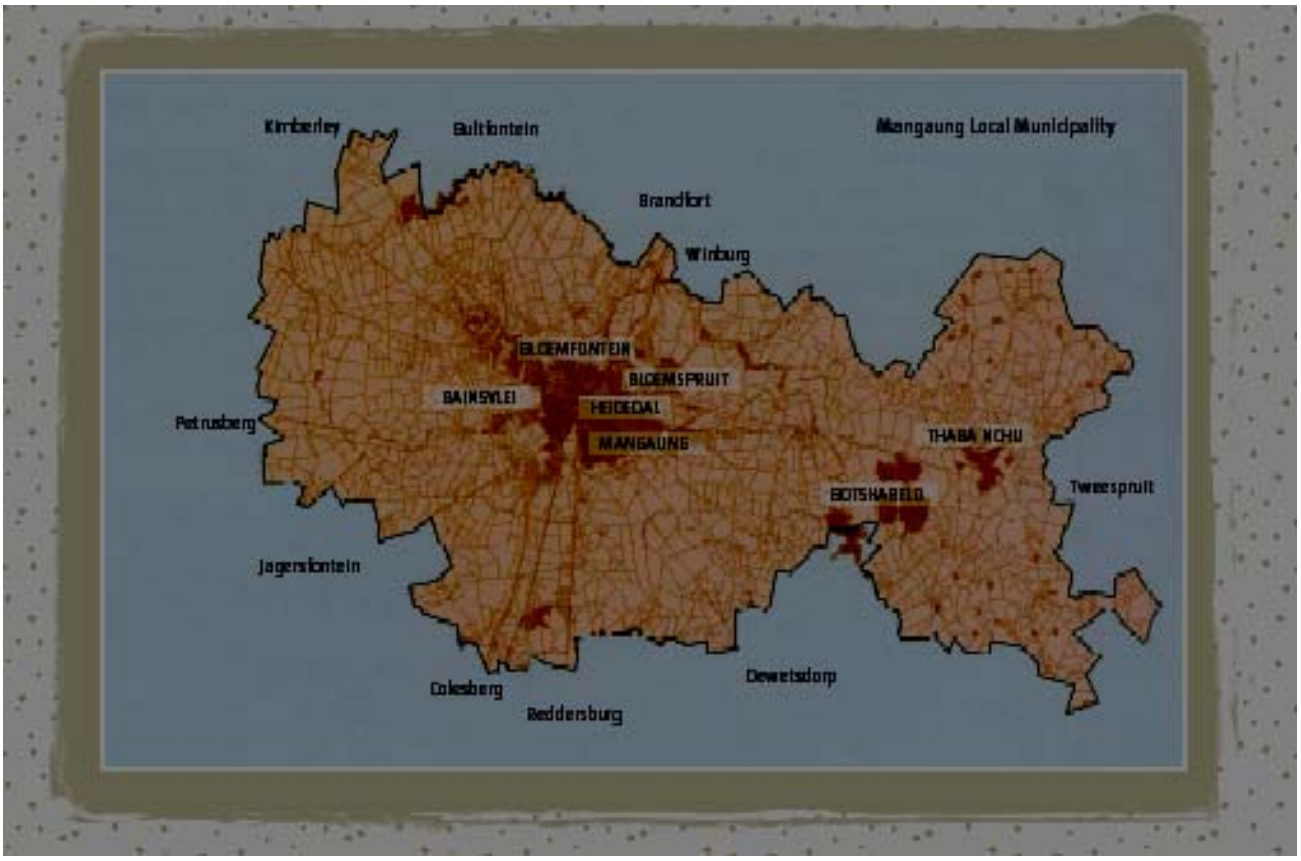
According to Statistics South Africa, Census (2001) the population estimates of this municipality is 646 237. This municipality consists of three urban areas, namely the city of Bloemfontein; the towns of Botshabelo and Thaba Nchu peri-urban area; as well as a vast rural area. The spatial frameworks of the three urban areas were shaped by their very different histories and this framework will continue to impact on the economy and social lives of the residents.

2.2.2.1 Bloemfontein urban area

Bloemfontein is the economic hub of Mangaung Municipality, but is divided along racial lines by industrial areas. The area where White people live before 1994 is separated by the industrial area from the areas where Coloureds and Blacks live. This area comprises of the urban areas of Bloemfontein and Heidedal which were entirely preserved for white and

coloured residents respectively, while Mangaung was a township for blacks until 1994. Bloemspruit and Bainsvlei consist exclusively of smallholdings around the residential, business and industrial area.

FIGURE 2.3. THE MAP OF MANGAUNG LOCAL MUNICIPALITY



Source: Mangaung Local Municipality Integrated Development Plan 2003-2004

Little economic activity has been stimulated recently, despite land that was designated for commercial or small industrial activities in new extensions (Masoetsa; 2004). Habane (2005) however is of the opinion that no major change is experienced in terms of commercial stimulation since small businesses work from hand to mouth. According to the Mangaung Local Municipality Integrated Development Plan (2003-2004:7) there has been a major relocation of services to the suburbs, which led to under-utilization of office space in the central business district (CBD). Maree´ (2003) suggests that amongst other factors, parking, crime and urban decay force businesses to relocate to safer places in the suburbs. This is confirmed by Van Rooyen (2004) who views that the relocation of businesses to the suburbs

is mainly due to lawlessness experienced in the CBD. Phosa (1998:2) supports this notion by indicating that one effect of the separation of land use is that people using the inner city areas are more susceptible to crime and businesses relocate to the safer outskirts.

The community, social and personal resource sector are the biggest job providers in the city. The key service sector includes Provincial and Local Government, education and health facilities as well as training institutes, sports facilities and services to the agricultural sector and financial reserves. This City houses the Legislative Assembly of the Free State, the Appeal Court of South Africa, the Free State Region of the Reserve Bank, various colleges and the University of the Free State, Central University of Technology and the Vista University. According to Dennis (2004) the existence of colleges and universities in a City has an impact on crime. His argument is based on the fact that crime increases when these institutes are opened and decreases when they are on recess. He further made a comparison with Pretoria and Stellenbosch Cities, which also have universities that swell the population size during the year when the universities are open. This is because students from other cities come in numbers to these cities for learning purposes.

2.2.2.2 Thaba Nchu urban area

Thaba Nchu is located some 65 kilometres from the centre of Bloemfontein on the Eastern side, and was incorporated into Mangaung in 2000. Thaba Nchu was part of Bophuthatswana, a former homeland during the apartheid dispensation, leading to artificial industrial investment that collapsed after the democratic election of 1994 (Masoetsa: 2004). This area consists of an urban area with private land ownership and a rural area of both private and communal land. Thaba Nchu has a strong rural character and is mainly a dormitory town for workers in Bloemfontein. A unique feature of this town is the fact that many residents consider cattle as “money in the bank” and this causes quarrels between those who do not want cattle in urban areas, and those who want to keep livestock. The industrial roles in this area have declined mainly due to ongoing tussle about the transfer of the industrial sites from the North West Province to the Free State. This led to these facilities being vandalized and the sabotage is estimated to the value of R8.4 million during 2002 (Mangaung Local Municipality Integrated Development Plan, 2003:9).

2.2.2.3. Botshabelo urban area

Mokhele (2003) is of the opinion that all communities in South Africa face a terrible legacy of apartheid with its forced uprooting of communities. In a particular example to Mangaung Municipality, include forced removals of people from other parts of then Orange Free State Province to Botshabelo which was artificially created as a Basotho Township in the province. Botshabelo is situated 55 kilometres on the eastern side of Bloemfontein along the N8 route. Statistics South Africa, Census (2001) reflects the population of Botshabelo to be 175820, of which 67094 persons are not capable to be employed, 33072 are unemployed, while 46075 are not economically active. Only 29570 are employed and 131447 have no income.

According to the Managuang Local Municipality Integrated Development Plan (2003-2004:9) the industrial investments in Botshabelo employ approximately 12 000 people and all other people work mostly in Bloemfontein and elsewhere. The Mangaung Local Municipality Integrated Development Plan (2003:19) proclaims that it is important for the Municipality to assist the residents to overcome the fears of violence and crime and build a social environment of confidence and trust.

2.2.2.4 Rural areas

According to the Mangaung Local Municipality Integrated Development Plan (2003-2004:10) 23 percent of the Mangaung Municipality's area is farmland, with a further 2 percent covered with smallholdings. Commercial livestock farming is the economic backbone of the rural areas. Crops like maize, wheat and sunflower are produced, but due to the liberalisation of agriculture many (black) farmers struggled to adapt to open markets or new products as well as lack of subsidies from government. According to Louw (2005) extensive commercial farming is quite common to the Mangaung Municipal area and commercial farmers tend to prefer cattle farming to sheep farming. These farmers produce meat to many markets, but other farmers are involved in producing wool and dairy and supply these to butcheries and supermarkets (**see Addendum D**).

2.2.3 Transport mode for the people of Mangaung Municipality

According to Statistics South Africa, Census (2001) the estimated population of Mangaung is 646 237, of which 187 461 travel to work or school on foot, 4622 use a bicycles and 1497 use

motor cycles as a mode of transport. Those using motor vehicles occupying driver's seats equals 33793 while 26923 are passengers in private cars. Public transport is used by 90 476 and includes taxis, buses and a small percentage of train facility.

2.2.4 The condition of the infrastructure in Mangaung Municipality

Mangaung Municipality is situated in the centre of the Republic of South Africa and falls on the intersection of a number of National Roads. The N1 connects the Western Cape Province to Gauteng Province; the N8 links the Country of Lesotho and the Northern Cape Province, while the N6 binds the Free State to the Eastern Cape. There are a number of provincial roads that connect the three-towns of the Mangaung Municipality, as well as the rural areas. The following table summarises the length and type of surface of the roads within the Mangaung Municipality.

TABLE 2.1 CONDITIONS OF ROADS

Town /area	Length of streets in kilometres			
	Tarred	Gravelled	Graded	Total
Bloemfontein	1065	636	35	1736
Heidedal	900	0	0	900
Mangaung	65	175	35	275
Bainsvlei	53	212	0	265
Bloemspruit	47	249	0	296
Botshabelo	111.5	64	16	191.5
Thaba Nchu urban	43	15	193	251
Rural Thaba Nchu	0	122	0	122
Total length (km)	1219.5	837	244	2300.5
Source: Integrated Development Plan of Mangaung 2002-2003				

The above table depicts that 1219.5 kilometres of roads and streets of Mangaung Municipality are tarred while 837 kilometres are gravelled and 244 represent graded roads. The total length of street network and/or road network available for use by vehicles is 2300.5 kilometres. In addition to this, these roads or streets have 184 intersections controlled by traffic signal systems. There is a tendency of motorists to ignore these signs and according to Wilson

(2004) most cases that are recorded per month, are offences of disobeying a steady red robot (traffic signal) with over 2500 and over 3000 cases for speeding.

2.2.5 The Mangaung Local Municipality Integrated Development Plan

According to Clavelle (1999:29) democracy does not just involve voting, but must involve a dialogue with citizens. This means that government and citizens must work together to solve problems and there must be a broad spectrum of opportunities for citizens to voice their concerns. True democracy thus means, turning the work of the community over to the community. The Municipal Systems Act, (Act 32/2000) supplements this by obliging all municipalities to undertake a development integrated planning process to produce Integrated Development Plans. The Mangaung Local Municipality Integrated Development plan was developed and it proclaimed crime as menace to society.

The planning process of the Integrated Development Plan for Mangaung Municipality has been unique in South Africa and has been based on a major investment in an innovative participatory planning process since Mangaung Municipality is a partner in a four country project exploring ways to improve participatory planning linked to the Integrated Development Plan process (Mangaung Local Municipality Integrated Development Plan, 2003-2006:6). During the ward planning different social groups met separately and among other questions, each were asked for the priority outcomes for them as a group, and their main areas of vulnerability or threats. All these outcomes were then listed at a community meeting, and people then voted as to which were their priorities.

Since the Municipal Systems Act is a legal document, it was mandatory for the Mangaung Municipality to embark on an intensive and incremental public participation, interaction and planning process in which 43 wards and other stakeholders took part over a period of eight months. The Mangaung Local Municipality Integrated Development Plan (2002:37) proclaimed crime as the second major menace to the society. The results of this Integrated Development Plan, as conducted by Khanya Spatial Solutions for Mangaung Municipality during 2001, illustrated that crime is prioritized second behind the priority number one “lack of personal income and unemployment”. The overall score on this survey reflects 291 for lack of personal income and unemployment against 204 of security or crime.

Forty-three wards and approximately 10 000 people participated in identifying critical community rudiments and prepared ward plans to enhance the Integrated Development Plan process (Mokoena, 2002:2). Mokoena further emphasizes that the situation of crime has negative consequences on the much-needed commercial investment and the economy of Mangaung Municipality. Accordingly the municipality intends to investigate crime prevention models that will combat the situation. According to the Mangaung Local Municipality Integrated Development Plan (2002-17) the mission of Mangaung Municipality is to provide a safe and secure environment for all the inhabitants of Mangaung Municipality.

2.2.6 The financial conditions of Mangaung Municipality

According to the Mangaung Local Municipality Integrated Development Plan (2002-2004:6) the operating budget for the 2001/2002 financial year was R905 million, of which expenditure on trading services accounted for R584 million which is 65 per cent and that of revenue computed to R639 million or 71 per cent. Water and electricity make up half the operational budget, with corporate expenditure making up 15 per cent of the budget.

The capital budget was R178 million and despite the ongoing capital budget, there is a very low reliance on external loans. The total external loans are 40.7 million against fixed assets of R1887.8 million and the investments of approximately R280 million as of June 2001 (Petser: 2003). The weekend newspaper, City Press of 20 July 2003 published the total budget for the 2002/2003 financial year was R1.5 billion while the 2003/2004 financial year capital budget was equivalent to R223 226 570 million and the operating budget equivalent to R1 277 249 840 billion. In sum, this amounts to an investment of R1 500 476 410 billion in this municipality. According to Wilson (2003) the appropriation for the Public Safety Department is R2 617 300, 00. This department includes the Traffic and Security unit as well as the Fire and Disaster Management units. The capital budget allocations for these units is R 2 617 300, 00 while R 64 982 780, 00 is allocated to the operational budget. The total budget for these units is equal to R 67 600 080, 00.

2.3 Contributory risk factors to crime in South Africa

According to Masuku (2002:7), victimisation and offending patterns are influenced by individual, social and environment characteristics, commonly known as risk factors. These

factors, namely Unemployment and Poverty; Age and Gender; Human Immuno-deficiency Virus and Acquired Immune Deficiency Syndrome (HIV and AIDS); Social factors; Firearms; Environment; Alcohol and Drugs; as well as Rapid Urbanisation and South Africa Police Service (SAPS) resources are discussed below.

2.3.1 The history of South Africa

According to Simpson (1993:1) observation, apartheid more than anything else, bequeathed to South Africans of the 1990's a culture of violence and deep rooted fear, based on a series of hostile, racially-based stereotypes within largely segregated, defensive, yet volatile communities. Shaw (1997:1) maintains that crime and politics in South Africa have been closely intertwined and in the era of race domination, apartheid offences were classified as crime, while those people engaged in the struggle, particularly from the mid-1980's onwards, in justified forms of violence as legitimate weapons against the system.

Buntman and Snyman (2003:207) uphold this by suggesting that apartheid (and before it, conquest and colonialism) were intrinsically violent systems of rule that spawned both criminality and violence among their proponents and opponents; the legacy of institutional violence, both of the apartheid state and, to a large extent, anti-apartheid forces, have contributed to cultures of force and violence.

2.3.2 Age and Gender

Schönteich and Louw (2001:5) are of the opinion that there is a strong relationship between age and crime and probably the most important single fact about crime is that mainly teenagers and young adults commit it. According to Buntman and Snyman (2003:207), young people commit crime disproportionately, and South Africa has a large youth population. Schönteich (as cited in Buntman and Snyman. 2003:224) states that in 1996 over forty-four percent of the country's (South Africa) population was under the age of twenty. A likelihood of violent involvement in crime increases sharply around age 15 and remains high until the mid-30's; however when gender is also factored in, males between the ages of 15 and 25 years are more likely to be victims and perpetrators of violent crime than are females. Goyer (2003:2) declared that nationally, 76 percent of prisoners in South Africa are black men between the ages of 18 to 35 years, with the significant portion between the ages of 25

to 35 years. The Department of Correctional Services Annual Report (2001:5) points out that a total of 26 682 prisoners were between the ages of 14 and 20 years, and this represents 16 per cent of all prisoners.

According to Dennis (2004) this factor is also relevant to Mangaung Municipality, considering the crime trends that increase when universities and colleges are opened and which decrease during holidays. According to Statistics South Africa, Census (2001), the population of Mangaung Municipality demonstrates that 14.45 percent are males between 15 and 29 years while 15.39 represent females in the same category. According to the Mangaung Local Municipality Integrated Development Plan (2003/2004:10) the quality of education is improving in Mangaung, although most of the youth still leave school without proper skills to be employed or to create their own jobs or have funds to attend tertiary education institutions.

Hennop, Potgieter and Jefferson (2001:1) expound on the age factor involvement in crime by exposing in detail the percentage of the involvement of the South African youth in crime. Table 2.2 below signifies the involvement of the youth below age of 16 years in armed robbery, common robbery and pointing of firearm as low, but gradually they become more involved in theft of firearms at 14.3 percent. They further believe that the youth in the category of 16 to 20 years are to a large extent involved in hi-jacking, murder and attempted murder which are recorded in the margin of 20 percent, but they are exceedingly involved in common robbery at 29.4 percent. Hennop et al: (2001:8) views that the likelihood of violent involvement in crime increases sharply around the age of 15 years and remains high until the mid-30. This is confirmed by the involvement of the youth in category between the ages of 21-30 years in crime as depicted in Table 2.2 which reflect an increase from 20 to 81.8 per cent. Schönteich (1999:3) believe that young adults are over represented in the awaiting trial sections in South African prisons and in mid 1999, almost 43 percent of the awaiting trial population was between 18 and 25 years old. Dissel (1999:6) introduces the 1993/1994 Statistics South Africa, that state that 32863 children were convicted and sentenced for crimes, a decrease from the 1991 figure of 36 168.

TABLE 2.2. AGE PROFILE OF OFFENDERS IN SOUTH AFRICA

AGE PROFILE OF OFFENDERS IN SOUTH AFRICA												
Age	Armed Robbery	Common Robbery	Hi-Jacking	Murder	ATT Murder	Theft Of Firearm	Pointing A Firearm	Discharging A Firearm In built-up Place	Possession of illegal firearm	Assault	Negligent Loss of Firearm	Poss. Use of firearm Under Influence of alco
>16yrs	1.6	5.9	0		0	14.3	2.4	0	0	0	0	0
16-20yrs	15.6	29.4	20	20	21.9	14.3	9.5	5	19	0	0	0
21-30 yrs	60.9	29.4	60	49.1	40.6	42.9	47.6	25	42.9	81.8	0	20
31-40 yrs	20.3	35.3	10	27.3	18.8	28.6	26.2	35	38.1	18.2	50	40
41-50 yrs	1.6	0	10	3.6	12.5	0	11.9	35	0	0	0	40
51-60 yrs	0	0	0	0	6.3	0	2.4	0	0	0	50	0
TOTAL	100	100	100	100	100	100	100	100	100	100	100	100
Offenders (n)	64	17	10	55	32	7	42	20	21	11	6	5
Source: Hennop, Potgieter and Jefferson (2001)												

The above table shows that mostly the population within the age of twenty-one to thirty commits crime, with assault recording 89.9 percent while armed robbery follows with 60.9 percent. High-jacking in this category is third with sixty percent. The second highest offender age category is thirty-one to forty years, and third is the group is between sixteen and twenty years, which if coupled with the group of ages twenty-one to thirty years, form the youth group.

2. 3.3 Unemployment and Poverty

According to Mbeki (as cited in Rauch: 2002:2) a study conducted by the Co-ordination and Implementation Unit in the office of the Deputy President has confirmed common knowledge, of the correlation between crime, poverty and race; and that the areas of high crime concentration, including all crime of violence, are the black and poor areas of our Country. Rauch is further of the opinion that there is a complex relationship between crime, violence and poverty; whilst it is accepted that there is a causal relationship between the poverty of the areas and the high levels of crime and violence recorded in those areas; the relationship between poverty and crime is not linear. According to Bruce (1997:1) there is no automatic

correlation between poverty or unemployment and violent crime, although there may be greater correlation between these factors and acquisitive crime such as housebreaking and theft.

According to the Mangaung Local Municipality Integrated Development Plan (2002-2007:3), the unemployment rate for Mangaung Municipality is estimated at 35 per cent rising to 48 percent in Thaba Nchu. The key factor for the municipality is to build livelihood opportunities to reduce poverty and inequality. Victim surveys conducted from 1997 to 2000 show that the poor, the majority of whom are black and coloured and living in townships, are more at risk of being victims of interpersonal violent crimes, as well as violent property crimes like robbery (Masuku, 2002:4). According to Higgs (2003) in most cases of housebreaking in the white suburbs in the region, it is apparent that the owner of the premises or house made use in the past of the informal labourers who make themselves available by selling their expertise on street corners. It often happened that after a couple of days of using informal labourers at a certain house, the same house get broken-into and some goods are stolen from it. It is evident that attention should be paid to reduce unemployment in the Free State.

2.3.4 Human Immuno-deficiency Virus and Acquired Immune Deficiency Syndrome (HIV and AIDS)

In South Africa, Human Immune Virus (HIV) flourishes most in areas that are burdened by unemployment, homelessness, welfare dependency, prostitution, crime, a high school drop–out rate, and social unrest (Goyer, 2003:2). According to this researcher the HIV/Aids rate amongst prisoners is the highest per 100 000 of the population and over 40 percent of prisoners are incarcerated for less than one year; only 2 percent are serving life sentences (and) on average, 25 000 people are released from South Africa's prisons and jails each month, translating to 300 000 former prisoners returning to the community with their illness, infections and/or diseases with them. Mea (2003) is of the opinion that the myth that having sex with a minor will heal HIV-Aids, increased rape on children. This might be correct when comparing the 2000-2001 Mangaung statistics (**See Table 2.3)** that reflect that an increase of 74 cases was recorded during this period. This number does not include those cases identified at Mangaung clinics. Pharoah and Schönteich (2003:9) suggest that both crime and group

based aggression stand to increase as HIV/AIDS profoundly alters traditional population structures. The loss of a parent to HIV/AIDS may increase the vulnerability of children to becoming victims of crimes, and alternatively children left to fend for themselves may be tempted, or even obliged for the sake of their survival, to commit a range of property crimes, while older children may resort to mugging and robbery to make ends meet.

2.3.5 The environment

The city structures reinforce inequalities, with the poorest having to travel far distance to access employment and the other opportunities; this heightens the vulnerability of such commuters to victimisation, since transport facilities as well as the nodal interchanges where these converge, offer many opportunities for crime (Phosa, 1998:1). Smit (2004) confirms this notion by indicating that more than 2500 are registered taxis in Bloemfontein while the taxi rank's capacity can accommodate only 216 vehicles. This causes commuters to be congested in the ranks, and possibly to be mugged.

Louw and Shaw (1997:4) are of the opinion that areas inhabited by the poor are less likely to have the kinds of industrial development, such as street lighting and urban planning which facilitate personal crime prevention. Furthermore, they remark in terms of access to infrastructure, that poor communities can be entrapped in a deprived environment if crime acts as a disincentive to infrastructure investment, or if investments or infrastructure is destroyed or stolen. According to the Council for Scientific and Industrial Research (1997) the dormitory status of most residential areas, both rich and poor, means that these areas are virtually deserted during the day, increasing the vulnerability of property and of residents remaining there, particularly women, children and the elderly.

2.3.6 Rapid urbanisation

According to Dissel (1997:1) urbanisation during the apartheid regime has been characterised by the development of informal settlements, single sex migrant hostels and poor conditions of living. Phosa (1998:2) advocates that people, who live in informal settlements, and more particularly in townships, are more likely to be victimised by violent crime and that levels of property crime are high in the areas where the inhabitants are likely to be the poorest. This is confirmed by the Institute for Security Studies Environmental Design for Safer Communities

(1998:1) which indicates that the crime problem is greatest in townships and informal settlements, parts of the city and environs where infrastructure is either absent or poorly maintained, and urban planning (if any) is inappropriate or informal.

Statistics South Africa, Census (2001) demonstrates that Ward 7 and 8 in Mangaung increased by 348, 69 and 296, 34 percent compared to 1996 census. According to Khumalo (2004) these are the wards that are informal and which are a result of rapid urbanisation. The Mangaung Local Municipality Integrated Development Plan (2003-2004:27) reflects that rapid urbanisation coupled with the migration pattern in Mangaung Municipality, effect an increase in crime and corruption and a greater of demand for security forces.

2. 3.7 Alcohol and Drugs

The United Democratic Movement Crime Prevention Policy Proposal (2003:3) advocates that alcohol and drug abuse accounts for 80 per cent of violent crime in South Africa and Hennop, et al:(2001:3) indicate that 14.3 per cent of people accused of possession and/or use of firearm under the influence of alcohol was found guilty, 14.3 per cent acquitted, 57.1 per cent withdrawn and 14.3 per cent undetected by the Court of Law in South Africa. Youth growing up in a community characterised by a history of repression and burgeoning poverty of segments of the population, spend most of their time on the streets, to escape violence and/or the effects of alcohol abuse (Dissel, 1997:3). According to Legget (2002:1), some drugs may be seen to lower inhibitions or otherwise contribute to a mental state in which crime is committed and only 6 percent of the arrestees (in the study) said they were under the influence of drugs at the time the offence was committed, but over 20 percent said they were under the influence of alcohol. Plūddemann, Perry, Louw and Burton (2002:7) mention that during urine analysis almost half (46 percent) of the arrestees that consented to interviews tested positive for one or more of the six drug types for which tests were done.

2.3.8 Firearms

According to Hennop et al: (2001:1) 175742 new firearm licences were approved (in South Africa) in 1998, bringing the existing pool of legal firearms to 4.2 million firearms owned by 3 527 035 registered firearm licence holders. According to Chetty (2000:35) the Northern Province, Mpumalanga and the Free State are the provinces that requested and were granted

increasing numbers of (firearm) licences over the years 1994 to 1998, with the total number of firearm approved applications during period of 1994-1998 for the province of Free State at 63222. According to the South African Police Service Central Firearm Registry (as cited in Chetty 2000:39) the total number of firearms lost by or stolen from owners in South Africa in the five year period of 1994-1998 amount to 112 692 and further, in 1998, there were 14554 reported cases of the illegal possession of firearms and ammunition. The National Crime Prevention Strategy (1996) refers to the easy accessibility of firearms in South Africa as a contributory factor to the high levels of criminal violence. According to Dennis (2004) during a Community Policing Forum Management meeting of Parkweg Police Station, robberies with firearms are a problem in Mangaung.

2.3.9 Crime statistics obtained from Crime Intelligence Analysis Centre

This section deals with the crime statistics of Southern Free State and that of the Mangaung Municipality. Mangaung Municipality is equipped with twelve South African Police Service stations and its statistics will be divided into three; being the section that deals with crime statistics for 2000/2001 period. This part includes some offences that were later reclassified. The other section will be dealing with crime statistics for the 2002/2003 period that exclude certain offences while the part the comparative crime statistics for 2004/2004 and 2005/2006 will conclude this section.

2.3.9.1 Southern Free State crime statistics

Table 2.3 represents the overall crime statistics for Southern Free State, the region of the province in which Mangaung Municipality is situated. These statistics are stretching over a period of nine years, which is a clear indication of crime trends after the democratic elections of 1994.

TABLE 2.3 CRIME STATISTICS FOR SOUTHERN FREE STATE REGION

Crime in the RSA for the period January to December 1994-2002									
Province : Free State Area : Southern Free State									
Crime Category	Jan-Dec 1994	Jan-Dec 1995	Jan-Dec 1996	Jan-Dec 1997	Jan-Dec 1998	Jan-Dec 1999	Jan-Dec 2000	Jan-Dec 2001	Jan-Dec 2002
Murder	448	508	512	488	440	434	416	389	393
Attempted murder	357	329	365	442	497	483	394	638	838
Culpable homicide	289	300	326	286	292	274	230	241	228
Robbery with aggravating circumst	1,071	1,103	840	645	811	809	693	910	1,200
Other robbery	701	865	1,136	1,099	1,201	1,241	1,637	1,635	1,829
Public violee	10	18	24	15	13	11	17	13	42
Rape	1,333	1,395	1,472	1,434	1,377	1,368	1,456	1,682	1,578
Indecent assault	57	91	79	65	99	115	113	150	224
Crimen Injuria	1,197	1,268	1,034	1,389	1,334	1,689	2,518	2,510	2,814
Child abuse	43	54	48	99	81	99	95	109	109
Kidnapping	65	44	39	35	33	41	57	47	20
Abduction	78	85	94	128	108	110	96	87	111
Assault with the intent to inflic. Griev bod har	6,163	6,444	6,492	6,643	6,572	7,169	7,552	7,210	7,163
Common assault	7,399	7,338	7,079	7,258	7,002	8,099	9,575	9,657	10,074
Burglary at non-residential premises	2,307	2,129	2,134	2,009	2,137	2,100	2,008	2,054	1,720
Burglary at res. Prems	5,972	6,667	6,463	5,620	6,350	6,636	7,004	7,217	7,905
Stock theft	2,579	2,600	2,240	2,262	2,130	2,219	2,196	2,114	2,692
Shoplifting	2,022	1,613	1,556	1,611	1,755	1,638	1,514	1,417	1,379
Theft of motor vehicle and motorcycle	1,302	1,586	1,450	1,365	1,390	1,295	1,098	1,116	1,280
Theft out of or from motor vehicle	5,489	4,890	5,085	4,330	4,778	4,110	4,089	5,177	4,891
All theft not mentioned elsewhere	12,039	11,377	11,279	11,351	11,702	12,704	14,299	15,850	16,135
Arson	274	272	249	272	264	234	211	185	221
Malicious damage prop	4,525	4,350	3,827	3,844	3,807	3,655	3,921	4,209	4,185
Fraud	1,847	1,697	1,426	1,460	1,297	1,361	1,316	1,158	1,053
Drug related crime	1,311	1,142	1,167	1,084	863	998	962	1,140	1,279
Driving under the influence of alcohol or drugs	404	442	427	374	432	448	436	401	322
Illegal possession of firearms and ammunition	219	164	202	230	178	215	210	195	196
TOTAL	**59501**	**58771**	**57045**	**55838**	**56943**	**59555**	**64113**	**67511**	**69881**
SOURCE South African Police Service Crime Information Analysis Centre									

In table 2.3, it is illustrated that crime is fluctuating in the Southern Free State region of the province. The most notable crimes are the social fabric patterns crimes like attempted murder, which escalated from 357 in 1994 to over 800 cases in 2002, while murder shows a decrease, and culpable homicide increased during 1995-1996 period and then decreased gradually in the following years. Indecent assault increased drastically from 57 to 224, which represents a 25 percent increase. Although there is a slight decrease in rape, it can be concluded that rape was stable till 1995, but fluctuated thereafter until it increased with over 300 in 2001 compared to 1994, and then decreased in 2002. There is a gradual increase in child abuse and abduction each year, but an extreme increase is recorded in assault with the intent to inflict grievous bodily harm and common assault. This table shows that car and truck hi-jacking, robbery of cash in transit are increasing annually and are classified under this heading. The figures on crimen injuria posit a culture of intolerance by increasing with 42 per cent in the nine-year period of democracy, instead of declining. There are favorable signs of a decrease in kidnapping and burglary at non-residential areas, but burglary at residential premises increased from 5972 cases to 7905, an increase of 1933. Theft out of or from motor vehicles and theft of motor vehicles and motorcycles is stable, but theft in general on this region put forward a major challenge that needs to be addressed. All other offences are fluctuating but more or less stable. These statistics will later be compared with that of Mangaung Municipality to draw a picture of crime for this City.

2.3.9.2 2000/2001 Less Policeable crimes for Mangaung Municipality

According to Dennis (2003) Less Policeable crimes represent those violent crimes that are less policed by the police, the crimes that are of social fabric in nature, and/or interpersonal crimes. In view of the nature in which these crimes are committed, for example murder in a household or rape of minors in a family, these crimes are unlikely to be easily identified and policed by the police, and are thus classified as Less Policeable crimes.

Table 2.4 MANGAUNG CRIME ANALYSIS

LESS POLICEABLE CRIMES

CRIME	YEAR	Park road P/stn	Bains vlei P/stn	Batho Police Stn	Bays water P/stn	Bloem spriut P/stn	Heide dal P/stn	Kagi sanong P/stn	Naval sig Pstn	Boi thuso P/stn	Botsha belo P/stn	Selo setjha P/stn	Thaba nchu P/stn	Total	+/-	%
MURDER	2000	26	14	110	4	46	17	27	7	20	22	23	1	317	-1	-0.3
	2001	42	15	72	2	54	20	21	7	30	28	22	3	316		
ATTEMPT MURDER	2000	50	5	114	6	36	11	28	1	34	31	12	3	331	249	75
	2001	50	3	214	5	86	19	83	11	36	28	38	7	580		
RAPE 0 to 17	2000	29	11	98	3	38	20	39	7	31	30	42	3	351	74	21
	2001	40	7	101	2	45	18	51	5	47	66	41	2	425		
RAPE OLD 18	2000	91	25	190	9	87	30	52	20	88	81	62	5	740	125	17
	2001	95	28	240	15	91	37	70	22	99	87	70	11	865		
ASSAULT GBH GBH	2000	382	128	1677	48	506	334	415	127	548	761	610	57	5593	-306	-6
	2001	414	99	1324	36	568	321	352	122	681	708	589	73	5287		
COMMON ASSAULT	2000	1374	107	1831	91	462	502	731	249	519	662	271	39	6838	-40	-0.6
	2001	1401	115	1649	99	601	469	768	274	467	633	288	34	6798		
SHOP LIFTING	2000	943	8	5	15	5	34	0	13	0	160	0	134	1317	-115	-10
	2001	902	2	3	15	3	22	0	3	26	91	1	134	1202		
THEFT GEN	2000	5926	317	1255	515	703	458	471	743	281	762	396	195	12022	1464	12
	2001	7017	327	1399	584	801	513	536	639	355	770	376	169	13486		
FRAUD	2000	780	23	32	28	27	19	10	36	8	53	23	34	1073	-95	-10
	2001	740	15	25	29	21	9	7	47	8	42	15	20	978		
ARSON	2000	17	7	49	5	23	8	18	7	15	14	14	1	178	-22	-14
	2001	17	5	39	2	24	3	30	1	10	13	11	1	156		
MALACIOUS DAM PROP	2000	964	72	719	74	161	206	309	118	164	241	179	27	3234	291	9
	2001	1151	67	705	133	203	207	315	135	158	230	192	29	3525		
TOTAL	2000	10582	717	6080	798	2094	1639	2100	1328	1708	2817	1632	499	31994	1624	5
	2001	11869	683	5771	922	2497	1638	2233	1266	1917	2696	1643	483	33618		
SOURCE:	South African Police Service Crime Information Analysis Centre															

Following the statistics in Table 2.4 one can conclude that the cases of Murder are stable, but Attempted Murder has increased by 249 cases which represent 75 per cent of the cases. Reported cases of Rape under the ages of 17 increased by 74 units with a major increase of 36 recorded at Botshabelo Police Station, followed by Boithuso Police Station, which is also at Botshabelo region, with 16 cases. Kagisanong and Parkroad Police Stations recorded 12 and 11 respectively while Batho Police Station recorded incidences of this crime of over 100 cases per year. In overall these numbers amounts to 21 per cent of all the cases reported in this category. Rape over the age of 18 years offences, increased by a devastating margin of 125 cases per year which represent 17 per cent of all the recorded cases on the category. Batho Police Station again reporting 60 cases more than the previous year from 190 to 250, while the others experienced slight margins. Assault with grievous bodily harm showed a decrease of 306, with a major reduction of 353 recorded at Batho Police Station. However, an increase of 133 cases was recorded at Boithuso Police Station, 62 at Bloemspruit Police Station and 32 at Parkroad Police Station while 16 more cases were recorded at Thaba Nchu.

Common assault dropped by low margin of 40 cases, with once again Batho Police Station reporting a sharp decrease of 182 cases, but Bloemspruit Police Station reported an increase of 139 cases. According to Moeti (2004) alcohol is the contributory factor to this increase. Shoplifting decreased with 115 cases with Botshabelo Police Station recording a decrease equalling 69. An increase of 1464 is noted in Theft General crimes with a major raise of 1091 being traced at Parkroad Police Station and only Navalsig, Selosesha and Thaba Nchu Police Stations showing a decrease. Fraud and Arson dropped by 95 and 22 respectively while Malicious Damage to Property increased by 291 cases and 187 thereof were drawn from Parkroad Police Station.

The main problem is experienced in the crime category of Theft General whereby all the police stations realized an increase, totaling to 1464. The most cases of these crimes were reported at Parkroad Police Station, the station that services mostly the City Centre and the Taxi Rank. Although a decrease is recorded in some cases, an overall increase of one thousand six hundred and twenty four overshadows all the statistics. It is clear that police stations like Parkroad are overloaded with crimes of General Theft, Common Assault and Malicious Damage to Property. The latter crime is mainly vehicle damage in the City Centre by hooligans and self-employed car attendants and these numbers are unacceptable. These types of crimes need the presence of uniformed persons on the streets and proper surveillance, as well as education of the public. This is where the concept of Municipal Police Service omni-presence in the form of traffic patrolling and Civilian Oversight may assist in crime prevention.

2.3.9.3 2000/2001 More Policeable Crimes for Mangaung Municipality

Higgs (2003) defines More Policeable crimes as economical crimes, which are likely to be influenced by the presence of Police Officials or are likely to be policed by Police Officials. The policing of these crimes may be in a form of routine patrols and/or visibility of Police Officials. The table below details the trends of these offences.

Deducing from this table, it is evident that Robbery with a firearm increased with 88 cases during 2000/2001 period with Selosesha, Batho and Kagisanong Police Stations recording a

slight increase of 26, 15 and 13 each. Bayswater and Navalsig Police Stations showed a moderate decrease of 7 and 3 respectively. It can be concluded that this crime is stable. Once more Robbery with other weapons also shows signs of stability with only Parkroad Police Station reflecting an increase over of 60 cases and Selosesha Police Station dropping by 11 cases of Common Robbery. This point how stable the crime is.

Burglary from residences was slightly up with 75 cases with the increase recorded at Batho Police Station with 156 cases, Bloemspruit Police Station reporting 92 and Selosesha Police Station 58 cases. Parkroad Police Station illustrated a dramatic decrease of 246. Burglary into businesses and Stock Theft depicted a constant norm but Theft out of Motor Vehicles was extreme with an increase of 1068 of which 804 occurred at Parkroad Police Station, 113 at Bayswater Police Station and 59 at Navalsig Police Station.All other police stations demonstrated a slight increase with the exception of Thaba Nchu, Botshabelo and Selosesha Police Stations. Theft of motor vehicles was also steady.

Table 2.5 MANGAUNG CRIME ANALYSIS

MORE POLICEABLE CRIMES

CRIME	YEAR	Park road P/stn	Bains vlei P/stn	Batho P/stn	Bays water P/stn	Bloem spruit P/stn	Heide dal P/stn	Kagi sanong P/stn	Naval sig P/stn	Boi thuso P/stn	Botsha belo P/stn	Selo sesha P/stn	Thaba nchu P/stn	Total	+/-	%
Robbery Firearm	2000	125	5	113	10	35	13	34	20	24	34	28	18	459	88	19
	2001	136	7	128	3	43	14	47	17	34	43	54	21	547		
Robbery Other Weapon	2000	74	3	43	12	41	53	62	13	6	9	5	4	325	121	37
	2001	141	6	38	15	55	49	89	22	7	6	16	2	446		
Common Robbery	2000	381	27	417	16	48	35	43	13	93	180	111	42	1406	-4	-0.2
	2001	355	33	457	20	46	28	76	18	74	137	117	41	1402		
Burglary Residence	2000	1574	200	1158	202	502	229	424	199	399	433	483	28	5831	75	1.2
	2001	1328	162	1314	192	600	242	467	218	400	418	541	24	5906		
Burglary Businesses	2000	821	26	49	14	30	41	22	94	40	92	94	73	1396	-17	-3.3
	2001	773	21	95	14	46	37	29	82	45	97	88	52	1379		
Stock Theft	2000	49	30	2	10	155	0	1	28	40	34	142	1	492	-21	-4.2
	2001	54	38	6	10	113	0	12	25	43	18	151	1	471		
Theft Out Of MotorVehicles	2000	2536	172	204	212	42	110	136	226	24	56	67	50	3835	1068	27.8
	2001	3342	178	219	325	56	156	174	285	24	38	66	40	4903		
Theft Of Motor Vehicles	2001	587	24	83	74	14	18	37	47	32	37	28	21	1002	- 1	-0.09
	2001	572	32	67	103	30	27	32	56	26	30	12	14	1001		
Total	2000	6147	487	2069	550	867	499	759	640	658	875	958	237	14746	1309	8.8
	2001	6701	477	2324	682	989	553	926	723	653	787	1045	195	16055		
Source:	South African Police Service Crime Information Analysis Centre															

This table further reflects that the two police stations, Parkroad and Batho had a major problem with burglary into residences. In general the total picture reveals that there was an

increase of More Policeable Crimes for Mangaung Municipality during the year 2001 and Parkroad Police Station recorded the most incidences of crime.

2.3.9.4 2001/2001 Crime Heavily Dependent upon Police Action for Mangaung Municipality

According to Dennis (2003), Crime Dependent on Police Action categorizes those crimes that may be deterred or reduced by the actions of Police Officials. These crimes may be countered by way of doing roadblocks and searching premises to ensure that such goods are not kept for sale or consumption. The following table tabulates the trend for these types of crimes for the period of 2000 and 2001 for the twelve police stations situated in Mangaung Municipality.

Table 2.6 MANGAUNG CRIME ANALYSIS
CRIME HEAVELY DEPENDENT UPON POLICE ACTION

CRIME	YEAR	Park road P/stn	Bains vlei P/stn	Batho P/stn	Bays water P/stn	Bloem spruit P/stn	Heide dal P/stn	Kagi sanon g P/stn	Naval sig P/stn	Boi thuso P/stn	Botsha belo P/stn	Selo sesha P/sn	Thaba nchu P/stn	Total	+/-	%
Illegal Poss Firearm	2000	38	6	46	1	18	7	11	2	12	16	108	0	265	6	2.2
	2001	29	4	35	3	20	12	13	4	13	14	122	2	271		
Drug Related Crimes	2000	153	6	107	18	43	41	25	28	60	47	31	9	568	178	31
	2001	206	19	158	7	65	74	33	19	61	45	49	10	746		
Driving Under Influence of Alcohol	2000	159	0	46	13	19	19	19	20	11	23	5	0	334	-10	-2.9
	2001	164	12	42	8	14	20	16	17	9	18	3	1	324		
TOTAL	2000	350	12	199	32	80	67	55	50	83	86	144	9	1167	174	14.9
	2001	399	35	235	18	99	106	62	40	83	77	174	13	1341		
Source:	South African Police Service Crime Information Analysis Centre															

It is derived from this table that Illegal Possession of Firearms is mostly recorded at the police stations situated in the townships. A major increase is traced at Selosesha Police Station with fourteen cases more, compared to the previous year's statistics. Drug related cases increased at all police stations except Bayswater, Navalsig and Botshabelo Police Stations. Once again Parkroad Police Station recorded the most cases with over fifty cases; a slight decrease is however accounted for Driving under the Influence of Alcohol. Overall an increase of one hundred and seventy four cases is noted, with major increases reported at Parkroad and Batho

Police Stations, with the former police station recording more drug related cases due to the night clubs situated in its jurisdiction.

2.3.9.5 Mangaung crime analysis 2000/2001 percentage change

Table 2.7 represents the Crime Percentage Change for Mangaung Municipality during 2000 and 2001. According to Dennis (2003), crime are classified in accordance with their impact on the society, hence category "A" crimes are More Serious Crimes, while category "B" are Less Serious Crimes.

Table 2.7 MANGAUNG CRIME ANALYSIS 2000/2001 PERCENTAGE CHANGE

CRIME	YEAR	Park road P/stn	Bains vlei P/stn	Batho P/stn	Bays water P/stn	Bloem spruit P/stn	Heide dal P/stn	Kagi sanong P/stn	Naval sig P/stn	Boi thuso P/stn	Botsha belo P/stn	Selo sesha P/stn	Thaba nchu P/stn	Total	+/-
Accumulation of Less, More and crime Dependant on Police Action	2000	17079	1216	8318	1378	3041	2205	2914	2018	2452	3765	2734	145	47265	3749
	2001	18969	1195	8330	1622	3585	2297	3221	2029	2647	3566	2862	691	51014	7.9%
Category A- Crime	2000	18914	1303	9982	1482	3427	2556	3777	2235	2776	4375	3217	863	54907	3909
	2001	21049	1282	10417	1750	4125	2683	4093	2270	3066	4092	3159	830	58816	7.1%
Category B-Crimes	2000	1610	392	285	411	169	518	190	441	187	275	92	37	4607	222
	2001	1147	258	378	287	230	557	179	453	203	325	131	237	4385	4.8%
Percentage change 2000/2001 Less Policeable Crime														45.24 %	
Percentage change 2000/2001 More Policeable Crime														83.68 %	
Percentage change 2000/2001 Crime Heavily Dependant Upon Police Action														385.05 %	
Percentage change 2000/2001 National CIAC twenty crimes														58.02 %	
Percentage change 2000/2001 category A-crimes														63.99 %	
Percentage change 2000/2001 category B-crimes														682.19 %	
Source: South African Police Service Crime Information Analysis Centre															

The accumulation of Less Policeable Crime, More Policeable Crime and Crime Dependent on Police Action shows that there were three thousand seven hundred and forty nine more cases recorded for 2001 and an increase of three thousand nine hundred and nine crimes classified as Category A-crimes. Parkroad and Batho Police Stations are again identified as police stations having recorded more crimes, and especially the former police station increasingly recording on both Category A-crimes and the accumulation of Less Policeable Crimes, More Policeable Crimes and Crimes Dependent on Police Actions. Category B crimes show a slight increase variation of 222 cases.

The crime analysis for all police stations obtained from National Crime Information Analysis Centre (CAIC) in Bloemfontein, illustrates that crime pattern differs per location with more property crimes experienced in the richer communities.

The crime analysis for the twelve police stations for the period of 2000/2001 displays an average increase of 4.56 percent change on Less Policeable Crimes, and a 6.94 percent average increase change on More Policeable Crimes. The Percentage Change for Crimes Heavily Dependent on Police Action registered 33.75 while there are 4.34 percent changes for CIAC twenty crimes. The percentage change for crime classified as A and B are 5.33 percent and 56.91 percent respectively.

The above declares decisively the actuality that Crime Heavily Dependent on Police Action magnified by more than thirty percent. Three types of crimes, namely Illegal Possession of Firearms, Drug-related crimes and Driving under the Influence of Alcohol constitute Crimes Heavily Dependent on Police Action. Generally said, I am of the opinion that these patterns of crime necessitate visible policing and lack of visible policing promotes or increases these crimes. Further, Municipal Policing in the pattern in which it is operated by enforcing road traffic offences may address this problem by creating the notion of the police being omni-presence and furthermore, if attention is given to minor cases, especially theft general and theft out of motor vehicles.

2.3.9.6 2000/2003 Mangaung revised crime statistics

Table 2.8 shows a summary of crime statistics for four years. The first two year's statistics differ with those in sections 2.3.9.2 of this study on Less Policeable Crimes. Apparently this was revised sometime in 2003, hence the offences Shop-lifting, Theft General, Fraud, Arson and Malicious Damage to Property were reclassified, and do not form part of Less Policeable Crimes. Therefore the figures shaded in red reflect the initial number of offences before the revision.

TABLE 2.8 REVISED CRIME ANALYSIS FOR MANGAUNG

TOTALS MANGAUNG AREA							
	2000	2001		2002		2003	
More Policeable Crimes	14618	15980	9.3%	16282	1.9%	16360	0.47%
Less Policeable Crimes	14154 17840 (initial)	14750 18868 (initial)	4.2% 5.7%	14727	-0.15%	15400	4.5%
Crimes Dependent on Police Action	1074	1239	15.3%	1356	9.6%	1202	-11.3%
Total category "A"	54851	58625	6.8%	59858	2.1%	60696	1.3%
Total category "B"	4585	4302	-6.1%	6010	39.7	6993	16.3%
Source:	South African Police Service Crime Information Analysis Centre						

Notwithstanding the above, revised Less Policeable Crimes showed an increase in 2001 and a decrease of twenty three cases in 2002, but a major increase of six hundred and seventy six more reported cases during 2003. Note should however be taken that only five crimes; namely Murder, Attempted Murder, Rape, Assault Grievous Bodily Harm and Assault Common are included in this statistics. This reveals that this category of crimes is still a problem in Mangaung Municipality, even though it is not known where the other offences are being allocated. The omitted crimes, Shop-lifting, General Theft and Malicious Damage to Property are recorded the most in the City Centre and one may conclude that they are regarded as minor offences by the South African Police Service.

Less Policeable Crimes revealed a gradual increase since the year 2000 with a dramatic increase of 1362 cases during 2001. From the year 2002 to 2003 there was a slight decrease on reported cases on More Policeable Crimes, although the figures are still high. Crimes Dependent on Police Action is reduced by over a hundred cases. The category "A" and "B" crimes have since been increasing from 2000 where a major increase of more than one thousand seven hundred cases was reported for category "B" offences during 2002.

The statistics reflect that levels of recorded crime in Mangaung Municipality indicated either a general decrease or stabilization in the crime rate from 2000 to 2003 but in 2001 crime began to increase in the City Centre and the suburbs of Mangaung Municipality. Most crimes having a major impact on the City Centre are Theft General, Shop-lifting and Damage to Property, especially motor vehicles damaged in parking lots and Theft out of Motor Vehicles.

These are some of the crimes that the citizens reported to the local authority and they expected some actions. The most common crime in each area varies according to the population density and socio- economic conditions. The types of crime in the richer areas relate more to theft, whereas the type of crimes in the poorer, mostly black, areas relate more to Assaults and physical abuse. Historically this municipality played a limited role in security, except for protection of the Council's assets. The compiled Integrated Development Plan for this municipality was directed by the needs of the citizens. This plan envisaged more vigorous lobbying role with the South African Police Service and more direct involvement with the investigation of the feasibility of establishing a Municipal Police Service.

2.3.9.7 Summary of crime trends per police station for Mangaung Municipality

All the crime statistics discussed in this section of the study were supplied by Crime Information Analysis Centre of the Southern Free State. The trend for "A" crimes, which represent More Serious Crimes for Mangaung Municipality as a whole from 2000 to 2003 has increased. The trends for each police station area are as follows:

TABLE 2.9 SUMMARY PER STATION

POLICE STATION AREA	TREND OF"A CRIMES" 2000-2003
PARKROAD	—
BATHO	↑
HEIDEDAL	—
BAYSWATER	—
BAINSVLEI	↑
SELOSESHA	↓
THABA NCHU	↑
BOTSHABELO	—
BLOEMSPRUIT	↑
NAVALSIG	↓
KAGISANONG	↑
BOIYHUSO	↑
TOTAL MANGAUNG	↑
Source: Crime Information Analysis Centre	
Increase: ↑	**Decrease: ↓**	**Stable: —**

2.3.9.8 Crime statistics for the 2004/2005 financial year compared to the 2005/2006 financial year.

The crime statistics for the 2004/2005 financial year compared to the 2005/2006 financial year represent crimes that occur from period April to March of each financial year. These statistics are recorded per police station situated in Mangaung Municipality and are attached as **Addendum "E"**. According to Pretorius (2007) a decrease of more than ten percent is exemplified by a green colour, a decrease of less than ten percent is demonstrated by a light green colour while a red colour illustrate an increase, and a blue colour show that crime trends are stable.

It will be noted that Batho Police Station does not appear on these statistics since it now forms part of a bigger Mangaung Police Station that was recently established. Below is a description of comparative statistics for the period April to March 2005/2006 financial year compared with same period in 2004/2005 financial year.

(a) <u>Bainsvlei Police Station.</u>

The comparative statistics for the period April 2005 to March 2006 compared to the same months in 2004 and 2005 for Bainsvlei Police Station shows a decrease of 6.78 percent on Contact Crime and a decrease of 2.39 per cent on Property Related Crimes. Crimes Dependant on Police Action increased by 6.67 per cent while Contact Related Crimes decreased by 6.10 percent. A further decrease was realised on Other Serious Property Related Crimes and Priority Crimes with 5.65 percent and 4.39 percent respectively. **(see Addendum "E-1")**.

(b) <u>Bayswater Police Station.</u>

Bayswater Police Station crime trends an increase on all classified crimes except for Other Serious Property Related Crimes which decreased by 14.32 percent. Contact Crimes increased by 29 cases that represents 18.24 percent while Property Related Crimes increased by 1.68 percent with the most increase recorded on Theft out or from motor-vehicles. A further increase of 130 per cent is noted on Crimes Dependant on Police Action and crime to be reckoned with in this category is Drug Related Crime. Malicious Damage to Property

increased by 69 percent forcing the Contact Related Crimes to increase by 60.26 percent. In overall the crime trends for Priority Crimes increased by 2.48 percent.
(see Addendum "E-2").

(c) Bloemspruit Police Station.

Crime trends for Bloemspruit Police Station for this period show a decrease on all classified crime except for Crimes Dependant on Police Action. Contact Crime and Property Related Crimes recorded a 7.18 and 3.01 percent decrease respectively. Contact Related Crimes decreased by 6.04 percent while Other Serious Property Related Crimes registered as 15.12 percent decrease. A 6.25 percent decrease is realised on Priority Crimes while Crimes Dependant on Police Action increased by a 29.20 percent representing a difference of 40 cases compared to the previous financial year. **(see Addendum "E-3")**.

(d) Boithuso Police Station.

Boithuso Police Station statistics shows and decrease of 14.66 percent on Contact Crimes and of 6.97 on Property Related Crimes. However, Crimes Dependant on Police Action increased by a mere 1.95 percent. Contact Related Crimes dropped by 11.34 percent while Other Serious Property Related Crimes by a massive 90 cases representing 31.14 percent. A considerable decrease is achieved on All Theft not Mentioned Elsewhere which dropped by 90 cases. Priority Crimes decreased by 350 cases which is equal to 14.46 percent. **(see Addendum "E-4")**.

(e) Botshabelo Police Station.

The crime statistics for Botshabelo Police Station reflect that Contact Crime increased by 1.64 percent while the Property Related Crimes decreased by 11.63 percent. However, Crimes Dependent on Police Action increased by 25.38 percent from 130 cases to 163 cases. Contact Crime Related Crimes also increased by 7.03 percent while both Other Serious Property Related Crimes and Priority Crimes dropped by 11.56 percent and 1.98 percent respectively. **(see Addendum "E-5")**.

(f) Heidedal Police Station.

Crime trends for Heidedal Police Station for this period show a decrease on all classified crime except for Crimes Dependant on Police Action and Contact Related Crimes. Contact Crime and Property Related Crimes recorded a 6.50 and 5.33 percent decrease respectively. Contact Related Crimes increased by 6.22 percent while Other Serious Property Related Crimes registered as 1.81 percent decrease. A 3.45 percent decrease is realised on Priority Crimes while Crimes Dependant on Police Action increased by a 19.64 percent representing a difference of 11 cases compared to the previous financial year. **(see Addendum "E-6")**.

(g) Kagisanong Police Station.

Statistics for Kagisanong Police Station demonstrate a considerable increase of 84.14 percent on Crimes Dependant on Police Action by registering 87 more cases. The most distinguished increase is found on Drug Related Crimes recording 92 more cases compared to the previous year. Contact Crime and Property Related Crimes decreased by 18.91 and 5.92 percent respectively while Contact Related Crimes declined by 8.15 percent. Other Serious Property Related Crimes dropped by 19.49 percent and Priority Crimes by 13.42 percent. **(see Addendum "E-7")**.

(h) Mangaung Police Station.

Mangaung Police Station's crime statistics illustrate an increase of 24.10 percent on Property Related Crimes and a huge increase of 59.32 percent on Crimes Dependant on Police Action as well as an increase of 2.74 percent on Priority Crimes. A further increase is realised on Contact Related Crimes by registering 10 percent while a decrease was registered on Contact Crime with 2.82 percent and Other Serious Property Related Crimes with 10.7 percent. **(see Addendum "E-8")**.

(i) Navalsig Police Station.

The Navalsig Police Station realised a decrease on all crime categories. Contact Crimes dropped by 20.58 percent, Property Related Crimes by 13.93 percent while Crimes Dependant on Police Action decreased by 27.87 percent. Contact Related Crimes recorded an 18.37 percent decrease Other Serious Property Related Crimes and Priority Crimes registered a 9.18 and 15.14 percent decrease. **(see Addendum "E-9")**.

(j) Parkweg Police Station.

The Parkweg Police Station shows a decrease on all crime categories with Contact Crimes dropping by 4.48 percent. Property Related Crimes decreased by 1.75 percent while Crimes Dependant on Police Action decreased by 11.72 percent. Contact Related Crimes registered a 6.23 percent decrease and Other Serious Property Related Crimes 6.91 percent. Priority Crimes registered 5.06 percent decrease. **(see Addendum "E-10")**.

(k) Selosesha Police Station.

The crime statistics for Selosesha Police Station demonstrate that Contact Crime and Property Related Crimes decreased by 7.01 and 6.88 percent respectively while Crimes Dependant on Police Action seemed to be stable. Contact Related Crimes increased by 6.67 percent and Other Serious Property Related Crimes increased 7.08 percent. The Priority Crimes decreased by 4.38 percent. **(see Addendum "E-11")**.

(l) Thaba-Nchu Police Station.

Statistics for Thaba-Nchu Police Station reflect that Contact Crime has dropped by 28.44 percent while Property Related Crime and Contact Related Crimes realised a reduction of 15.13 and 28.79 percent respectively. Other Serious Property Related Crimes dropped by 15.25 percent and Priority Crimes by 19.84 percent. The only crime increase experienced by this police station is on Crimes Dependant on Police Action which escalated by 42.86 percent. **(see Addendum "E-12)**.

2.3.10 Social indicators from the clinics of Mangaung Municipality

According to the Mangaung Local Municipality Integrated Development Plan (2003-2004:25) there is a perception of increasing crime amongst both the black and the white community, although it is much less than in other large cities. Safety and security featured prominently in the top 8 priorities in most wards. According to the Mangaung Local Municipality Integrated Development Plan IDP (2003-2004: 37) the office of the Medical Officer of Health furnished the figures as tabled below, regarding crime.

TABLE 2.10 SOCIAL INDICATORS FOR MANGAUNG MUNICIPALITY

Social indicators	**Incidence**
Teenage pregnancy rate (2000-2001)	**18-20 %**
Assaulted/ raped women 16 years and older who were presented to clinics or where encountered by nursing staff (only known cases)	**1461 (2001) +/- 950 (2000)**
Assaulted /raped children under 16 years of age who were presented to clinics (only known cases)	**135 (2001) +/- 65 (2000)**
Source: Mangaung Local Municipality Integrated Development Plan: 2003-2004	

Table 2.10 demonstrate that the rate of teenage pregnancy in 2000 was 18 per cent of those who were attended for various diseases at the clinics. In 2001 this figure increased to 20 per cent. The number of women of the ages 16 years and older, who presented themselves for medical attention at the clinics of Mangaung Municipality as a result of being assaulted and/or raped, increased from 950 in 2000 to 1461 in 2001. The number of children under the ages of 16 years attended at Mangaung clinics as a result of being assaulted and/or raped doubled, from 65 in 2000 to 135 in 2001. It is however important to note that these figures represent only known cases by the office of the Medical Officer of Health. The possibility exists that these figures might be higher.

2.3.11 Council's property incidents attended by the Mangaung Security Division

According to the Venter (2004) the incidents affecting Council property identified and investigated by the Security Division of Mangaung Municipality for the year 2003; are 73 occurrences of theft and 13 of Housebreaking while Malicious Damage to Property equal 10 incidents. 3 incidents of Robbery, 1 of Bribery and 16 of Corruption were also recorded while 146 written warnings were issued of which 33 appeared in Court. 125 written warnings for hawking activities were issued which resulted into 55 summonses. Notices issued for statutory offences; especially for operating a business from residential area were 211 and 103 of these notices resulted in summonses to appear in Court. This division have two Peace Officers dealing with these offences.

2.3.12 Law enforcement resources in Mangaung jurisdiction

According to Fivaz (2000:5), it is not possible for the official authority of the State, namely the National Police Service, to safeguard all the rights of people as the obstacle is a lack of capacity. Buntman and Snyman (2003:208) explain that the South African Police Service suffer from a fundamental lack of sufficient resources, both human and material from salaries to equipment. Schönteich (2002:4) opinion is that the South African Police Service loose some 5000 employees a year through natural attrition… (and) by the year 2005 the South African Police Service personnel numbers should be at similar levels to what they were in 1997. This is emphasized by Fothoane (2004) that manpower is problem at Parkroad Police Station. Moloi (2004) indicated that the station does not have officials responding to CCTV, since there are no police officials, and taking absenteeism into account; the station ends up with only ten members a day to perform police duties. An example on this matter is a letter from Viljoen (2004) which claims to have phoned the Bainsvlei Police Station, requesting assistance, only to be informed that there were no vehicles to transport police officers. This person was according to this letter, further advised by the members of the South African Police Service to approach the municipality for assistance. This is in fact a trend, which according to Moloi (2004) is caused by the moratorium on filling of vacant positions and a rationalization that policing should operate by way of communicating to the community and not only arrest the people.

2.3.12.1 South African Police Service resource allocation per police station

According to Legget (2003:4) uniformed members of the police in South Africa, provides a range of specialized services which are privatised in other countries. The members of the South African Police Service are responsible for guarding Courts; public buildings and act as Court Orderlies. They are also responsible to control the Court Holding cells, and transports prisoners that are in custody to and fro the Courts and Correctional Institutions. It is also their responsibility to guard public officials and other dignitaries. Police Officials are also required to act as Commissioner of Oaths and dedicate a significant amount of time to certify documents belonging to the public at various police station's charge offices or police station community centres. They play an important role in a variety of other public administration functions; including attending to applications of licensing of firearms, transport public carriers' permits and the control of establishments selling liquor.

Table 2.11 RESOURCE ALLOCATION PER POLICE STATION

RESOURCE ALLOCATION PER POLICE STATION												
	Bains Vlei	Batho	Bays Water	Bloem Spruit	Heidedal	Kagisanong	Naval Sig	Boi Thuso	Botsa Belo	Selo Sesha	Thabanchu	Park road
Director	0	0	0	0	0	0	0	0	0	0	0	1
Sen Sup	0	1	0	0	0	0	0	0	1	0	0	1
Sup	1	2	1	1	1	1	1	1	1	2	1	11
Captain	3	17	4	5	4	4	6	4	8	7	4	20
Inspector	35	125	31	55	39	41	44	31	61	81	41	221
Sergeant	9	27	8	17	9	19	11	28	70	25	6	62
Constable	4	6	2	5	6	6	2	1	4	0	1	15
Total 1	52	178	46	83	59	71	64	65	145	115	53	331
Detectives	9	52	7	18	13	16	11	13	15	22	12	105
Total 2	43	126	39	65	46	55	53	52	130	92	41	226
Vehicles	17	42	9	17	13	22	18	19	36	21	9	97
Source: South African Police Service Crime Information Analysis Centre												

In the above table, each police station is allocated the total number of personnel as depict in a column indicated in Total 1. Total 2 represents the number of uniformed personnel after the deduction of detective officers, for example, Parkroad Police Station has 331 Police Officers including the Detectives, but without the latter it has only 226 as uniform wearing personnel, including the management. These numbers indicate that the twelve police stations in Mangaung are granted human resources of 1259, including those doing detective work. However, these figures would differ from the actual number of officers physically working at a station, because of budget constraints and other factors like continued sick leave. The same may also be said about the 320 vehicles that are lost due to attrition and mechanical defects during the course of operation.

2.3.12.2 Policing in relation to population ratio

Hyde (2002) believes that the correct ratio for police officer per population is 1 per 250, but the United Kingdom, Australia and Brazil and Canada regard it as 1 officer per 600 citizens. Catney (2003:1) states that the Peel Regional Police Service; is the third largest Municipal Police Service in Canada with 1392 uniformed members and 506 support staff and it services the population in excess of 911000 people. This brings the ratio to 1 police officer to 655 people. According to Bratton (2003) in Los Angeles Police Department, the ratio is

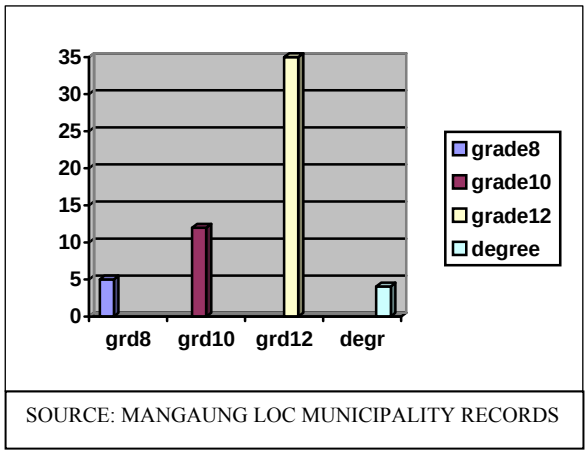
approximately 1 officer per every 370 community members. According to Moslow (2002), the population of Amherst is estimated 115 000 and the Amherst Police Department consist of 151 sworn officers and supported by 35 full and part-time civilian employees. The ratio for Amherst is 1 police officer per 762 people.

Table 2.11 shows that the twelve South African Police Service stations situated in Mangaung Municipality have been allocated 1262 Police Officials. According to the Statistics South Africa, Census (2001) the population of Mangaung is estimated at 646 237. The statistics for Mangaung Municipality brings the ratio for Mangaung Municipality to 1 Police Officer per 512 people. This number includes officers doing office work and those occupying high positions, as well those on extended sick leave and those doing administrative duties. Therefore, this ratio might increase if proportionally studied with the police doing services on the streets and therefore the chances of committing crime are considerable.

2.3.12.3 Number, qualifications and shift pattern for the Mangaung Traffic Department

According to Maree´ (2004) the Mangaung Municipal Traffic division has a total staff establishment of 64 personnel, including the management. Of this number there are eight vacant positions that are unfortunately frozen, with a slim possibility of being filled. Nine Traffic Officers and a Superintendent Traffic Officer are stationed in the Thaba Nchu urban area and their patrol area includes the Thaba Nchu urban area, the rural area and Botshabelo area. The total number of officers available for Bloemfontein amounts to forty six, of which six are in senior management and fifteen are special services that include Traffic Safety at schools, Traffic College and Court services. This leaves an approximate number of twenty-five officers for Bloemfontein to attend to traffic patrol functions and other traffic related complaints.

Figure 2.4 QUALIFICATIONS OF TRAFFIC OFFICERS



SOURCE: MANGAUNG LOC MUNICIPALITY RECORDS

The above figure represents qualifications of the Traffic Officers employed by the Mangaung Municipality. This figure shows that five Traffic Officers have grade eight certificates while twelve and thirty-five officers are in possession of grade ten and twelve respectively and only four have tertiary education. It terms of the South African Police Service Amendment Act, (Act 83/1998), only persons in possession of grade 12 qualify to be appointed as Municipal Police Officers. Therefore, in respect of Mangaung Municipality, thirty-nine Traffic Officers already qualify to be employed as Municipal Police Officers.

According to the Nthlanka (2004), Traffic Officers work two shifts of 06:00 to 14:00 in the afternoon, 14:00 to till 22:00 in the evening from Monday to Friday. On Saturdays they work three shifts of six hours each, starting from 06:00 to 12:00, 12:00 to 18:00 and from 18:00 to 00:00. On Sundays the shift starts at 08:00 to 14:00 and from 14:00 till 20:00. It is clear there is a cycle of eight hours from Monday to Saturdays, and a cycle of ten hours between Sunday and Monday where there is no traffic law enforcement, or where the streets of Mangaung are not patrolled or manned by a Traffic Officer.

2.3.12.4 Condition of Mangaung Municipal Traffic Patrol Vehicles

According to Ntlhanka (2004), the fleet audit was carried out in the traffic division during February 2004, and there were 56 patrol vehicles of which 20 registered under 100 000 kilometres. The number of patrol vehicles that are in good condition amount 29 with a yearly

addition of four vehicles per financial year. These vehicles patrol different streets and roads as indicated in Table 2.1.

2.4 Overview of the problems reported to the Mangaung Municipality

Municipalities form the base level of government for planning and policy implementation and are closest to the communities and thus speedily identify crime trends as they affect those communities. The community in turn, expects the Municipality to react promptly to their complaints of any nature, including those of violent crime. However, of more importance is the municipality's ability to identify security concerns and react to local crime trends appropriately. The following is an indication of the problems encountered by the Municipality of Mangaung.

2.4.1. Municipal regulations complaints

According to Fanaroff (2004), it is well known from International and South African experience that residents feel insecure and unsafe in an environment which is dirty, in which by-laws are not enforced, buildings degenerate and where there is petty crime. This is referred to as Broken Window Syndrome where crime and grime is well known to be a significant factor in creating the perception that an area is not orderly and is unsafe. It is therefore a common practice that whenever the society is feeling aggrieved or discontent about a matter that affects their well being within their area of jurisdiction, they would approach the Political Leader or Councillor in their Wards or approach the Local Council and register their concerns either verbally or in writing.

Factors that are discussed hereunder are limited to those that emanate from written complaints reported to the structures of the Council. This discussion does not reflect the total complaints registered with the Municipality, but will only be to draw a picture of the range of complaints received by the municipality or a brief overview of the problems the Municipality is facing. According to Mahatanya (2004), these types of complaints are registered the Municipal offices to seek advice, assistance and refugee on matters that are related to Municipal regulations. These municipal regulations will be discussed under the following:

2.4.2 Complaints related to Hawkers

The Council of Mangaung Municipality, in a bid to formalise the informal trading demarcated spaces, erected structures and allocated such to various individuals to run the business of hawking (Masoetsa; 2003). Emanating from this concept of creating suitable places to trade from, problems emerged. One such is an e-mail from Koch (2002), in which he was concerned that stalls were permanently occupied and alcohol continuously consumed in them, which later resulted in fighting, stabbings and noise pollution (**see Addendum F**). According to the former hawkers and their clients urinated in public as they wish.

May (2004) have a problem with hawkers who deliberately put their structures to obstruct the view of the cameras and used them to steal from persons passing by these structures. According to Wiese (2003) the Council of Mangaung Municipality must do something about vegetable stalls which are almost at every corner of the streets, because they are used by burglars to survey house-owners who left their places and then break into such houses. He further suspects that drugs are trafficked from stalls placed near to schools and school children are robbed when passing by the stalls.

The above are among the complaints received by the Municipality regarding the hawking activities in its jurisdiction. Even if the Council attempted to formalise hawking activities by providing stalls, it is apparent that it is necessary to ensure that the stalls are used legitimately and properly to ensure that crime activities are not conducted from them.

2.4.3 Complaints related to damage to property

Complaints relevant to this misdemeanour relate to the letter received from Potgieter (2000) who wrote that a customer's vehicle was damaged because he turned down the offer that his vehicle be guarded by a self-employed car-guard. Theron (2002) complained about people who jumped over their flat's patios and over the roof carports, vandalised and break into their vehicles.

This type of behaviour is reported to the South African Police Service, but the public feels that the Local Government also needs to take action about their safety, therefore it is necessary as

the first letter indicated, that is something needs to be done to promote safety in the city and that people's rights should be preserved.

2.4.4 Complaints related to theft

Although theft as a crime was extensively discussed in the section dealing with the crime analysis, this category relate to complaints directly and mostly linked to the Council's property. According van der Merwe (2001) theft of wooden street light poles results in large areas of street lighting defective as it affected all the streets lights in the vicinity feeding from the same point of supply, due to a break in the conductor. According to a report from Die Verkeershoof (1996) stealing and vandalising of road signs and street names as well as the total removal of parking meters with its poles from a parking bay overnight resulted in confusion to motorists and might lead to accidents. Most of these acts are in a way vandalism caused by reasons unknown to the Municipality, but have a dramatic impact on the lives of the citizens. Removal of street and traffic signs may cost lives as emergency vehicles get lost when summoned to deliver medical services in the suburbs and absence of signs cause fatal collisions at intersections (Nkolanyane, 2004).

2.4.5 Land invasion complaints

According to the Khoabane (2000), illegal squatting/land invasion was registered as a problem in the Bloemfontein area and does not only affects the elections and government, but in many cases also creates a health risk. This is supplemented by Maree (1997) who reported that people who live in squatter camps are stealing and removing the fences that protect their property. The problem about squatters according to Masoetsa (2004) is that when they report the incidence to the South African Police Service, the latter refers them to the Municipality. This places pressure on the Municipality, since it does not have police structure to deal with the matter. Further, it is apparent from the complainants that land invasion in its entirety is illegal, and it has other elements of crime activities connected to it.

2.4.6 Complaints related to alcohol

One letter from a member of the public complained in general about people drinking in public places like the children's park, shopping complexes and on pavements. According to a petition from Beswarende Inwoners (1997) the Heidedal residents brings to the attention of

Council that they are very concerned about the shebeens that sell liquor to minors and children drink alcohol in full view of the public at these places. These offences are, according to Swart (2004) often regarded as minor offences by the South African Police Service members since they (South African Police Service's members) claim to be focussing on major crimes and hence they resorted to the Municipality for assistance. This is further supported by Pieters (2001) who wrote, " *Ek is deur die Bainsvlei Polisiestasie na u verwys aangaande die lê van 'n klag"… ("I have been referred to you by the Bainsvlei Police Station with regard to the lodging of a complaint").* This tendency of referring petty crimes to the Security Division of Mangaung Municipality puts pressure on the Municipality to act in response to crime. The public in turn expects the Municipality to do something about the so-called "petty-crimes".

2.4.7 Complaints regarding security of citizens

In the letter directed to the Mayor of Mangaung, Laubscher (2004) suggested that the suburb of Westdene be identified as a crime spot, in view of the recent spate of serious crime incidences that had been recorded in the area. In addition to this, Hefer (2004) submitted a motion to Council that the lawlessness in Mangaung Municipality in general, but more particularly in important business and residential areas such as Westdene, should be eradicated to ensure the safety and prosperity of the Mangaung residents and visitors to the city. This was prompted by an incidence whereby a businessperson was robbed and killed, and this was not an isolated incidence, but part of a series of such incidences (**see Addendum G**).

A letter from Kritzinger (1998) raised a major concern about the security of the citizens and appealed to the Municipality to cordon-off the Berg-En-Dal area at certain periods and to be permitted to collect a certain amount of money from the residents for barricading the place at night or and for further patrolling it. This letter is but part of the concerns of the public about crime in Mangaung Municipality and this indicates the severity of crime threats the citizens are confronted with in their places.

2.4.8 Nuisance and littering complaints

Pitchers (2003) reported about revolting experiences when she claimed to have witnessed on three occasions, of couples having sex in broad day light in the open areas opposite the

Children's Park and thereafter disposed of the used condoms there and then without taking in to consideration that the place is mostly used by children. The other matter of concern is the vagrant who tears the refuse plastic bags in search of food and thereafter leaves the place in a mess. Citizens littering in prohibited areas were also identified as a problem and the public complained that something should done about the problem since it becomes a health hazard to people near the place. One personal experience was that of Walters (2004), who lodged a complaint verbally to the researcher, about the wrongdoers who are scavengers at the refuse site. These persons would offer their services to members of public to help off-load while they in turn search for any thing that they can steal from the person. In this incidence this person's wallet was grabbed and stolen while he was trying to thank those that assisted him by giving them some money.

2.4.9 Complaints related to disturbance of peace

These are offences that are supposed to be reported to the South African Police Service, but according to the petition from the residents of Pitchers (2003) when this matter was reported to the South African Police Service, they were referred to the Municipality for assistance. This is confirmed Swart (2004) that the South African Police Service tends to refer all cases that they regard of a minor severity to the Municipality and this started when the White Paper on Safety and Security declared that the Local Government should also participate in crime prevention. This type of problems, according to him, are mostly related to night-clubs which are legally licensed by the Liquor Board where the South African Police Service members are part of the team that decide and the Municipality is not represented. The Security Department is not in a position to attend to these types of crimes. The Municipality, in such incidences, during a combined crime-combating project would only assist by gauging the decibels of the sound at such places.

One other example on this problem is the letter from the De Wee (2001) complaining about people who had gathered around the Civilia Building for three weeks or more, and on some days sing while they were on a strike protesting against unemployment. This disturbed the smooth running of meetings in the Provincial Offices nearby. This was directed to the Municipality, while the former is quite aware about the structures of the Municipality in terms of law enforcement.

2.4.10 Complaints associated with social factors

This category of complaints refers to vagrants and street children who behave criminally towards the public. Complaints included vandalizing of parking meters, damaging parked vehicles, assault of members of public by street children, and theft. Social factors sometimes lead these people to resort to criminal activities. Sometimes, their mere presence in the streets prompted public members to complain. In a letter directed to the Mayor, De Vries (2002) request that the Municipality remove a vagrant person from his premises. As mentioned earlier, vagrants and street children are not criminals, but their presence sometimes lead to activities that may breach other people's rights. This is confirmed by a letter from van der Merwe (1999) that wrote as follows: " *Hiermee vra ek na aanleiding van vele voorvalle waar die meterplek aanwysers vroue terrioseer deur allerhande opmerkings en dade dat daar iets werkliks gedoen word om hulle van die meters af weg te hou"...(Due to several incidents of continuous terrorisation of female motorists by the parking attendants by actions and remarks, I hereby request that something be done to remove them from the parking meters).*

These are some of the complaints received by the Municipality and are here discussed to give a picture of the situation in Mangaung Municipal area. These letters were drawn from the archives of the Municipality to indicate that the community also expects that the Local Government should among other functions, take part in crime prevention.

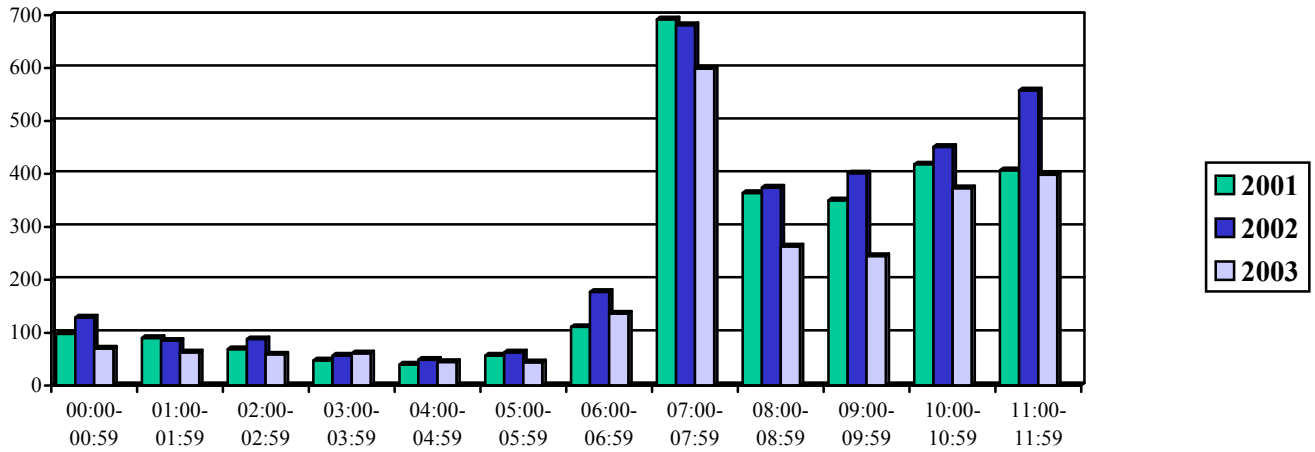
2.4.11 Traffic related complaints

According Ntlhanka (2004), traffic related grievances are mostly received for vehicles speeding during the evenings in the suburbs and holding drag racing in the city centre. It is his view that these complaints are increasing, since there has been an average of approximately 35 cases per month this year (2004), while such complaints were much fewer the previous years. According to Olifant (2004) the control room receive most calls for this nature of offences especially from Thursday's to Sunday's evenings. Among similar letters on this category of complaints is a letter from Bronova (2001), complaining that the previous night, (that is on the 30 May 2001) they were woken up by noisy and drunken customers speeding their motor-cars around the Pub at about 23:20 till the early hours of the morning. According to this letter, this is a usual practice every weekend.

Bloemfontein Accident Buro (2001-2003) reflects the period at which most collisions occur as between 07:00 to 08:00 during the morning peak hour rushes. According to Oosthuizen (2004) there are three peak traffic patterns in Mangaung Municipality. The first traffic pattern is experienced when the traffic volume is less than normal. The period linked to this pattern is from 22:00 to 06:00. This is the period where complaints of speeding, drag racing and driving under influence of alcohol are the most recorded and traffic accidents which happen during this time are usually of a serious nature were fatal injuries are often recorded. The second and third traffic patterns are during the periods when traffic is on the peak; from 07:00 to 08:00 and from 16:00 to 17:00. During these times the traffic volumes are such that collisions are more but are of a less serious nature and are mostly damage only collisions. This is also the same during normal hours.

The two figures below, Figure 2.5 and Figure 2.6 represents a collision per hour statistics for Mangaung Municipality which is classified into two periods. Figure 2.5 depicts the collisions occurring during the low to high traffic volume and this includes the morning rush hour and the midday traffic volume. Traffic collisions happening during the high to low traffic volume period which involves the midday traffic to the afternoon rush hour traffic and the midnight traffic volume are reflected on Figure 2.6.

Figure 2.5 COLLISIONS PER HOUR PER YEAR 2001-2003 (00:00-12:00)

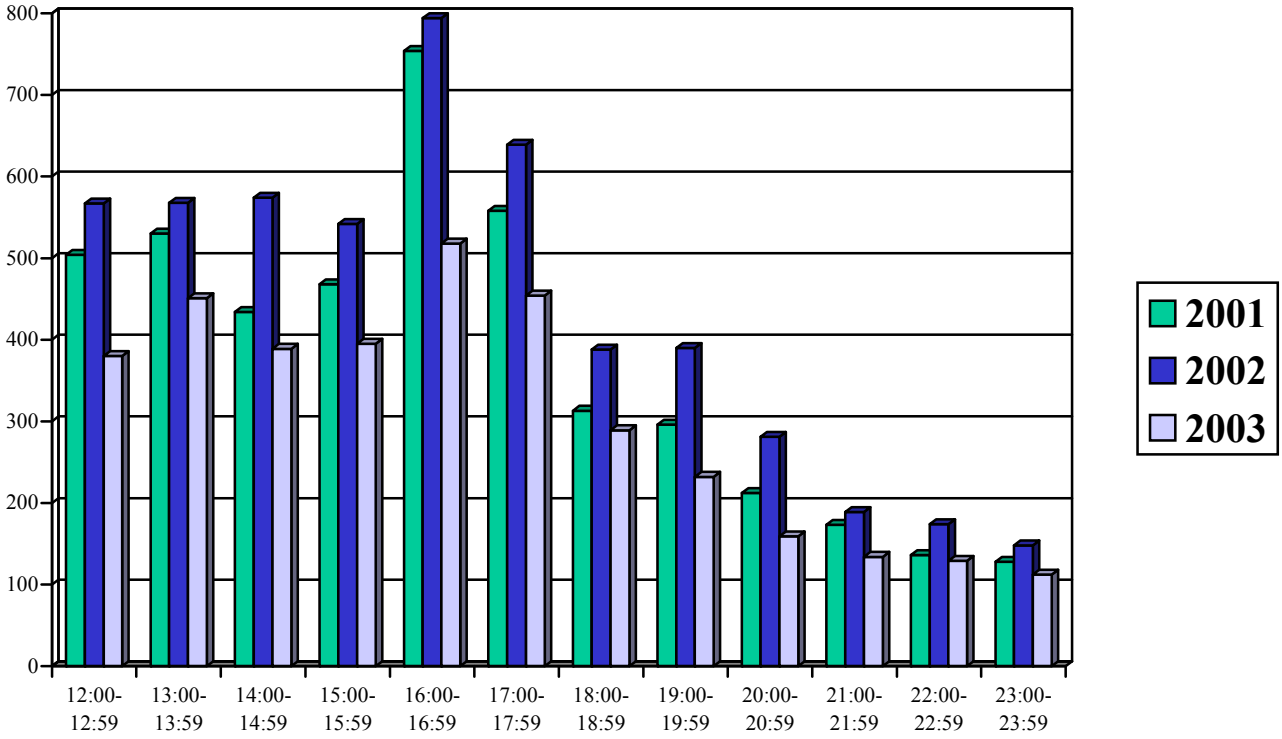


SOURCE: BLOEMFONTEIN ACCIDENT BURO 2001-2003

This figure shows that most traffic collisions occur between the periods of 07:00 to 11:59 but a major increase of traffic collisions is recorded between 7:00 and 8:00 in the morning. There are more than 600 traffic collisions recorded during this period for the year 2001 and 2002 while more than 500 were recorded in 2003. Collisions that happened between 00:00 and 00:59 recorded over 100 in 2002 and according to Nel (2004) it is during these hours when serious and fatal collisions occur. According to Mokobe (2004) the statistics for 2003 are not fully captured as the Department of Transport changed the method of capturing accidents without informing all Traffic Authorities and thus the new introduced format is not compliant with the computer systems used by Traffic Departments. The records of the traffic collisions for 2003 in respect of Mangaung therefore reflect till the month of August 2003.

Figure 2.6 below represents collisions that occurred from 12:00 midday till 00:00 hours. On this graph, an increase in collisions was recorded in 2001 and 2002 during all the hours of the day. Note should be however be taken that records of the traffic collisions for 2003 reflect till the month of August 2003.

FIGURE 2.6 COLLISIONS PER HOUR PER YEAR 2001-2003 (12:00-00:00)



SOURCE: BLOEMFONTEI N ACCIDENT BURO: 2001-2003

The above figure represents collisions for the period 12:00 to 00:00. The most collisions are recorded during peak hour rush between 16:00 and 17:00 of which the highest was recorded in 2001 and 2002 (just below the 800). This collision graph further shows that an increase in collisions was noted in afternoon peak hour times during 2002 and the other years were fluctuating. Note should however be taken that from 21:00 onwards the collisions are declining.

2.5 Summary

This chapter placed the focus on the reasons for establishing a Municipal Police Service for Mangaung Municipality. It unfolded by demonstrating the position of Mangaung Municipality in South Africa as well as in the Free State Province. The four areas that constitute Mangaung Municipality are discussed and the demographics as well as the Integrated Development Plan are explained. The financial status of this Municipality was

highlighted. Contributory risk factors to crime in South Africa and Mangaung Municipality are identified as unemployment and poverty, age and gender, HIV and AIDS, social indicators, firearms, environment, alcohol and drugs, rapid urbanization, South African Police Service resources and the history of South Africa. Crime statistics of Mangaung's twelve police stations point towards the crime trend that is rising in Mangaung. The statistics of the Southern Free State region, the region in which Mangaung is situated, were analysed from the period 1994 to 2002. These statistics indicated an increase in the crime trend for the region, with common assault recording the most cases. The Integrated Development Plan of Mangaung Local Municipality appeared to be the vehicle that instigated the concept of introducing a Municipal Police Service for Mangaung Municipality by identifying crime as a threat to the community. Crime is prioritized second behind lack of income and unemployment. A problem experienced by Mangaung Municipality includes complaints related to municipal regulations, traffic complaints and incidents related to council property.

CHAPTER 3

The legislative provisions for establishing a municipal police service

3.1 Introduction

More acceptable levels of safety and security are crucial for South Africa, since crime is not only threatening the lives and welfare of individuals, but also impacts negatively on the principles of a democracy. The maintenance of peace and order is fundamental to the stability and prosperity of any community.

This chapter endeavours to expound on the enabling legislation pertaining to safety and security of the citizens, as well as the establishment of a municipal police service and the financial practicality of sustaining a Municipal Police Service.

3.2 Legislative basis for the introduction of municipal police service

The legal framework for the establishment of municipal police service can be traced in the Constitution South Africa, Act 108 of 1996; the Crime Prevention Strategy of 1996, the White Paper on Safety and Security of 1998, and the South African Police Service Act, Act 68 of 1995.

3.2.1. The Constitution of the Republic of South Africa

The interim Constitution of the Republic of South Africa, Act 200 of 1993 made provision for municipal police service hence the South African Police Service Act, Act 68 of 1995 in a short section, set out the framework for the establishment of Municipal and Metropolitan Police Services. According to Bruce (1997:2) the new Constitution of the Republic of South Africa, Act 108 of 1996 was approved by the Constitutional Court late in 1996 and came into operation early in 1997. The Constitution provides a framework for understanding the relationship between key government institutions, which is important in understanding safety and security issues at the local level. Section 206(7) of the Constitution of the Republic of South Africa, requires that National Legislation must provide for a framework for the establishment, powers, function and control of a municipal police service. The establishment of municipal police service can accurately be recognised as giving effect to some of the

objectives of the Local Government. Section 152(1)(d) of the Constitution provides that the objectives of Local Government inter alia includes, to promote a safe and healthy environment.

3.2.2 The 1996 National Crime Prevention Strategy

The South African government adopted the National Crime Prevention Strategy in 1996. According to Mafumadi (in van Rooyuen, 1995:2), the National Crime Prevention Strategy provides a framework for a multi-dimensional approach to crime prevention. The National Crime Prevention Strategy sketches a specific role for local government: to coordinate and promote interagency crime prevention work within local boundaries (Shaw, 1998:2). However, the National Crime Prevention Strategy does not in any detail spell out specific options that Local Government should take to be involved in crime prevention. According to Sangster (2002:4), in terms of the National Crime Prevention Strategy (NCPS), it is incumbent upon Local Government to develop an integrated crime prevention strategy and this is best achieved by building a critical mass so as to make crime prevention part of the core business of the entire municipality and other agencies.

The primary responsibility for crime prevention rests with the South African Police Service, but Local Government has an important role to play in planning crime prevention initiatives and coordinating a range of Local Government agents in ensuring implementation. For instance; to promote and deliver social crime prevention programmes the Local Government responsibility will be:

- Initiating, implementing and maintaining social crime prevention programmes in line with the national and provincial guidelines as contained in the strategies mentioned in the NCPS.
- Consult with the community organizations and other key crime prevention stakeholders.
- Co-ordinate and integrate the programmes and projects through the establishment of local crime prevention forum.
- Conduct safety audits in order to guide urban design strategies.
- Establish capacity to research, advice and monitor environmental design within the private sector.

- Examine the need for greater regulation of business sectors involving high – value level commodities which fuel the development of crime.
- Establish consensus with role players on major prevention initiatives in respect of vehicle crime.
- Improving the co-ordination and co-operation between all role players involved in the motor vehicle sector like the establishment of taxi forums etc.
- Establish consensus on codes of conduct for business and government with regard to white-collar crime and corruption.
- Providing government/civil society resources on trends and information required for addressing corruption.
- Enhance crime awareness to underpin the development of strong community values and social pressure against criminality.
- Promote non-violent conflict resolution, awareness of gender issues and the empowerment of sectors prone to victimization.
- Initiating local public education programmes on crime prevention.

To achieve the above, the Local Government in the form of a Municipal Police Service should work with the established Community Police Forums (CPF), the South African Police Service, Ward Committees and the Parks Department to control the open spaces and the enforcement of all relevant by-laws

3.2.3 The 1998 White Paper on Safety and Security

The White Paper on Safety and Security (1998) views the concept of safety and security in terms of two components, namely policing or law enforcement and crime prevention, particularly social crime prevention. According to Steytler (1999:2) the South African Police Service Amendment Act, (Act 83/1998) should be seen in the light of the White Paper on Safety and Security that proposes that Local Government, because it is closest to the people, should actively participate in crime prevention initiatives and redirect the provision of services to facilitate crime prevention. Shaw (1998:1) holds the notion that Local Government, the level of the government that is closest to the citizenry, is uniquely placed to actively participate in social crime prevention initiatives and to redirect the provision of services to facilitate crime prevention.

Furthermore, the Municipal Police Service should create a community policing approach, the installation of accountability practices for the police, the alignment of the administrative structures of the police to communal administrative structures as well as the establishment of a communal map of crime crossed with social variables.

3.2.4 The South African Police Service Amendment Act (Act 83/1998)

According to the University of the Western Cape Local Government Law Bulletin (1999:1) the National Task Group on Municipal Police Service was formed at the end of 1995 to report on issues relating to a Municipal Police Service. The Department of Safety and Security and the Task Group drafted a Bill that was published for comments. The State President of South Africa assent to the publication for general information on 28 October 1998 through Government Gazette Number 19407 Volume 400 to amend the South African Police Service Act, (Act 68/1995) so as to provide a framework for the establishment, functions and control of a Municipal Police Service; and to provide for matters connected therewith. The above effected the amendment of the South African Police Service Act, (Act 68/1998) through the South African Police Service Amendment Act, (Act 83/1998).

3.2.4.1 Amendment of section 1 of Act 68 of 1995 as amended by section 1 of Act 41 of 1997

Section 1 of the South African Police Service Act, (Act 68 of 1995) hereinafter referred to as the principal Act, is hereby amended by-

(a) the deletion of the definition of 'metropolitan police service':

(b) the substitution for the definition of 'municipal police service' of the following definition:

" 'municipal police service' means a municipal police service established under **[section 64(1)(a)]** **section 64A**; "and

(c) the insertion after the definition of 'national public order policing unit of the following definition:

" national standards' means standards determined under section 64L(1);".

3.2.4.2 Interpretation of the substituted section 64 of the principal Act

The chapter on section 64 shall not be interpreted so as to derogate from the powers of the Minister of Transport or the member of the Executive Council responsible for transport and traffic matters, nor shall it be interpreted as conferring any power on any functionary to interfere with the exercise of their powers by the Minister of Transport or the member of the Executive Council responsible for transport and traffic matters.

The establishment of a municipal police service is directed at influencing the powers of traffic officers and the present functioning of Traffic Authorities, hence the Minister of Transport and the member of the Executive Council responsible for Traffic and Transport matters are separately mentioned and their powers emphasised.

3.2.4.3 Establishment of municipal police service

According to section 64A (1), any municipality may in the prescribed manner apply to the member of the Executive Council for the establishment of a municipal police service for its area of jurisdiction.

(2) The member of the Executive Council may, subject to subsection 3 and such conditions as he or she may determine, approve an application for the establishment of a Municipal Police Service if:

(a) the application complies with the prescribed requirements;

The application complies with the requirements, meaning that six copies must be submitted in a prescribed form and should be accompanied by the minutes of the meeting of Council where a resolution was taken to establish a municipal police service, the proposed structure of the police service, the document depicting financial capability of the Municipality as well as the business plan.

(b) the municipality has the resources at its disposal to provide for a municipal police service which complies with the national standards on a 24-hour basis within its area of jurisdiction. This implies that there must at least be one municipal police service office providing a 24-hour service.

(c) the traffic policing service by the municipality will not be prejudicially affected by the establishment of municipal police service. This amendment favoured the convention from traffic departments to municipal police services; hence it should be insured that this function is not scaled down. This is also in line with Smit (in Malaza, Taylor and Van Rooyen: 1999:8) who have an opinion that on a general level, crime prevention and visibility and availability of law enforcement officers are concomitant. Smit experience of security officers and especially traffic law in the past is that they had been quite successful in preventing general offences and traffic officers are probably the when a most visible entity of the criminal justice system.

(d) proper provision has been made by the municipality in question to ensure moment with the municipal police service is an attempt to promote partnership, and it may contribute to safer communities and to the delivery of service, which are interdependent. The municipal police service will be accountable to the community it serves since it is directly accountable to the Local Government, which in turn answers to the community, therefore portfolio Councillors must put an eye on the operation of the municipal police service. This differs from the SAPS pattern that is accountable to Central or National Government, in other words, it is centralized.

(e) the establishment of a municipal police service will improve effective policing in the region. The business plan of the proposed municipal police service should convince the MEC that it would improve policing in the region.

(f) a municipal police service should improve coordination with the South African Police Service. Once again, the business plan must stipulate how it is going to interact with the SAPS. The National, Provincial and Local Crime Prevention strategies should be used as a tool towards the broader concept of cooperative policing.

The establishment of a municipal police service is directed at influencing the powers of Traffic Officers and the functioning of Traffic Authorities therefore the business plan should detail how all three functions are to be handled as well as the strategy of ensuring that traffic services are not degraded. Furthermore, the municipality should be financially capable of maintaining such a service and the latter should be accountable to the community.

(3) The member of the Executive Council may approve the application only-

(a) after consultation with the National Commissioner

(b) after consultation with the metropolitan council if the municipality falls in the area of jurisdiction of the metropolitan council; and

(c) with the approval of the member or members of the Executive Council responsible for Local Government, finance, transport and traffic matters, or where no such member or members have been appointed, the Premier or the member or members of the Executive Council to whom those responsibilities have been assigned by the Premier.

(4) If the application for the establishment of a municipal police service is approved by the members of the Executive Council, the member establish the municipal police service by a notice in the Gazette.

(5) The establishment of a municipal police service shall not derogate from the functions of the Service or the powers and duties of a member in terms of any law.

(6) All expenditure incurred by, or in connection with the establishment, maintenance, and functioning of a municipal police service shall be for the account of the Municipality in question

It is clear that a Municipality wishing to establish a municipal police service should apply in a prescribed form to the member of the Executive Council and the member of the Executive Council may approve such application if requirements stated in subsection 2 are met, and after consultation with various members of the Executive Council responsible for Local Government, finance, transport and traffic matters and even the Premier if such members are appointed. The funding for establishing or maintaining a municipal police service shall be for the account of the municipality that intends establishing such police service.

3.2.4.4 Chief Executive Officer of the municipality

In terms of section 64B, the Chief Executive Officer or the Municipal Manager of the municipality shall be responsible to the municipal council for the functioning of the municipal police service. This is as a result of the fact that the municipal police service will be reporting to the Local Government under which the responsible person is in charge.

3.2.4.5 Executive head of a municipal police service

According to section 64C(1), subject to section 64D a municipal council shall appoint a member of the municipal police service as the executive head of the municipal police service.
In terms of section 64C(2), the executive head of the municipal police service shall be subject to the South African Police Amendment Act, (83/1998), the national standards and the directives of the chief executive officer of the municipality, to exercise control over the municipal police service, and shall-

(a) be responsible for maintaining an impartial, uncountable, transparent and efficient municipal police service;
(b) subject to applicable laws, be responsible for the recruitment, appointment, promotion and transfers of members of the municipal police service;
(c) ensure that traffic policing services by the municipality are not prejudicially affected by the establishment of the municipal police service;
(d) be responsible for the discipline of the municipal police service;
(e) either personally, or through a member or members of the municipal police service designated by him or her for that purpose, represent the municipal police service on every local policing co-ordinating committee established in terms of section 64K within the area of jurisdiction of the municipality;
(f) either personally, or through a member or members of the municipal police service designated by him or her for that purpose, represent the municipal police service on every community police forum or sub-forum established in terms of section 19 within the area of jurisdiction of the municipality;
(g) before the end of each financial year, develop a plan which sets out the priorities and objectives of the municipal police service for the following financial year, provided that such plan in so far as it relates to the prevention of crime, shall be developed in co-operation with the Service; and

(h) perform such duties as may from time to time be imposed upon him or her by the chief executive officer of the municipality.

The Executive head of the municipality should run the municipal police service with the directives of the Chief Executive Officer, as well as the South African Police Service Amendment Act (Act 83/1998), and its standards as set by the Commissioner, and should develop a crime prevention plan in consultation with the South African Police Service.

3.2.4.6 First executive head of the municipal police service

Section 64D stipulates that whenever a municipal police service is established under section 64A of the South African Police Service Amendment Act (Act 83/1998), the municipal council establishing such a municipal police service shall appoint a fit and proper person as first executive head of the municipal police service. It is the researcher's opinion, that the position of the First Executive Head should be occupied by a person having experience in policing, while the position of Executive Head may be occupied by a person having experience in management.

3.2.4.7 Functions of municipal police service

Subsection 64E of the South African Police Service Amendment Act, (Act 83/1998) assigns the statutory functions of the municipal police service as

(a) traffic policing, subject to any legislation relating to road traffic,
(b) the policing of municipal by-laws and regulations which are the responsibility of the municipality in question and,
(c) the prevention of crime.

(a) Traffic policing

The enforcement of traffic laws is primarily to ensure that traffic services are not prejudicially affected by the establishment of the municipal police service, meaning that the business plan must detail how the traffic services are to function and what the strategy will be, to ensure that the municipal police service is going to balance the allocation of its functions.

(b) Municipal by-laws

Municipal by-laws include policing of various forms of local misbehavior like:

(i) **Street trading**

Street trading deals mostly with hawking activities within the jurisdiction of the municipality. Since these activities are conducted within the boundaries of the municipality, the law enforcement officers of the municipality are expected to deal with the matter.

(ii) **Keeping of dogs and other animals**

It is a usual practice for some residents to keep animals in the residential area while it is prohibited to do so. The municipal police service would approach such a citizen and inform him or her to abide by the rules governing local government. Other related matters in this section are barking dogs that disturb the peace of residents.

(iii) **Control and supervision and inspection of commercial business**

Commercial businesses operating in cities have laws governing them, and the municipalities are entrusted to ensure that such rules are followed. This also includes running of a business in a residential area which is ever increasing.

(iv) **Noise pollution**

Noise pollution deals mostly with disturbance of the peace. This includes music played at a high volume or nightclubs that operate during the night.

(v) **Dangerous animals or insects**

Animals are not allowed in residential, or any area within the municipalities hence there is provision made to keep bees. The municipality therefore controls the keeping of any dangerous animals or insects within its jurisdiction.

(vi) **Control over cemeteries**

This function is entrusted to the municipality to ensure control and keeping of records of buried persons.

(vii) **Conduct at public resorts, public places, camping sites, swimming pools and recreational grounds**

Since most public places are situated within the jurisdiction of the municipality, the municipality should take control of these activities, as well as of the behavior of persons visiting such places.

(viii) **The licensing of vehicles, public vehicles, public buses and taxis**

Most vehicles, either private or public, use the streets of the Local Government at all times, hence the licensing of such is conducted at the municipal offices.

(ix) **Municipal libraries**

Municipalities are the third tire of government and are closest to the citizens hence the National Government delegated the functions of libraries to them. The control and proper use of these libraries therefore resort with the municipality.

(x) **Streets and buildings**

The municipality oversees that streets are properly and safely used and there are no structures on the pavement that may injure pedestrians. Control is also exercised over buildings to be safe for living or even for the undertaking of businesses.

(xi) **Control over outdoor advertising**

Out-door advertising attracts the attention of both pedestrians and motorists. The place where they are placed is crucial, to reduce possible claims that may arise as a result of them being the cause of injuries.

(xii) **Procedures at fresh produce**

Fresh produce is essential for healthy foods and to ensure that healthy foods are sold to the public, the municipality must put control measures at markets places.

(c) Crime prevention

The crime prevention function by a municipal police service member will be conducted in terms of the powers vested in such member by the Act, and may exercise the powers

conferred upon a peace officer and certain powers of South African Police Service members, except the investigation of crime. Annexure 6 of the Police Service Act outlines these powers.

3.2.4.8 Powers of members of a municipal police service

(1) Section 64F(1) stipulates that subject to the Constitution of the Republic of South Africa, 1996 (Act No.108 of 1996), and with due regard to the fundamental rights of every person, a member of a municipal police service may exercise such powers and shall perform such duties as are by law conferred upon or assigned to a member of a municipal police service.

(2) The Minister may from time to time prescribe that any power conferred upon a member of the Service under this Act or any other law, may be exercised by a member of a municipal police service: Provided that where the power includes the power to seize an article, the member of the municipal police service shall forthwith deliver the article to a member of the South African Police Service.

(3) Every member of a municipal police service is a peace officer and may exercise the powers conferred upon a peace officer by law within the area of jurisdiction of the municipality in question: Provided that a member may exercise such powers outside the area of jurisdiction if it is done-

(a) in pursuit of a person whom the member reasonably suspects of having committed an offence, and if the pursuit commenced within the area of jurisdiction of the municipality; or

(b) in terms of an agreement between the municipal council or another municipal council in terms of section 10C(7) of the Local Government Transition Act, (Act 209/1993).

(c) Annexure 6 of the Police Service Act sets out legislation provisions applicable to municipal police service as:

* The Stock Theft Act, (Act 57/1959)

- Section 8(3): Power to demand from person who is required to have a removal certificate for livestock to produce a certificate for inspection.
- Section 8(7): Power to demand from an employee or owner or occupier of land to produce a certificate authorizing the employee to remove stock, which is his (the employee's) property from land belonging to his employer.
- Section 9: Power to, under certain circumstances arrest a person without a warrant; power to, under certain circumstances, search a receptacle or vehicle and to, under certain circumstances, seize stock, receptacle or vehicle provided the offence falls within the ambit of the Stock Theft Act, No. 57 of 1959.

* The Tear Gas Act, (Act 16/1964)
  - Section 4: Power to enter premises utilized for the storage or manufacture of tear-gas to determine whether the provisions of the particular act have been complied with.

* The Mental Health Act, (Act 18/1973)
  - Section 14(2): Power to apprehend and detain a person reasonably believed to be mentally ill and a danger to himself and others. (Person to be handed to the South African Police Service)
  - Section 70(1): Power to retake any person escaping while being conveyed or detained in terms of the Mental Health Act, (Act 18/1973).
* The Criminal Procedure Act, (Act 51/1977)
  - Sections 21: Power to search a person or premises and seize article in accordance with the stipulations of search and seizure.
  - Sections 22: Power to search a person, container or premises without a search warrant for the purpose of seizing an article.
  - Sections 26: Power to enter premises without a warrant for the purpose of interrogating a person reasonably suspected to be able to furnish information about an offence that is being investigated.
  - Sections 27: Power to use reasonable force when necessary to enter premises for the purpose mentioned in section 26 above.

- Sections 39: Powers in respect of prints and bodily features of accused; i.e. the taking of finger prints under certain circumstances, identification parades, taking of photographs of suspects, taking of blood samples by district surgeons or registered nurses.
- Sections 72: Power to release the accused on warning instead of bail under circumstances in accordance with the provisions of section 53 of the Criminal Procedure Act, (Act 51/1977).

* The Sea Fisheries Act, (Act 12/1988)
  - Section 53: The power to board or enter a vessel or boat or vehicle; or enter a factory or premises for the sale or storage of fish to determine whether the provisions of the Act are complied with. Power to seize vessel or boat or vehicle or article. Power to require persons to furnish particulars. Power to order that a boat be brought to the harbour or not and power to order that boat be removed from the harbour.

* The Drugs and Drug Trafficking Act, (Act 140/1992)
  - Section 11(1): Power to enter or board any premises or vehicle and to search for substance or drug if reasonable suspicion exists that an offence under the Drugs and Drug trafficking act has been or is being committed. Power to question a person believed to be able to furnish information as to any offence or alleged offence under this Act. Power to seize anything which in his or her opinion may provide proof of a contravention of this Act.
  - Section 11(2)(a): Power to stop vehicle or vessel or aircraft in the exercise of powers under section 11 of the Drugs and Drug Trafficking Act.

* The Domestic Violence Act, (Act 116/1998)
  - Sections 2: Power to assist complainants at scenes of domestic violence.
  - Sections 4: Power to bring application for protection order on behalf of complainant in cases of domestic violence.

- Sections 8: Power to inform complainant of rights in respect of criminal charges against respondents when warrant(s) of arrests are handed to members of Municipal Police Service in cases of domestic violence.

* Section 13 of the South African Police Service Act, (Act 68/1995)
  - Section 13(2): Power to inform Commanding officer when prescribed offence has been committed.
  - Section 13 (3): Duty to perform functions and exercise powers in a reasonable manner and with the use of minimum force.
  - Section 13(4): Power to serve or execute a summons and/or warrants of arrests
  - Section 13(7)(c): Power to cordon off an area to achieve objects stated in written authorization of National or Provincial Commissioner and without warrant search persons, premises, vehicles and seize articles referred to in section 20 of the Criminal Procedure Act, (Act 51/1977).
  - Section 13(8): Power of the executive Head to, under reasonable circumstances, perform a function referred to in section 215 of the Constitution to authorize the setting up of roadblocks or check points.
  - Section 13(9): Duty to comply with the provisions of the Criminal Procedure Act No. 51 of 1977 in respect of searches, seizure of articles and disposal of articles seized.
  - Section 13(11): Power to cordon off a crime scene for the purpose of investigation and prevention of entry to entry cordoned off.

Other provisions relevant to the municipal police service;
- Section 14: The National or Provincial Commissioner may employ member of the municipal police service in the preservation of life, health or property.
- Section 42: It is the duty of the Executive Head to cause a good conduct to be maintained in respect of every member of the municipal police service.
- Section 44: the State President, National or Provincial Commissioner has powers to award medals or symbols of recognition to members of the municipal police service.
- Section 55: Extending non-liability for acts performed under irregular.

- Section 46: Members of municipal police service are prohibited to take part in political activities.
- Section 53: The Independent Complaints Directorate functions are extended to the municipal police service.
- Section 55: Extending non-liability for acts performed under irregular warrants of arrests to members of the municipal police service.
- Section 56: Extension of the limitations of the liability of the State and members of the South African Police Service in cases where persons make use of, or are conveyed in vehicles or aircraft or vessels being the property or under the control of the State and South African Police Service to members of a municipal police service.
- Section 61: Extension of exemption from toll fees and fees of office to members of the municipal police service.
- Section 66: Prohibition on the wearing of and use of the distinctive badges of the municipal police service
- Section 67: Prohibition on the interference with the members of the municipal police service in the execution of their duties.
- Section 68: Prohibition on false representation whether as alleged member or in order to be appointed as a member of the municipal police service.
- Section 69: Extension on the prohibition on publication of photographs or sketches of certain persons in custody to the municipal police service.
- Section 70: Extension on the prohibition on disclosure of information to municipal police service.
- Section 71: Extension of the provisions relating to the unauthorized access to or modification of computer equipment of the South African Police Service to that of the municipal police service.

The regulations state that a member of a Police Service is any member of any Police Service established by Law. A member of the police would therefore include a member of a municipal police service established under section 64 of the South African Police Service Amendment Act (Act 83/19980. This does not bring a distinctive difference, except the fact that the municipal police officer may exercise the powers conferred upon him or her as a

peace officer by law within the area of jurisdiction of the municipality he or she is working for. Provided that the member may exercise such powers outside of the jurisdiction if it is done in pursuit of a person whom the member reasonably suspects of having committed an offence, and if the pursuit commenced within the area of the jurisdiction of the municipality; or in terms of an agreement between the municipal council and another Municipal Council in terms of section 10C(7) of the Local Government Transition Act 1993 (Act No. 209 of 1993). This amendment presents saving and transitional arrangements in respect of existing Municipal Police Service and existing Traffic Departments. The provisions applicable to Municipal Police Service provide a wide variety of functions that the Municipal Police members may exercise to prevent crime.

3.2.4.9 Proof of appointment

According to section 64G, a member of a municipal police service shall at all times while performing his or her duty, carry proof of appointment.

3.2.4.10 Procedure after arrest by members of a municipal police service

Section 64H a person arrested with or without a warrant of arrest by a member of a municipal police service shall be delivered to a police station under the control of the South African Police Service.

3.2.4.11 Legal proceedings against the municipal police service

In terms of section 64I any legal proceedings brought against the municipal police service shall be instituted against the Municipal Council in question.

3.2.4.12 Civilian oversight of municipal police service

Section 64J stipulates that a Municipal Council shall appoint a committee of members of the Council to ensure civilian oversight over the municipal police service.

The functions of this committee are to:

(a) Advise the Council on matters relating to municipal police service.
(b) Advise the Chief Executive Officer on performing his or her functions in respect of a municipal police service.
(c) Perform such functions as the member of the Executive Council, the Municipal

Council or the Chief Executive Officer may consider necessary or expedient to ensure civilian oversight.

(d) Promote accountability and transparency in the municipal police service

(e) Monitor the implementation of policy and directives issued by the Chief Executive Officer and report to the Municipal Council or Chief Executive Officer.

(f) Perform such functions as may time to time be assigned to the committee by the Municipal Council or the Chief Executive Officer; and

(g) Evaluate the functioning of the municipal police service and report to the Municipal Council or the Chief Executive Officer.

3.2.4.13 Policing co-ordinating committee

According to section 64K the Provincial Commissioner shall establish at least one committee to co-ordinate policing in the Province and the municipal police service must be represented on the committee established.

3.2.4.14 Powers of the National Commissioner, Minster and Member of Executive Council

According to section 64(L); (M); (N); (O) the powers and duties of the National Commissioner, the Minister and the member of the Executive Council include, but are limited to:

(a) Determine National Standards of policing for municipal police services and in addition to the training prescribed for Traffic Officers in terms of the Road Traffic Act, and determine National Standards with regard to the training of municipal police services.

(b) Amend the National Standards.

(c) Request information and documents under the control of the municipal police service.

(d) Enter a building of municipal police service and be entitled to all reasonable assistance by any member of the municipal polices service and any employee of the Municipality, in order to determine whether the National Standards are maintained.

(e) Report any failure of maintaining National Standards.

(f) Appoint an Administrator to run the municipal police service should it be clear to him or her that the municipal police service failed to comply with the conditions or National Standards.

The National Commissioner determined and published National Standards for municipal police services on Government Gazette of 11 June 1999 No. 20142 as:

(i) Arrest and treatment of an arrested person until such person is handed over to the commander of the community service centre of the Service.
(ii) Attendance of crime scenes.
(iii) Completing of departmental forms.
(iv) Use of occurrence books (SAPS 10).
(v) Use of pocket book (SAPS 206).
(vi) Search and seizure.

These standards can in essence be regarded as standard operating procedures to ensure that each municipal police service member deals with the issues contained in the National Standards in the proper manner.

The training standards, with regard to municipal police services as determined by the National Commissioner and published in the Government Gazette of 11 June 1999 No 20142, stipulate as follows:

1. In order to qualify for appointment as a member of a municipal police service, a person must have successfully completed-
   (a) the training for registration as a traffic officer as prescribed in terms of the Road Traffic Act, 1989 (Act 29 of 1989) and be registered as a traffic officer; and
   (b) the training at a training institution accredited by the South African Police Service in the following modules:
      (i) Criminal Law.
      (ii) Law of Criminal Procedure.
      (iii) Human Rights.
      (iv) Administrative powers.

(v) Powers derived from specific legislative provisions.

(vi) Labour relations.

(vii) Basic concepts of policing.

(viii) Community policing.

(ix) Law of evidence.

(x) Relationship between municipal police services and other law enforcement agencies.

(xi) Use of force.

(xii) Selected firearm skills.

(xiii) Practical survival techniques.

(xiv) Prevention of police brutality.

(xv) Physical education.

(xvi) Ethical policing.

(xvii) Personal ethics.

(xviii) Prevention of police corruption.

(xix) Departmental forms.

2. Required qualifications for municipal police service member.

The qualifications required by a member of the municipal police service are set out in the regulations in section. This regulation stipulates that a person must

- be registered as a traffic officer
- apply under oath
- be a permanent resident of South Africa
- be found to be mentally and physically fit
- be at least 18 years and submit document of proof of such
- have a documentary proof of a senior certificate or equivalent
- have no previous conviction unless political, and allow fingerprints to be taken
- be proficient in English
- have completed the training determined by the SAPS National Commissioner
- take the oath of office.

Note should however be taken that the National Commissioner may waive any of these conditions.

3.3 Summary

The legislation enabling the establishment of a municipal police service by a municipality is traced to the Constitution of the Republic of South Africa that gave effect to the National Crime Prevention Strategy, as well as to the White Paper on Safety and Security. The South African Police Amendment Act, (Act/1998) was enacted during 1998 to provide a framework for the establishment, functions and control of a municipal police service and to provide formatters connected therewith. Multifarious functions of the envisaged municipal police service are clearly defined as traffic policing, policing of municipal by-laws and crime prevention. The status of the members of the municipal police service is empowered by being peace officers, and as such is given certain powers similar to those of the South African Police Service. To qualify for membership one must possess a standard ten certificate and be above 18 years.

CHAPTER 4

An overview of the development of law-enforcement

4.1 Introduction

There is need for an organization of some kind in society which will maintain order and keep the peace, catch punish the wrong-doer. This is because whenever people gather together to live in community there has been a problem of keeping order. Police organisations comes into being to fulfill this objective and are like compounded structures that depend on the persuasiveness of their components. Civilized society, especially as it grows more complex, necessarily demands a method of keeping the peace and of catching and punishing the wrong-doer.

This chapter is focused on the exploration toward prevalent gaps existing in delivery of service and perspective will be given on policing in South Africa during the early years, the modern police, as well as the international municipal police models.

4.2 The evolution of policing in South Africa.

A brief overview of how policing was conducted in South Africa during and after the European settlement till the 1990's will be carried out, the benefits and drawbacks of such examined and evaluated, in comparison with the sociological and political situation that prevailed and the influence those factors exerted.

4.2.1. Policing during the European settlement.

According to the Standard Encyclopaedia of Southern Africa (1973:632) there were no police at the Cape in the early years of European settlement; Jan van Riebeeck relied on his soldiers for the preservation of law, order and the detection of crime. In 1657 Free "Burgers" were allowed to farm land along the Liesbeek River, but they were expected to guard their own property, and were formed into a corps under a sergeant of the garrison. There was also a night watch, but this was chiefly to report the arrival of ships in the Bay, though some action might be taken when drunken sailors disturbed the peace. The first men, to whom the term "police" may properly be applied were the ten "Burgers" recruited in 1686 to form a regular

watch, termed the Burgher-Wacht (Burgher Watch). They were responsible for handing over transgressors of the law, and for upholding order in the streets. But, though paid and supposed to be selected from sober and eligible citizens, they were mostly elderly men and not trained in the prevention of serious crime.

Van Heerden (1982:29) argues that on the recommendation of the "Burgers" Council, a night watch, composed of ten Free "Burgers", was instituted under the command of a sergeant and a corporal. In 1799, Major-General Francis Dundas divided Cape Town into a number of wards under the control of a *ward master*. The ward-master system may be described as the first step towards the decentralisation of police services. However Cramer (1964:373) believes that about three years after Van Riebeek's arrival a Watch was established to guard orchards and property and to prevent visiting seafarers from committing damage. These Watchmen had no punitive powers. In 1657 the first law-enforcement officer was appointed. He was called the Fiscal and part of his duties was the collection of taxes and tolls from the Dutch landowners. As a result of a series of cattle thefts, the Fiscal later enrolled from the ranks of the soldiery a number of men who were charged with patrolling outlying areas, guarding houses by night, reporting fires, detecting thieves, inspecting taverns and keeping the peace.

From 1806 onwards the forces of law and order spread to the outlying areas of the Cape countryside. Other parts of the territory developed their own forces: the Natal Mounted Police appeared in 1874 and the Orange Free State Police in 1862 (Cramer: 1964:374). Cawthra (1994:08) argues that whether British or Boer, most of the forces that preceded the SAP were essentially military units. In the two British colonies, the Cape Mounted Police and the Natal Mounted Rifles were responsible for continuing the conquest and subjugation of the black population, and the rudimentary police units in the Boer republics were extensions of military commandos. According the Standard Encyclopaedia of South Africa (1973: 632) from 1874 to 1881 the mounted police were almost continually on military service and after 1881 it became necessary to do police work within the community.

4.2.2 The South African Police Force

According to the Standard Encyclopaedia of Southern Africa (1973: 637) the commissioner of police in the Transvaal, Col. T.G. (later Sir Theodore) Truter, was appointed Chief

Commissioner of the Police Forces of the four provinces in 1910. The differentiated Provincial Police systems were not centralised until after the establishment of a Union in 1910. Colonel Sir J.G. Truter, a Standerton magistrate, was charged with the task of welding those units into a single, united force. In concept the Police Act, based on the *Transvaal Police Act* (5 of 1908) was accepted in principle on the 15 October 1912. The amalgamation was finally achieved on the 1st April 1913, when the *South African Police Force* came into existence.

According to Van Heerden (1982:35), the Force (South African Police) was highly centralised, held all the powers granted to the police by the laws of the land, and was composed of members belonging to all racial groups. The responsibilities with which it was transformed in terms of Section 7 of the 1958 Police Act included the following-

- The preservation of internal security;
- The maintenance of law and order;
- The investigation of any crime or alleged crime;
- The prevention of crime.

The South African Institute of Race Relations (as cited in Brogden & Shearing 1993:19), comments that the normal police practice was to manhandle an African who was passive, to jostle one who was slow in responding to an order, barked out in a language often unintelligible to him, and to push and cuff a prisoner who showed less than the usual degree of submissiveness. Members of the Force claimed that harshness was essential to protect themselves. In addition, according to Van Heerden (1982:37) most cities and larger towns maintained a municipal police, staffed mainly by Non-Whites. They were charged with the maintenance of law and order in the Non-White areas, the enforcement of the municipal by-laws and regulations that apply to the administration of Non-White affairs, and general observational and protective services in Beer-Halls and Hostels, at the Bus terminus, Marketplaces and in Halls. Other Forces that were present are Traffic Police, Private Police, South African Railway Police, as well as the TVBC States (Transkei, Venda, Bophuthatswana and Ciskei) where according to Cawthra (1994:63), supposedly separate police forces were founded alongside military units as one of the trappings of statehood.

Police organizations were militarised, hierarchical, and ill equipped to deal with ordinary crime and street level policing was conducted in a heavy-handed style, with bias against the black citizens and little respect for the rights or due process was paid (Rauch, 2000:1). Cawthra (1994:64) states that in the other Bantustans, those which have not reached the stage of "Independence"; control of local police units was transferred to a lesser degree to the Bantustan Authorities: nominally separate forces existed in Lebowa, QwaQwa, Gazankulu, KaNgwane, Kwandebele and KwaZulu. These Forces were extensions of the South African Police, but in KwaZulu, at the insistence of the Homeland leader Mangosuthu Buthelezi, the Force enjoyed some operational freedom.

Calitz (in Naude′ & Stevens, 1988:144), validates that besides making use of intensive patrols, the police also instituted 'sweeping' operations in which riot-torn black residential areas were searched from house to house on a very large scale with the assistance of the South African Defence Force. Known instigators of violence were also arrested and detained in terms of the emergency regulations in an effort to quell the riots. Cawthra (1994:9), sanctions these beliefs by demonstrating that policing in the burgeoning Black urban areas followed the frontier tradition rather than the Metropolitan model. Police mounted 'raids' on what was essentially seen as 'enemy territory' to demonstrate their power, enforce regulations and suppress pockets of defiance. Often the police themselves were prosecutors; a feature of policing in South Africa which persisted long after other countries have abandoned it. Rauch (1993:1) augments this style of policing further by advancing that the National Party government had a historical advantage in the area; it had been responsible for the development of one of the world's most sophisticated repressive police agencies, the South African Police, over a period of thirty years.Mayhall, Barker and Hunter (1995:157) caution that if the officer is left to make decisions without guidance, that fact alone increases the possibility that decisions will vary widely and often will be made arbitrarily on subjective factors, without the benefit of adequate information. Decision making of this sort is most likely to reflect bias and favouritism and the officers are in fact given increased power to abuse power. This is also according to Marais (1992:85) who states that, conventionally, when an institution does not provide guidelines, the role full-filler becomes confused, and his actions might then seem discriminatory and irregular. According to Haasbroek (as cited in the Servamus 1987:3) the South African Police merged with the South African Railway Police on 1 October 1986 while

the latter was officially launched on 31 March 1859 and was initially only operating between the railway lines of Cape Town and Wellington.

4.2.3 Crowd control in the eighties

According to Calitz (in Naude′ & Stevens, 1988:143-144) the riot unit was used to do intensive patrol and to monitor funerals of persons killed during police action, because these funerals were often used as political forums for expounding communist propaganda and ideologies. It was during this process where the so-called police informants were often branded and murdered. He further indicates that during this process the police generally maintain a low profile, but in such a way that the funeral-goers are aware of their presence. The researcher would like to argue that the policing style used by the police at that stage was provoking the mourners to react against them. Olivier (1991:7) also suggests that the police officers actually contributed to the escalation of the unrest. He based his argument after he had conducted a study from 1970 to 1984 in the PWV area, in which particular attention was directed at the actions of the police at events of collective action.

Given the fact that the deceased were killed by the police during the police operations, the researcher believes that the presence of the police in the proximity instigated and fomented reciprocate, thus the researcher's personal view is at this act was invigorating further ferocity in the mourners and evoked them to avenge the death of the deceased. Cawthra (1994:103) argues that by international norms, the South African Police approach toward crowd control was tough and it paid little attention to the prospect for negotiating an end to the confrontation or using a show of show force to persuade the crowd of the hopelessness of their positions. This proves that crowd control was done in a militaristic way, without seeking solutions for the problem.

4.2.4 The Durban City Police before 1994

According to Cramer (1964:375), in 1913, after the Union of the Provinces of Cape of Good Hope, Natal, Transvaal and the Orange Free State, two important Forces emerged, the South African Mounted Riflemen and the South African Police. The former patrolled certain rural areas and the latter policed towns and cities of the Union (except Durban, where the borough police were retained for many years before being incorporated into the South African Police).

Shaw (1996:3) argues that attempts to incorporate the force (Durban City Police) into the South African Police by successive governments during the 1920's and 1930's were resisted; the Durban City Police has continued to operate until today and indeed has expanded its role. Jewell (1989:1) says that at first, every man was his own policeman, looking after and defending his own affairs, and this could not last and by 1850 the "Majesty of the Law in Durban was entrusted to two or three European policemen with a few native constables". According to Rauch (2001:2) the City of Durban implemented its own police force, the Durban City Police in 1854, and it was a self-styled constabulary and the wording of the municipal ordinances, which established it, is almost identical to the 1835 act of the British parliament which established borough and county police. The Durban City Police was more involved in maintaining a high presence in the city centre, on the beachfront and in the shopping areas, and was also more likely to police less serious incidents on the streets, provide general assistance to the public and perform a crime prevention role than was the South African Police Service.

4.2.5 Policing in the Townships

According to Rauch (1991:4) the Municipal Police Forces were introduced (in South Africa) during the 1986 State of Emergency, ostensibly as "bobby on the beat" for black townships, but in fact deployed in protection and support of the Black Local Authorities (BLA's). At the time of the launch, the Municipal Police were employed by the BLA's and were not part of the South African Police. Rauch, Shaw and Louw (2001:4) uphold this by indicating that during the 1980's, one of the South Africa Police responses to growing political resistance within the country was to hastily train groups of men who were deployed in the townships as guards and 'policemen' and termed Municipal Police, given that they replaced the so-called 'Black-Jack' Police Forces run by local administration and controlled by local government.

According to Palmery (2001:4) during the apartheid era, the system of policing strongly focused on political control and the punitive punishment of political dissenters rather than on crime control; the crime prevention role of the police was minimal in formerly 'white' areas and non-existent in 'black' areas. Russel (in Black Sash 1988:6) highlight that in 1982, the then Black Local Authorities Act, Act 102 of 1982 made provision for the appointment of what was then termed 'law enforcement' officers; and early in 1986, municipal policemen and

the hastily-recruited black police auxiliaries known as 'kitskonstabels' began to emerge alongside the vigilantes' groupings who were responsible for much violence, According to the Black Sash (1988:9) by mid-1987 reports from townships residents as far field as Thabong in Orange Free State and Port Alfred in the Eastern Cape, were alleging that municipal police were guilty of large -scale abuses of power in the townships and claiming that they were chiefly responsible for changing the mood of black communities from protest to fear. According to Rauch et al. (2001:4), the municipal police themselves often created more problems than they solved for the SAP, who then had to intervene to police riots and at least on one occasion a mutiny, (and) between August 1987 and April 1988, 349 municipal police officials were charged with serious crimes; including murder, robbery, assault, theft and rape.

Cawthra (1994:61-62) brace the notion that Police assistants, who used to be called special constables, were known colloquially as 'instant constables'-'kitskonstables' (in Afrikaans) because they used to be trained in only six weeks. Apart from these constables, there existed the municipal police, which replaced the so-called 'Blackjack' police force, which was run by the Administration Boards, and the community guards controlled by Black Local Authorities. The manner in which township policing was conducted in the 1980's is recapitulated, harshly by Mzamane (in Ncholo, 1994:9) by indicating that the riot police and the 'kitskonstabels' were not there to protect the community, they needed to be taken back to barracks for training so that they could learn to protect. It is the researcher's opinion that due to inadequate training of both the 'kitskonstabels' and riot unit in proper crowd management training, policing was defective and lacking, and the black community was unjustly treated hence the apparent animosity on their part toward the former.

Rauch (1991:4) sites that the absence of formal qualifications for entrance to the 'Special Constables' and the limited training also provoked criticism. They gained a reputation for high levels of excessive and inappropriate use of violence, often arising out of drunken behaviour, ill-discipline and personal vendettas (Rauch et al. 2001:1). The intention of Municipal Police Service established under the South African Police Service Amendment Act, (Act 83/1998) is to employ a different approach to Municipal Police Service as compared to the Municipal Police Force employed during the apartheid regime. The other intent is that the Municipal Police established under this act should account to the community it serves.

Further, the amendment act ensures that there is a qualification entry level and the Local Government Basic Conditions of Service will be applicable to the Municipal Police Service members.

4.2.6 Changes in policing during the South African Police Force era

The Visible Policing division came into operation in August 1991 as a result of the merger of the Operational and Uniformed Branches, after basic training, police constables were generally posted to the Uniform Branch; however, their training for community-style policing and crime prevention was practically non-existent (Rauch, 1991:2). According to Cawthra (1994:13), the notion existed that the police force that was operating by that time, consisted only of whites; of course blacks were outsiders and were criminalized. He further claims that the Afrikaner nationalist criminologists argued that Africans were unsophisticated and traditionalist; and their value systems were undermined by exposure on the ways of the whites. The above implies that no community relations existed between the Police and the black citizens, except only when the latter was arrested, which further suggests that the South African Police force was estranged from the blacks. Calitz (in Naude′ & Stevens, 1988:151), concurs with Cawthra in his conception that because stock theft is committed on farms, the farming community had a particular interest in the preventive action taken and as such the decentralization policy of the police enabled the officer responsible for crime prevention to communicate regularly with farmers during farmer's union meetings.

Rauch (2000:8) however remarks, that the notion of 'community policing', gleaned from the contact with the international police fraternity, gained currency in enlightened South African Police Force circles in the late 1980′s and it was, in part, the influence of international policing models on the South African Police Force and the local academics which led to the introduction of the Community Policing structures in the early 1990's. Scharf (in Dixon, 2000:7) substantiate the concept, by indicating that back in the still dark days of the 1980's, Community Policing in South Africa was a contested notion and represented a sharply divergent set of practices. There ware policing in the white middle-class suburbs, operating as a partnership against crime with friendly 'bobbies-on-the-beat' working alongside 'active citizens' organised in neighbourhood watches. Elsewhere, often literally on the other side of the track, there existed a range of more or less autonomous popular initiative aimed at

ordering communities and undertaking policing activities in either support of, or opposition to, the apartheid regime.

Dixon (2000:7) advocates that in the second world of covert operations, 'sub-contractors' and 'blind-eyes' community policing was about penetrating communities and co-opting them in the unending struggle to maintain minority rule. Rauch (2000:8) braces Dixon's views by hinting that the South African Police established a Division for Community Relations in the late 1992. This Division then set about establishing Police-Community Forums at local level in all areas of the South African Police jurisdiction. However, the fact that the South African Police force deployed a large number of former Security Branch officers into the new division created immediate suspicion from the black communities about the initiative. As mentioned in the foregoing paragraphs, the South African Police during the apartheid was segregating when discharging its service; therefore no proper Community Policing form existed.

The relationship between community and the police was not positive, since the community perceived the police to enforce the laws of apartheid and promote segregation to secure the minority domination and to protect only the white population from political disturbances and crime. The only manner in which the Black communities were partisans to policing was by exploiting these communities by being entrusted as the so-called 'informants' in return for compensation of a ransom.

4.2.7 Policing in South Africa post 1994

The democratic elections of South Africa, which were conducted in April 1994, led to changes in policing in South Africa; hence the South African Police was transformed to the South African Police Service under the South African Police Service Act, Act 68 of 1995. This act necessitated a different approach to the delivery of the police service.

4.2.7.1 Community Policing

According to van Rooyen (1995:6) South Africa is undergoing radical changes and these changes are directly related to the new expectations and the demands of the population and there is a growing expectation that the police must reflect the community they serve while fulfilling their police role. Mafumadi (in van Rooyen,1995:ii) explains that changes not only

necessitate a process of fundamental change on a wide front within the present policing establishment, but also a re-evaluation of policing principles and practices by both the community and the South African Police Service. Fox, Van Wyk and Fourie (1998:168) believe that the new reforms that had a big impact on policing were introduced in early 1990 under the leadership of the then State President F.W. De Klerk and the democratic elections of 27 April 1994 demanded a fundamental reassessment of the nature of policing in South Africa. The Constitution of South Africa (108 of 1996) describes community policing as the style of policing to be adopted by the South African Police Service to meet safety and security requirements of all the citizens of the country. According to the Department of Safety and Security's Policing Priorities and Objectives (1998:8), for the first time in the history of policing in the country, the South African Police Service submitted a plan detailing and setting out the priorities and objectives of policing.

4.2.7.2 Sector Policing

Dixon and Rauch (2004:9) emphasise that the Final Draft of the South African Police Service's National Instruction on Sector Policing (2003) makes the connection between sector policing and the philosophy of community policing very clear- sector policing is described as a practical manifestation of community policing. Furthermore, the 1998 White Paper on Safety and Security contained the first reference of sector policing in an official policy document on the concept of sector policing: "sector policing entails the division of areas into small managerial sectors and the assignment of police officers to these areas on a full time basis. These police officers regularly patrol their own sector and are able to identify problems and seek appropriate solutions. Sector policing encourages constant contact with members of local communities."

The first official guidelines on implementing sector policing (in South Africa), appear to have been issued in 1998 as part of the effort to develop sector policing in certain parts of Johannesburg under the auspices of the South African Police Service's "Project Johannesburg". At the gestation phase in South Africa, between 1998 and 2003, the notion of sector policing was interpreted and used to suit a variety of policy purposes, much as the term 'community policing' had been during the preceding decade. The discourse of 'democratic policing', 'community policing' and 'crime prevention' evident in the sector policing

document, may be a result of the continuity of South African Police Service personnel. These personnel were involved in all these policy efforts in the decade since community policing was first introduced South Africa.

4.2.8 Summary of police styles practised in South Africa.

According to Fox et al. (1998:169) the South African Police have adopted five distinctive policing styles since 1913. The Frontier Policing Style, the Military Policing Style, the Securocratic Policing Style, the Transformational Style and the Community Policing Style. Table 4.1 illustrates the characteristics of each policing style.

Table 4.1 South African Policing Styles since 1913

Approximate Dates	**Style**	**Characteristics**
1800 till 1910	Frontier policing Style	Consists of various armed forces, each with its own identity. Absence of uniform procedure and regulations Power is split between various groupings
1910 till 1960	Military policing Style	Unification of several forces Fragmented along ethnic lines Uniform policies and regulations that guide authoritarianism and centralisation of power Military ranks
1960 till 1990	Securocratic policing Style	Although unified, specialist branches dominate Uniform policies and regulations that are adopted to fit the 'cause' Intelligence community manipulates government organisations
1990 till ±2000	Transformational policing	One police service Transformation policies dictate Rules and regulations are discarded or adapted Human rights are introduced Politicians and technocrats dominate
±2000 and onwards	Community policing	Police on local government level Value driven Decentralisation power Culture of human rights
Source: Fox, Van Wyk & Fourie. (1998)		

4.2.9 Durban City Police under the South African Police Service Amendment Act 83/1998

The South African Police Service Amendment Act, (Act 83/1998) took effect in 2000. In terms of section 64Q of the South African Police Service Amendment Act, (Act 83/1998), the Durban City Police, which was established under section 83 of the Durban Extended Powers

Consolidated Ordinance, 1976 (Natal Ordinance 18/1976), shall be deemed to have been established under section 64A, and shall continue to so exist until 30 September 1999. In view of the above, the Durban City Police made a formal application in terms of the former South African Police Service Amendment Act, (Act 83 of 1998) on 17 September 1999 and launched it in terms of this Act during July 2000.

4.2.10 Private Policing

Mathews (in Pillay, 2001:3) asserts that South Africa comes from a historical situation where security was basically aimed at preventing the emancipation of Black people... and a lot of people believed that the security industry was merely another arm of the security apparatus of the previous government. This is supported by a survey conducted by Mistry and Minnaar (in Pillay, 2001:3), that in the period preceding the 1994 democratic elections, the literature surveyed indicated that the growth of the private security industry was linked to the repressive political culture that existed during the 1970's and 1980's. He further illustrates that there has been ongoing effort by the authorities to increase the regulation of the industry, but this was met with some resistance or reluctance from the few sectors of the private security industry.

To give emphasis to the above, Cawthra (1994:70) demonstrate and relates about a security guard in East London, an ex-policeman, who shot dead forty-one alleged burglars over a period of a few years and in each incident, Magistrates found that he had acted within the law and not once was he cautioned by the police or courts. The illustration prompts the researcher to believe that Private Policing was also segregating the black society and solely favouring the needs of the white society, a negative aspect when taken in the context of policing since both black and white citizens need policing. Nina (in Ncholo, 1994:1) alluded to Scharfs′ view that the police are just one fraction of the responsibility of policing, in different communities different operating modes of policing are found that interact with the state police. He further emphasizes this view by alluding to South Suburbs Tatler (1994) attests that in the communities of the economically well-off people, there exists efficient systems of private policing which supplement the state police.

4.3 An overview of international police services

According to Fox et al. (1998:163) law enforcement in America has its roots in the British system and the earliest organized effort was the night watch system instituted in 1996 in Boston. In New York a scout and rattle watcher was established in 1651. The inefficiency of this system was that it operated only at night hence the system failed to respond to the maintenance of civil order in the mid 1800's led to the establishment of an organized and independent force early in 1833 in Philadelphia. This subsection aims to explore the type of policing models employed by different Countries outside South Africa.

4.3.1 International police trends

According to Palmery (2001:1) the International trend in crime prevention after the Second World War was to address crime through the Criminal Justice system, which typically included a combination of vigorous policing and a 'tough' justice system. International experience has shown that policing is always more effective in reducing crime and is more service orientated when there are strong links of accountability between those who police, and those who are policed (Modiselle, 2000:2).

4.3.1.1 Largo Police Department, Florida

The Aradi (2003:1) is of the v iew that nobody knows the issues facing the community better than the people living there, and therefore it is important that he gets out and talks with the residents about the issues that are most affecting their lives and it is all a part of Community Policing.

4.3.1.2 Hains City Police Department, Florida

Wheeler (2003:1) denotes that the Hains City Police Department is dedicated to providing a quality, professional law enforcement service to the residents and to those who visit the City, (and) they are committed to maintaining an active partnership with the community in order to achieve department goals.

4.3.1.3 Clearwater Police Department, Florida

Klein (2000:1) indicates that in the Clearwater Police Department, Community Policing is a comprehensive philosophy implemented at the command staff level, administered by mid

management police supervisors who a responsible for team building and resource support and is applied by sworn and civilian alike. Although Community Policing is primarily a patrol division function, its policies and coordination are integrated throughout the entire department; such as the Community Response Team, Public Works and Central Permitting. According to Griffin (in A Manual for the South African Police Service, 1997:47) the Clearwater Police Department and the Clearwater City Managers Office developed an eleven page survey in 1990, with the intention of gathering information from the public that would be useful in evaluating the performance of the police department and in planning future programs and strategies.

4.3.1.4 Reno Police Department, Nevada

According to Hoover (2003:1) the Reno Police Department is nationally recognized as a model for Community Oriented Policing and Problem Solving Policing. The project called "Your Police-Our Community" exemplifies the Reno Police Department's commitment to creating partnerships with community members, local businesses and other agencies and organizations to make Reno a safe and pleasant place to live and work.

4.3.1.5 Spanish Local Police Forces

Cabello (2003:4) explains the functions of different local Police Forces, basically in the areas of traffic and administrative police and some tasks traditionally included in the model of Community Policing (quality of life, citizen's safety, etc). Within the territorial scope of their respective municipalities, the Local Police Force deals with the current situation regarding the safety of the municipality citizens, carrying out the actions and the policies of municipal security. The Spanish Constitution acknowledges local autonomy and, as a result of that, any Municipality of more than 5 000 inhabitants has been given powers to create and hold their own Police Force.

4.3.1.6 Anchorage Police Department, Alaska

According Riley (1997:1) the Anchorage Police Department is moving from traditional law enforcement practices toward Community Oriented Policing; an approach that relies on officer initiated reduced crime and public disorder.

4.3.1.7 Belgium Federal Police

According to Hendickx and Van Ryckeghem (1999:4) Community Policing initiatives for the Belgium Federal Police included, for instance, victim support, reinforced police presence in holiday resorts during public holidays, police organising preventative technical checks of cars, and the involvement of civilians and policing activities.

4.3.1.8 Botswana Police Force

Botswana Police Force strive to achieve this aim by continuously working together with and in partnership with the community, the business sector, other agencies and neighbouring Countries to reduce crime (Montshiwa; 2002).

4.3.1.9 London Metropolitan Police

According to van Rooyen (1995:1) Sir Robert Peel implemented the para- military model as a basis for the establishment of the London Metropolitan Police in 1829 and it was the first properly constituted and organized Police Force for England. Its primary function was to prevent crime and to that end, a number of specialisms evolved, the oldest and most tested the Mounted branch. According to the New South Wales Police News (as quoted in Servamus, 1985:20) the London Metropolitan Police Force commenced reorganization that took two years in 1985. This police was restructured into areas and each area was commanded a Deputy Assistant Commissioner and decentralization was maximized. Principal operations responsibilities remained with the Divisional Chief Superintendent and the Deputy Assistant Commissioners pose overall responsibility within their areas for traffic, public order and criminal investigations.

4.3.1.10 Los Angeles Police Department

Bratton (2003) points out that in the spirit of Community Policing, it is recommended that a newly developed department be guided in large part by the needs of the community members they serve (**see Addendum H**). To work more closely with their community, it is essential that officers understand the community needs and have knowledge of the resources already in place that can assist them with their policing efforts within the jurisdiction.

4.3.1.11 Contract policing in Canada

According to Pruce (2003:3), Community Policing in Ontario Canada, is mandatory within all municipalities and offers many advantages to both members of the community and members of the police organization. He differentiates between five common policing models used in Ontario; the CAPRA model which the acronym stands for Client, Acquire/Analyze information, Partnerships, Response and Assessment; the COP or Community Oriented Policing; the POP or Problem Oriented Policing; the DPR which stands for Differential Police Response, and the TOP for Team Oriented Policing. According to Hyde (2002) the Canada Municipality Police are the best when coming to practicing Community Policing. Community Police to him means the police helping the community to do policing, and not the community helping the police to prevent crime.

According to Lee-Irvine (2003) Municipalities in Canada enter into a contract with the Royal Canadian Mounted Police to permit the latter to do policing within their area of jurisdiction (**see Addendum I**). Schőnteih (1997:3) put forward Shubane's report that explores the possibility of Local Councils contracting the South African Police Service to perform Municipal Policing Service over and above their normal policing duties. He further explains that Contract Policing operates in other parts of the world, notably in Canada (where) the Royal Canadian Mounted Police (RCMP) contracts out 4200 people (23 percent of its staff complement) to provide service to 200 municipalities throughout Canada. The RCMP, the contract policing relationship is a balance between the federal government's priority- a uniform standard of policing for all Canadians-and Municipal Government's desire for autonomy. The Ontario Provincial Police Report (2003:3), indicates that overall, there has been a reduction in the number of Municipal Police Services from 110 in 1985 to 64 today, a decrease of 46 Police Services, largely due to Council's choosing the Ontario Provincial Policing option and the significant municipal restructuring that took place. This is an opposing view of that of Smit (in van Rooyen: 1998:9) who indicted that Municipal Policing is a growing international trend. According to the Police Future Group News (2000) because of the demographic change, Canadian Police Services are beginning to experience an acute labour shortage, likely to last for more than a decade. One wonders whether contracting is not one of the factors to this, since the Ontario Municipal Employees Retirement system, reduced the age for retirement eligibility.

According to Friedmann (in Fox et al:1998:170) a variation of zone policing is observable in Edmonton, which offers an extensive service of foot patrol or beat officers. The Edmonton foot patrol programme was initiated as a response to three distinct needs: increased crime rates, increased fear of crime and victimization on the part of the citizens and the assumption that communities are dissatisfied with police service. Under this programme, Constables are given a beat, an office and are expected to work well with people. This approach empowers the foot patrol to enlist community support by asking volunteers to assist in compiling information about the community; ask the community to assist with clerical tasks, consult the community for advice on organisational matters, for example long term goals; build up long term relationships with citizens; increase mutual trust and responsibility between Police and the community.

4.3.1.12 Municipal police in France

The French Municipal Police Services were first established in 1983 under the Decentralization Policy of Mitterand's early presidency (Besdziek, 1996:4). While the opportunity for the establishment of Municipal Police was created by the National Government where such services exist, they have been established at the insistence of the local Mayor. Municipal Police Services in France are the result of the effort of the Mayors who have mobilized political support for the creation of such services.

The French Municipal Police consist of local civil servants, in terms of the civil servants classification who are paid by their employing municipality. Although the primary responsibility of these services is safety and security, the French Municipal Police's safety and security function does not equip them with powers to arrest over the ordinary citizens, although the Chief Prosecutor in Amiens has given that City's Municipal Police Service the authorization to hold and physically detain transgressors while they wait for the National Police to effect a proper arrest. They do not have powers to request identification from anyone but they however effect patrols on foot, by car or by bicycle and this is limited to the city in which they are employed. When they are confronted by any violence, incivility or crime in progress, they are obliged to call upon the National Police immediately.

4.3.1.13 Policing in the Philippines

According to Fox et al. (1998:171) the Barangay Local Government in the Philippines is empowered to administer certain judicial functions to speed up judicial procedures. The Barangay Local Government deals with minor criminal cases and the settling of disputes and this led to an alternative Police Service in order for Local Governments to follow an integrated approach to the prevention and control of crime. The Barangay Local Government initiated what is called the Barangay Roving Security (BRS), staffed by one regular uniformed policeman, two police auxiliaries and the Barangay Security and Development Officer (BSDO). Findlay & Zvekič, (in Fox et al.1998: 175) views that the duties and responsibilities of the BSDO are to report confidentially, suspicious looking persons to the Barangay captain in their respective areas at any time of the day, especially in the early morning and at night; to activate monitoring teams in their respective areas, according to peace and order statistics; to act as peace officers in their respective areas; receive and investigate residents complaints; provide physical security to Barangay officials, for their property and equipment, and government installations; co-ordinate evacuations in terms of conflagrations , typhoons and flood; report public nuisance which directly affect the health of the residents in the area to proper authorities; report to proper authorities, the crimes committed in their respective Barangays; and perform other functions as may be instructed by the Barangay captain or other authorities. The Ronda System, consisting of purely civilian volunteers, supplements the Barangay Roving Security. While the BRS is in essence a police-community surveillance team, the ronda team is considered a neighbourhood surveillance team.

4.3.1.14 Key West Police Department, Florida

The Key West Police Department in state of Florida in the USA introduced Community Oriented Policing in 1991, which was a more practical approach to law enforcement to provide those in the community with the means to eliminate elements that spawn criminal activity (Newby, 2003:1).

4.3.1.15 Kansas City Police Department

According to the Bureau of Justice Assistance (1994:7) the Kansas City Police Department conducted a Kansas City Preventive Patrol Experiment that found that randomised patrolling had limited impact on crime, or the citizens' attitudes, and that caused police leaders to begin

to think of alternative ways to use their patrol personnel. This led to another study that proved that serious crimes are not deterred by rapid response, but that more efficient dispatching of calls could make additional time available for patrol officers to interact with the community.

4.3.1.16 Newport News, Virginia, Police Department

The National Institute of Justice selected the Newport News, Virginia, Police Department to design and implement the problem-solving model called SARA denoting Scanning, Analysis, Response and Assessment. (Bureau of Justice Assistance: 1994.83). This model involves assembling a number of officers and was developed to solve various problems during their routine or normal assignments.

4.3.1.17 Policing in Flint, Michigan

According to the Bureau of Justice Assistance (1994:10) experimental foot patrols in Flint, Michigan, elicited citizen approval. Residents indicated that foot patrols made them feel safer and they felt especially safer when the foot patrol officer is well known and highly visible. This experiment suggests that the police could develop more a positive attitude toward community members and could promote positive attitudes toward police if they (police) spent time on foot in their neighbourhoods.

4.3.1.18 Other Municipal Police Service's not mentioned above.

According to Bentliff (1993:18-19), motorized patrols are assigned to areas that do not require public contact and the New York City Police, Chicago City Police, Atlanta Police Department and other Cities use horses in parks and for crowd control. Bentliff emphasizes that from the first organised Police Force, foot patrols or "beat-cops" have historically played an important part in law enforcement and crime prevention and police officers who work on a foot patrol in a limited area know their beat intimately, they know the people living or working in a neighbourhood, including each small business owner. Since the New York Police Department controls the reckless flying over the city, the first airborne unit in United States of America was created in New York In 1930.

Newham (2003:1) insinuated that over a few decades it has increasingly been recognised that once corruption starts to become a problem in a police agency, commanders lose the ability to

control their officers and as a result, confidence from the community is lost. The current Internal Affairs Bureau (IAB) of the New York Police Department was formed in 1993, following the recommendations of the Mollen Commission of Inquiry. The substantial international research and considerations were undertaken as part of a process of establishing this new structure. Two principles emerged from the research being that a proactive approach is necessary if police corruption was to be effectively addressed, and an independent internal investigative police unit is the most effective and efficient structure for the tackling of police corruption.

According to the New South Wales Police News (in the Servamus, 1987:14) the USA established a National Town Warden Association which represents some 200 000 volunteer crime wardens in twenty-eight states. This association designated certain days in a month as National Night Out and citizens are widely urged to sit outside for an hour in an effort to discourage neighbourhood crime and the local police department measure the crime report for that specific period

4. Shared characteristics of the International Municipal Policing models.

There are characteristics that are common to various police institutes to promote safety and good running of the police organization. In some countries there are bodies that are independent and oversee the police departments, while in others there are no such bodies. Following are mutual activities done by other countries.

4.1 Civilian Oversight

According to Bratton (2003), a board of Police Commissioners oversees the Los Angeles Police Department and this commission has the responsibility for control, regulation and management of the Police Department. According to Miller (2002:7) each Police Force in England and Whales is directly accountable to a parallel Police Authority and these agencies have a range of powers, including appointing the Chief Constable. He further differentiates between three different oversight agencies adopted by various police agencies; the full investigation by the Police Ombudsman for Northern Ireland, the selective investigation by the South African Independent Complaints Directorate and the Review and Audit of complaints by the San Jose Auditor (California, United States). The Brockville Police Service

Board is composed of five members, the Mayor of Brockville and one Councillor, plus three appointed members of which two are appointed by the Province and the other by City Council (King, 2003:2). It is clear from the above that civilian oversight takes different forms of operating and it also sometimes includes councillors to be part of the forum.

Rauch et al:(2001:18) states that Durban is the first City in South Africa to establish a Metropolitan Police Service under the new legislation, the South African Police Service Amendment Act, (Act 83 of 1998); the Durban City Police was the city-based police agency in South Africa and was widely regarded as a model for the legislation. According to Steytler (1999:5) in terms of this legislation proper provision must be made to ensure civilian supervision of the Police Service. Bruce (2003:1) highlights the importance of Section 64(1)(j) which states that a Municipal Police Council shall appoint a committee consisting of members of the Council to ensure Civilian Oversight of the Municipal Police Service. Bruce however argues that according to the legislation, the involvement of members of the Council is mandatory while that of 'other persons' is an option which the Council may consider, while it should be vice-versa. The majority should not be Councillors in order to review in an impartial way, and not favouring either the police or the public.

4.2 Recruitment and Training

Recruitment and training are essential component for impacting organizational change in a police department. It is harder to teach department veteran's entirely new methods of operating than to instil a new definition of Municipal Policing in new recruits from the outset, therefore international recruiting and training will be explored. In Canada only Canadian citizens or permanent residents of Canada of at least 18 years of age are eligible for appointment as police officers while minimum entrance requirements for males and females entering the police academy for the Town of Gilbert are that they should run 1.5 mile within 15.8 minutes and do 16 push-ups in a minute as well as 29 sit-ups in a minute. Candidates should be at least 19 years of age (Galati, 2003).

Most police agencies administer medical examinations, physical agility tests, psychological examinations, and investigate and eliminate some persons with disabilities during the application process, before a job offer is given (Kenney and Cordner, 1996:49). Personnel

issues for the police are centred on questions of training and education and the police profession requires extensive training before competence can be ensured. The Long Hill Township Police Training curriculum prioritises Community Policing as a prerequisite for Municipal Police officers. The Lincoln Community College also outlines Community Policing as a priority, with a module on the definition of Community Policing, the programs of Community Policing and practices of Community Policing. According to Galati (2003:1) of the Kathimerini, Greece's International English Language Newspaper, the six months' training practical course for trainee officers will be conducted under the Public Order Ministry, while lessons in theory are the responsibility of the Interior Ministry.

According to the New South Wales Police News (in the Servamus, 1986:12), the Chicago Police Department administrators devised an agility test to be applied routinely to all officers to ensure that they meet physical requirements for the job and the New York Police developed a police driver education program in 1986 to improve officers' driving abilities.

4.5 The origin of establishing a Municipal Police Service for Mangaung Municipality

The establishment of Municipal Police Service for Mangaung is not a new item on the agenda of the Council's meetings. According to the Uitvoerende Hoof (1995), the Bloemfontein Transitional Council applied for principle approval for the establishment of Municipal Police Service in accordance with the Constitution of the Republic of South Africa, Act 200/1993 section 221(3) already in 1995. This application was directed to the MEC for Safety and Security for the Free State Province (**see Addendum J**). The MEC for Safety and Security (1995) advised the Bloemfontein Transitional Council to wait till the directives for the establishment of a Municipal Police Service are clarified since section 221 (3) of the Constitution 200/1993 and section 64(1) of the South African Police Service Act, (Act 68/1995) were ambiguous and inconclusive (**see Addendum K**).

This led the Transitional Council of Bloemfontein (1995), at its meeting held on 31 October 1995 to resolve among others, that further or more involvement in the investigation of Municipal Police Service be conducted (**see Addendum L**). According to Ditshidi (2003) this was encouraged by the spiralling crime activities that were experienced in the city centre and around the taxi rank. According Swart (2004) the Council approached the South African

Police Service for assistance with regard to crime in the city and in the vicinity of the rank. The South African Police Service (SAPS) responded by pointing towards the imperativeness of joint operations with the municipality (Swanepoel, 1995). (**see Addendum M**).

4.5.1 The 1996 Qwanthani Management Workshop

The Qwanthani Management Committee Workshop (1996), reports that the Transitional Local Council of Bloemfontein, at a Management Committee workshop held in Qwanthani in October 1996, took a resolution in principle that the need for the possible establishment of City Police Services for Bloemfontein Transitional Local Council be further investigated. (**see Addendum N**). This resolution was forwarded to the Work-Study division for execution and it led to a team of Council officials from the Department of Protection Services and a member from work-study division in 1997, to embark on an expedition to other Local Authorities that claimed to have Public Safety Departments in their structures, which operate as crime prevention or City Police Units. Places which operated as such and visited included Kempton Park and Durban.

It is noteworthy to mention that the Durban City Police was the only legitimate Municipal Police service by that time and it was the last to be visited by this team for the purpose of benchmarking. The Durban City Police Force grew out of the needs of an expanding society … and by the 1850's the Majesty of the Law in Durban was entrusted to two or three European policemen with few native constables (Jewell, 989:6). According to Rauch et al: (2001:6), the City of Durban implemented its own police force for the Durban City Police in 1854. It was a self-styled British constabulary and the wording of the municipal ordinance which established it is almost identical to the 1835 act of the British parliament which established borough and county police.

According to the Malaza et al:(1999:2) the Durban City Police enjoyed the benefits of a co-operative approach to policing of Durban, and it resulted in the Durban Central Business District being one of the safest in South Africa. Schönteich (1998:1) is of the view that the Durban City Police has shown to be able to respond effectively to changing local conditions and needs. In the early 1990's crime levels rose on the beach front, tainting the city's image as a tourist destination, but in response, the Durban City Police increased foot patrols and

installed surveillance cameras in the beach front area, subsequently resulting in dropping crime levels in the area. This is confirmed by Rauch et al. (2001:&), that compared to patterns of policing in the South African Police Service, the Durban City Police was more involved in maintaining a high presence in the city centre, on the beach front and in the central shopping areas; and is more likely to police less serious incidents on the streets, to provide general assistance to the public and to perform a crime prevention role, than was the SAPS.

What prompted the Bloemfontein Transitional Council to investigate the possible establishment of City Police while there was no empowering legislation, is according to Shaw (1998:2), the growth in crime prevention and control responsibilities at local level which resulted in some larger municipalities also establishing their own security departments Paradoxically, one positive result of the establishment of municipal security departments was that it largely isolated traffic police from becoming more paramilitary. According to Tjamane (2003), disgraceful crimes that were happening within the City and the fact that the so-called "Veiligheidspolisie" (security officers) of the municipality had limited powers to enforce on these offences fuelled the process.

4.5.2 Reports to Council

According to Sebota (2003) the development regarding the empowering legislation was closely monitored and the Council was kept informed thereof till the legislation was proclaimed. This happened through reports to Council dated 15 November 2000, about the Legislative Provisions on the establishment of Municipal Police **(see Addendum O)**; and the report on the establishment of the Joint Task Team for Hawkers and Taxi's on high crime areas in Central Park on 21 May 2001 **(see Addendum P)**. This task team comprised of the MEC for Safety and Security, the MEC for Public Works, Roads and Transport, the MEC for Finance and the MEC for Local Government, with other stakeholders, including Telkom and the South African Police Service.

The Organisation and Work-Study Investigation Report (2002) recommended that the council accept the establishment of a municipal police service for Mangaung Local Municipality, and if this recommendation is accepted, that the Director Protection Services be appointed to

perform the functions in terms of 64C of the South African Police Service Act (Act 68/1995); and organized labour be informed of the proposed establishment of a municipal police component for the municipality (**see Addendum Q**).

4.6 Summary

Policing in South Africa started with the introduction of "Free-Burgers" in the early 1657, when they were allowed to guard their own premises and the term "police" was properly applied when ten "Burgers" were recruited in 1686 to handle transgressors of the law and suppress disorder in the streets. Policing in South Africa have undergone five stages of development since 1800; from Frontier Policing to Military Policing, to the Securicratic Policing style, Transformational Policing and Community Policing. The Durban City Police was introduced in the early 1830's and did not merge with any of the four Provincial Police Forces introduced in 1913, but instead kept the self-styled constabulary, similar to the British Constabulary. In 1910 the first South African Police Force was established under Col..T.G.Truter with the responsibility of preserving internal security; the maintenance of law and order; the investigation of any crime or alleged crime and the prevention of crime. In addition to this, there were the South African Railway Police Force and various Police Forces in the Homelands and TBVC states as well as the Municipal Police in the Black Townships. International police trends indicated a mismatch on how Community Policing is practised but there are shared characteristics in terms of recruitment, training and civilian oversight internationally.

CHAPTER 5

Presentation of research findings

5.1 Introduction

This chapter describes the data collected through interviews conducted with prominent members of the five identified Local Authorities or Municipalities that have introduced a Municipal Police Service, in terms of the stipulations of the South African Police Service Amendment Act (Act 83 of 1998). These Municipalities are Ethekweni Metropolitan Council; Ekurhuleni Metropolitan Council; Johannesburg Metropolitan Council; Tshwane Metropolitan Council and Cape Town Unicity. The interviewees were persons who were actively involved in the introduction of a Municipal Police Service, as well as those who administered training programs to officials in order to qualify as Municipal Police Officers.

Following is the presentation of the discussions on the practices that were engaged by different Local Authorities during the process of introducing a Municipal Police Service. This will be structured under the themes; procedures used to convert and establish a Municipal Police Service; the main focus during the establishment of Municipal Police Service; continuation of service delivery during the establishment process; financial implications of establishing a Municipal Police Service; sustainability of the policing model; training undertaken by Municipal Police Officers; the phasing out of the Traffic Departments; Municipal Police Services approach to policing and coordination; and the sovereignty of a Municipal Police Service.

5.2 Procedures used to convert and establish a Municipal Police Service

Municipalities converted their existing Traffic Departments and other law enforcement units to establish Municipal Police Services, and in this section the experiences and best practices in terms of specific steps in the process implementation, will be presented.

5.2.1 Recruitment and training of Municipal Police Service Officers

Recruitment and training refers to the manner in which people were appointed to positions, and what training they received to qualify. Recruitment and training is vital in moulding the

organization to deliver a professional service and attain the goals of the organisation. It emerged repeatedly from the respondents that the process of establishing a Municipal Police Service for Ethekweni, Ekurhuleni, Tshwane and Johannesburg Metropolitan Councils entailed recruitment from inside the existing City Police and Traffic Departments, "*…in fact we were forced to set what we called a development course, from there we then started moving people from other areas and then trained them, Wardens, Security Guards".* From the perspective of the respondents, not only Traffic Officers were trained, but even Security personnel and Traffic Wardens in an attempt to increase the number of Municipal Police Officers. This is confirmed by one respondent who indicated that people in the Security Departments with basic requirements, such as a driver's licence, matric or standard 10, and with no criminal records were identified and sent to do a physical six months general training, in accordance with the Act and the prescribed curriculum and national standards.

In contrast to this in Durban respondents indicated that even personnel from other areas, not qualifying, were drawn into the Municipal Police Service, *"...the legislation says that every new Municipal Police Officer must have a matric, (but) what we are doing is that we are registering staff, after registering staff we will require exemption from those people when we register them, and when we bridge them they will have a full certificate, but there is no need for them to come to matric".* This act brought animosity amongst officers and this issue was critical because some wanted to know how Traffic Officers could be brought in and just wear a City Police uniform while they were not properly trained. The Ekurhuleni Metropolitan Council did not only train Security Officials and Wardens but further included training of Law Enforcement Officers of the Council and thereafter recruited from outside the Council's Departments.

The South African Police Service Amendment Act (Act 83/1988), provides that for every person who, on the date of the establishment of a Municipal Police Service under Section 64A for a particular Municipality, is registered as a Traffic Officer in terms of any law and who is employed by that Municipality, may be appointed as a member of the Municipal Police Service, even though the person may not comply with the training requirements determined by the National Commissioner. All Councils mentioned established a Municipal Police Service in accordance with this clause, except for Cape Town, which took a totally different

route. According to the respondent from the City of Cape Town, this Council did not opt to apply this particular section; instead they kept the traffic services and the law enforcement services as separate units. The logic behind this is, "…*because they said that by converting or changing the uniform of Traffic Officers, from blue uniform to a black uniform, is not gonna (going to) make any impact on crime because it will be really about the changing of colour of uniform*," It is the view of this Council that to make a meaningful impact on crime, the Council should to get "additional bobbies" on the beat; meaning to recruit new members for Municipal Police Service.

For recruitment purposes Cape Town looked at the conditions contained in the regulations and further for a member to be physically fit, mentally fit, to have a drivers licence, a matriculation, or certificate equivalent to, with no criminal records. According to the respondent, these applicants undergo medical examinations and psychometric tests to determine the health and mental state of each applicant. When they are declared medically fit, they are short-listed and a final list is made available to go to college. Similar to Cape Town, Johannesburg Municipal Police Service took applicants through a driving proficiency test, because they reason that the appointment of Metro Police Officers is still traffic driven, and a Municipal Police Officer, has to a large extent still have to do road traffic policing. It was further revealed that they do a firearm proficiency test. This is done to ascertain whether the person can operate a firearm under stressful conditions because as it could dangerous for a Police Officer to close eyes and hide behind the firearm when you shooting.

All respondents who administered training to the officials who qualified for Municipal Police Service had the same opinion that the new applicants were first trained to qualify as Traffic Officers. First of all they had to adhere to the curriculum as set out by the Department of Transport, in order to qualify as Traffic Officers and thereafter they could do an additional training specified by the Act. The additional training according to respondents is Law subjects, which include Ethics and Community Policing, Domestic Violence and Human Rights, as well as By-laws. According to one respondent, the South African Police Service Legislation entails Law subjects, Police Ethics, Community Policing, Problem-solving, Criminal Law, certain seizures and methods of searching, attendance of Court and executing the attendance of an accused in Court, Common Law Crimes, Crimes against a person, Theft,

Public Violence, Abduction and Statutory offences. The respondents clearly indicated that these training courses, coupled with the training curriculum for Traffic Officers, are done during a six months' full time class attendance. According to a respondent the period for training of Durban City Police Officials was eight months, and when recruitment drive for outside people is done, the old system of conducting training for eight months will be reintroduced.

Similarly, other municipalities do not cease training after the attendance of the basic training offered at training colleges. It is apparent from all respondents that after training, the new recruits are drawn back to training, where they are trained in specific aspects of the job. At Ekurhuleni Municipal Police Service, they work on the road with well-experienced officers for a period of two months to learn practical police work. At this point they are taught the compilation of documents, reporting of accidents and how to compile a record and write a docket. At Johannesburg and Tshwane Municipal Police Services, they redo shooting practice, because the Council has a policy that stipulates that one should achieve ninety percent pass rate on the use of a firearm before being issued with a Council firearm. Practical driving efficiency is also done to ensure that proper and professional patrol, as well as chasing suspects will be done safely.

Consistent with this pattern of training, Cape Town Municipal Police has what they termed Operational Real World, which according to a respondent "…*is run under the auspices of the South African Police Service, and when it comes to the supervisors course, do conversion and bridging courses for supervisors; where we utilize the students in additional practical experience, so at the end of the day they qualify as a Municipal Police Officers.*" Different municipalities do conversion courses or bridging courses differently. According to respondents, this course consists of forty modules and in Tshwane Municipal Police Service a batch of fifty Traffic Officers were withdrawn from operations and attended a three weeks training at the training college. According to a respondent, "…*in Johannesburg, the conversion course is done in three different ways; first, by doing distance training. This is done by giving the guys (officials) the notes and when they are ready they to write exams, they supply their names to supervisors. These names are forwarded to the Police College which oversees the exam. Second; Traffic Officials are brought in to the Academy during low picks*

or just after picks from nine to twelve and various subjects are administered to them by facilitators. The third option is full time training; where Traffic Officers attend a three weeks fulltime training course." In contrast, it is believed that in Ethekweni Municipality it takes three and half months to convert Security Officers and as the traffic syllabus is too long in terms of training of firearms, shooting and law subjects, that are also part of the conversion course.

Emanating from the individual interviews, it is obvious that the establishment of a Municipal Police Services for the Metropolitans that have established a Municipal Police Service in South Africa except Cape Town Municipality; were done entirely through the conversion of the existing Traffic Departments into Municipal Police Services. The Durban City Police was already in existence hence the process in Durban entailed the amalgamation of the former with other Traffic Departments to form the Ethekweni Municipal Police Service. Traffic Officials were bridged to qualify as Municipal Police Officers. The bridging courses consisted of legal or law subjects and was conducted in a period of three weeks. The only Municipality that opted for a different approach is Cape Town City Council, which recruited from outside and formed new entities while the Traffic Departments are still in existence. The training to new recruits entailed first to qualify as Traffic Officers and thereafter to do additional South African Police Service training as stipulated by the National Commissioner.

5.2.2 Problems with conversion

Conversion means the process of establishing a Municipal Police Service by training Traffic Officers to qualify as Municipal Police Officers. The process necessitated some concession from those who were involved in performing the task of establishing a Municipal Police Service by changing the Traffic Department to a policing agency.

Derived from the scheduled individual interviews, it seemed that the interviewees were confused of precisely how to deal with the establishment of the Municipal Police Service. With the exception to the procedure of applying to the Member of the Executive Council for Safety and Security, there are no fixed laid procedures or guidelines on how to convert from either City Police or Traffic Department to Municipal Police Service. It was therefore

difficult to merge different organisations like the City Police and Traffic Department, or the two Traffic Departments from different municipal grading.

Views of the respondents create a picture that the process of amalgamation caused conflict between officials, "*…as the difficulty initially was the question of the Traffic Department vice versa the old Durban City Police, so people started saying we do not want the Durban Police to dictate to us. The Durban City Police were trying to dictate to other Traffic Departments by saying you must join us and then we will tell you where to place you*." Members seemed irritated by this matter since the grading of these Departments, including the City Police differed significantly in terms of structure, functions and salary. One interviewee even indicated that very serious tensions and sometimes even intimidation of people not participating in the process occurred, *"…and I must say in the extreme level, we also had death threats, my life was under threat, the Chief of Police, and we had intelligence information from people who were attending meetings that I was to be assassinated."*

It would appear that one department structure consisted of five levels of hierarchy while the other consisted of eight, or even eleven levels. One organisation's primary functions expressly included crime prevention, while the other excluded crime prevention and salaries paid to officials differed enormously. According to one respondent the process of amalgamation brought down the morale of other officers "*... though I am talking from the heart, they benefited a lot in terms of ranks and salary, and this created a situation of us and them."* Respondents were of the opinion that the formation or establishment of a Municipal Police Service must benefit all officers to encourage and motivate them to execute their service with pride, but the situation prevailing was that only a certain group of officers were satisfied, while others were de-motivated.

These amalgamating departments were from different Municipalities with different Conditions of Service and there were no rules or Council resolution on how officials should be placed, *"... hence I think one of the main issues that is still a problem to me is the fact that at the National Level, there is no resolution around the Conditions of Service and actually no provision was made for in terms of Section 12 of the Amalgamation of the Authorities for a unique new services."* One interviewee was of the opinion that the amalgamation process was

difficult because employees were not officially placed due to an absence of placement policy. According to a respondent, one of the major problems was placement of employees, because prior to the 1994 elections and prior to the amalgamation of Municipalities, people from other small areas promoted themselves to higher positions. This resulted in the less experienced employees gaining from the process of amalgamation, and subsequently affecting the morale of those not advantaged.

Complications that were noted to the process seemed to be the inconsistent working hours of officials. Officials from different amalgamating departments were appointed with differing working hours resulting in conflict and confusion in terms of incentives. An example is officials who are earning the same salary and are supposed to do similar functions but are governed by different sets of rules and regulations. It appeared that other officials were paid overtime for working on Sundays, while for others; Sunday was a normal working day hence they are not paid overtime. This caused major confusion and one responded highlighted that *"... what happens now is that, if the public Holiday falls during the week nobody comes to work as they say 'why must we come to work because we don't get overtime but we are on the same salary."* This is a concern as service delivery and productivity is negatively influenced and contradicts the view that all should be treated the same in an organization; failing which, confusion will be the order of the day "… *and unfortunately we have officers that are not sure if they are Traffic Officers or Superintendent or whatever."* In general, respondents believed that the Conditions of Service should be uniform and be implemented before amalgamation process is undertook or conducted. This would alleviate the problem of who is doing what, when and how.

Other difficulties emanate from the Traffic Officials. There were Traffic Officers who resisted the conversion to Municipal Police Officers and those within the higher grading municipalities who tend to play big brother to those who belonged to or represented small municipalities during the process of conversion. This is derived from old Traffic Officials who felt that practising Municipal Policing is not their priority; hence they would prefer to stay on as Traffic Officers. This problem also includes those who are opposed to change in the organisation, "*...and the painful experience was when we took the existing Traffic Departments. There was a lot of resistance firstly from the Traffic Officers to now become*

police oriented service, and said they are not Policemen but Traffic Officers." Respondents are of the opinion that the Council should make a proviso for those who do not want to be Municipal Police Officers to be accommodated and placed in other departments of the Council.

Training officials who administered training to new recruits are of the opinion that the period allocated for training these officials is insufficient. This is due to the fact that is mandatory to first conduct the curriculum set by the Department of Transport in order to qualify as Traffic Officers and thereafter to do training set by the National Commissioner in relation to the Municipal Police Service. The curriculum set for Traffic Officers training is six months and according to a respondent, "*...the problem basically was the fact that we had to do additional training in the same time frame set out for traffic diploma."* The respondent in Tshwane argue that that the training curriculum is not well developed at National level and is of the opinion that colleges do not produce competent persons, because practical experience is not offered during training sessions. Respondents from Cape Town in relation to this matter emphasized that "*...we need to put time in training these people the practical side of what is expected from them, we need to get involved in the real type situation."*

It is clear from the interviews that the existence of different Conditions of Service for the Municipalities creates major problems for the process of establishing a Municipal Police Service hence it is of importance to lay the theoretical foundational ground work of first adopting uniform Basic Condition of Service for all amalgamating municipalities. These basic Conditions of Service must govern the working hours as well as all aspects of human behaviour and conduct. Amalgamation of Municipalities that differ in grading in terms of rank, structure and salary should also be addressed in the Basic Condition of Service. The placement policy should be in place that would guide how different officials from different Municipalities could be placed before the commencement of the amalgamation exercise. This may be in a form a resolution taken by a newly formed Council or through the guidelines from the National Government. It is evident that the training is a predicament due to its duration and its relevancy. The period of training is definitely too short to accommodate both the core curriculum and that of municipal policing and furthermore, there is a perception that the colleges fail to render or provide practical guidance. Training should therefore be scheduled

to accommodate the core curriculum and that of Municipal Police Service and should also address the issue of the practical experience.

5.2.3 Change in working procedure

Working procedure entails the pattern in which the newly established Municipal Police Service should operates, as compared to the traditional operating procedure used by the Durban City Police.

According to officials from Ethekweni Metropolitan Council, they undertook a name change process since there were no changes and the City Police was a fully fledged Police Force, *"... and the only thing the City Police did not do in comparison with the South African Police Service was the investigation of crime, which is the same thin; it is like today's new Police Amendment Act."* A respondent in Cape Town is of the opinion that the approach of converting Traffic Departments would be perceived as a change of the uniform of Traffic Officers. Correspondingly, an interviewee in Johannesburg has the same opinion by indicating that, "*...we have always been doing crime prevention."* Respondents are of the opinion that Durban City Police was advantaged, since they had a team of officials that were concentrating only on crime prevention, and accordingly, "*...it was just to reinforce crime prevention function and especially from the view of former Traffic Officers who were already doing it."* According to the respondent from Johannesburg it was simply repackaging it and making it a day core function of the officers and now the function is detailed. Even though Durban City Police was operating precisely as the South African Police Service, according to respondents, it applied for extended powers, which powers sought permission to operate as Durban City Police till the application for establishment of a Municipal Police Service was officially considered.

It is clear that there were no major differences between the Durban City Police and South African Police Service and it is also the understanding of municipalities like Johannesburg that even though they were operating Traffic Departments, they were still enforcing crime prevention and thus the introduction of Municipal Police Service just reinforced the way in which they should operate by making crime prevention a core function. Thus, the working procedures should incorporate both the function of the Traffic Officer and that of the Police Officer.

5.2.4 Structuring the Municipal Police Service

The structure of Municipal Police Service refers to the components of service, as well as the systematic configuration of the administration of the whole organisation.

It is evident from the respondents that Ethekweni Municipal Police Service used the previous structure of the Durban City Police as a benchmark to form the layout of the Municipal Police Service, *"...as everything that we did was based on what the City Police had and it is like a benchmark because if you look at it now, the colour of Municipal Police Service vehicles is the same colour as the vehicles of the previous City Police. The uniform that we are wearing is that of the Durban City Police. The structure changed a little bit from that of City Police because at the City Police we had a Chief Constable, Deputy Chief Constable, Chief Inspector and the Inspector, from there we had a Sergeant, Senior Constable and a Constable."* Similarly, the new structure is composed of a Director of Metro Police, Regional Commanders or Senior Superintendents, the Superintendents, the Inspectors, the Sergeants and the Constables. According to one respondent, "*...in fact Durban was used a benchmark, in terms of salary and in terms of parity."*

Comparable to the above, are the Johannesburg and the Tshwane Municipal Police Services with seven rank structures with the noticeable difference only in the designation of the positions. While Ethekweni Municipal Police Service designates the Head of Police, Director, the Johannesburg Municipal Police Service attaches Chief of Police or Metro Police Commissioner or Executive Head to the position, while the Tshwane Municipal Police Service prefers to call it Commissioner of Police. The history behind the latter is according to a respondent that, "*...because he was appointed from the South African Police Service, and that is why he retains his rank as a Commissioner, but it is the rank of the Chief of Police and the previous holder of the position was also from the South African Police Service."* It would seem as though the Tshwane Metropolitan Council will appoint only former Commissioners of Police from the South African Police Service in the future. To conclude the seven levels of the structure, below the Commissioner or Chief of Police for both cities, are Director, Deputy Director, Chief Superintendents, Superintendents, Inspectors and Metro Police Officers.

In contrast to the above, Cape Town introduced nine levels in its structure with position designations at variance from the other Municipal Police Services. The position at the top is

titled the Executive Head, Deputy Chief, Divisional Commander, Assistant Divisional Commander, Precinct Commander, Assistant Precinct Commander, Sergeant and Constable. The logic behind this structure according to a respondent is that, "*.... it is a service delivery model where you make Metropolitan areas into basic divisions, where we have East and West Metropolitan area divided into Sub-areas, and these Sub-areas subdivided into Divisions, and Divisions broke up into Peaces, and Peaces formed into Sergeants areas.*" Different from all the mentioned levels of the structure, Ekurhuleni Municipal Police Service came up with eleven ranks in the structure of its Police Service with the designations of the positions similar to those of other Police Services except that of Cape Town. In the Ekurhuleni Municipal Police Service, the second position on the hierarchy, the Chief of Police, reports to the Executive Head of Department. To cater for well-experienced traffic officers in the Municipal Police Service, the position of Senior Municipal Police Officer was created just below the position of Inspector. According to a respondent the strategy behind this is, "*..... to entice Traffic Officers to become Metro Police Officers as there are opportunities of promotion once one is a Metro Police Officer."* Additional to this structure, the last level just below the Metro Police Officer position is a Recruit Metro Police Officer.

It is clear that each Municipal Police Service structured its hierarchy in accordance to its needs; Ethekweni Municipal Police Service followed what was previously the Durban City Police structure, while Cape Town Municipal Police Service structured it according to a service model or delivery model by introducing Divisional and Precincts Commanders. Tshwane and Johannesburg Municipal Police Services chose to follow a similar design while Ekurhuleni Municipal Police service catered for experienced traffic officers and used the opportunity to entice Traffic Officers to join the Municipal Police Service. The only difference is where the Chief of Police report to the Executive Head of the Department and not to the Municipal Manager.

5.3 The main focus during the establishment of a Municipal Police Service

The centre of attention during an assignment or purpose is fundamental to direct and maintain the process on track, and also not to lose sight of the intention and the objective of the exercise of establishing a municipal police service.

5.3.1 Re-enforcing the existing Municipal Police

Reinforcing the existing Municipal Police relate to the Durban City Police and the existing Traffic Departments which were already performing police work or crime prevention function.

It emerged strongly from the interviews consultation that Durban was in an advantaged stage since the existing Durban City Police was doing exactly the same of what is expected from the Municipal Police Service in that, "*... one of the advantages that we had in Durban area was that there were people who were doing the function of preventing crime, In the North there was a specific Senior Superintendent in charge of crime prevention before the establishment of a Municipal Police. In the South, there was a partnership between the South African Police Service and the then Traffic Departments aimed at the prevention of crime; in fact they were called Protection Services."* It is the opinion of the respondents that the legislation was an act of reinforcing the existing units especially the Traffic Departments. The respondent from Johannesburg Municipal Police Service is of the opinion that, "*... as Traffic Departments we used to do crime prevention, and in essence what we are doing as Metro Police Departments now, is nothing new. Traffic officers have been doing crime prevention function for many years, but at a scaled down level."* Another respondent believed that the focus was firstly to get the other sub-structures to work and to extend the services to other areas.

In Ethekweni, on the other hand, respondent are of the opinion that the main focus was the establishment of the structure. According to the respondent from Ekurhuleni, the establishment of the Municipal Police Service was eventually to transform the Traffic Departments into a Municipal Police Services. The formation the structure and issues related to patrol services, more visible patrol and projects whereby communities are involved, followed. It is therefore clear that the focus, according to the respondent from Tshwane was, "*...mostly on the operations and service delivery; then we concentrated on converting those who are trained to Municipal Police Officers."* According to the respondent, the focal point in Cape Town was to establish a Municipal Police Service in a different way by recruiting from outside the Council so that the introduction of it can have an impact on crime since it is believed that, "*... the only way to make a meaningful impact on crime is to get additional bobbies on the beat. The Council took a courteous decision that it would establish a new*

Service with the business plan and establishment plan stipulating that all the existing staff will be encouraged and assisted where ever possible to join the Service."

The assistance to existing staff does, however, not include that they will be bridged, but entails that those who wish to apply for new positions at the Municipal Police Service, may do so voluntarily. This situation is that there exist a Traffic Department with approximately five hundred and eighty Traffic Officers and approximately five hundred and ninety Law Enforcement Officers. This resulted in three Law Enforcement agencies running in the City. This might confuse the public because, although these agencies differ in uniform, they pursue the same objective and the tourists might not know which is which. The other municipalities chose to amalgamate with and transform the Traffic Departments and Security Departments to form a Municipal Police Service.

5.3.2 Crime prevention

Crime prevention entails the various structures put in place to deter crime and promote safety. It is the basic or core function of a Municipal Police Service, hence part of the establishment was focused on it.

According to a respondent, "… *in Johannesburg Municipal Police* Service *we looked at the service areas what we needed to do for the community and what functions needed to be done on the ground straight away so that is on the operational side."* A respondent believes that in Tshwane Municipal Police Service, crime was a big issue that impacted obviously on the issue of the economy and "… *the first thing we needed to look at is crime, how safe we are since we have seen some high profile people being robbed in the City. Obviously that is not going down (well) in the International World.*" According to the respondent, the Act was taken seriously at Ekurhuleni Metropolitan Council, because it refers to the three functions. More emphasis was however given to crime prevention, how to do patrols, more visible policing and how to involve the community in crime prevention. According to the interviewee the main focus in Ethekweni Municipal Police, "… *was to get all involved to be well satisfied and not forgetting that the main focus on the other hand was that, internally and externally, we needed to satisfy those community in terms of crime prevention. We envisaged that if we amalgamate, even though we knew the dynamics, there would be more resources that would be needed and the regions need to be policed. Maybe in the long run, response will be improved.*" In addition, a

respondent opinion in relation to this is, "…*that really there was a significant crime prevention focus in terms of existing resources from the Durban City Police and it was just for the Municipal Police Service to draw them."*

In contrast, the Cape Town Municipal Police took a different approach by firstly; placing their focus on ensuring that beyond doubt, during the selection process they recruit suitable persons who are qualified to perform the police duties. Secondly, the focus was to ensure that the establishment of Municipal Police Service will have an impact on crime by recruiting capable persons from outside the Traffic and Security Departments and not to convert Traffic Departments to a Municipal Police Service. It is the opinion of the respondent in Cape Town that, "…*the only way to make a meaningful impact on crime is to get additional bobbies on the beat and by converting or changing the uniform of Traffic Officers, from a blue uniform to a black uniform, is not going to make an impact on crime because it will be really about the changing of colour of the clothes."*

It is clear that all the above-mentioned Municipalities focused on crime prevention, while others took a conscious decision to consider the needs of the community or involve the community to counter crime. On the other hand, it is the opinion of respondents from Cape Town that the new entity should be structured to have a meaningful impact on crime therefore they focussed on recruiting qualified and medically fit persons to perform the police duties. This strategy implies that in addition to the existing Traffic Departments and Law Enforcement agencies there are extra Municipal Police Officers appointed to counter crime activities.

5.3.3 Structure formation

Structure formation involves the approach towards the configuration of the organization to ensure and inform smooth reporting lines and communication channels.

According to a respondent the other centre of attention in Ethekweni Municipal Police was on the formation of the new structure, and "…*I think the main focus was on the establishment of the structure."* The interviewee is of the opinion that the structure was done in terms of reporting lines, in such a way that *"...if you used report to the Executive Director, you were placed at that level as a Senior Superintendent under the new Director. Superintendents were*

categorized into Senior Superintendents and ordinary Superintendents." During this process, the number of persons reporting to such a member was not taken into account, as it was believed that the incumbent previously submitted and defended his or her reports at the Executive Committee meetings of the Council, and it was his or her responsibility to run the organization.

Respondents of other municipalities indicated that the structures of those Municipal Police Services entailed amalgamating different Municipalities and was informed by developing a simple structure, with the Head of Police as the Chief. According to the respondent, the Ekurhuleni Metropolitan Council appointed the Chief of Police and from there, the process of forming the structure started within the department. Once again the Cape Town Municipal Police Service structure involved the formation of an extra agency to support the existing Traffic and Law Enforcement units by recruiting from outside the Council's Departments.

5.4 Continuation of service delivery during the establishment process

While the administrative focus has been to amalgamate different Municipal entities, the maintenance of delivery of services during and after the establishment of a Municipal Police Services, is vital to produce a quality service in a consistent and professional manner.

5.4.1 Existing resources in place

Existing resources relates to the resources equipped to enhance and produce excellent service to the community.

It is clear from the respondents that Durban Municipal Police Service had an advantage, since it had resources that were already in place and assisted in maintaining the services that are necessary to counter crime. According to a respondent, "…*in Durban we had crime unit and a specific traffic unit that were not touched and continued to operate during the establishment process. The other sub-structures or regions were dealing mainly with traffic, so in fact we did not have any prejudice to traffic function, as they continue to operate smoothly through out the amalgamation process."* The interviewee is of the opinion that they did not want to interfere with the functions, as it was the same as it used to be previously in terms of policing. The only issue that changed was the uniform and maybe the increase in resources. Similarly, the other responded indicated that, "… *there was a division of commander, one division*

responsible for policing of a particular region and the other was for traffic and those measures were put in place to make sure that there was a balance between the crime prevention unit and traffic policing unit in Ethekweni Municipal Police Service,"

One respondent is however of the opinion that the pattern of operating in units cause problems, because "*…basically you have two types of people on the street; people who are doing traffic policing and (people) doing crime prevention, and the one and the other they don't get involved in each others work, it is problematic*." However, the respondent from Ethekweni Municipal Police Service is of the opinion that in one way or another the units are going to interact with each other. Specialization in delivery of service causes people to forget other functions. In Cape Town respondents are of the opinion that the traffic service would not be prejudicially affected, instead they will be enhanced through the additional capacity created by the deployment of Municipal Police Constables by, "… *keeping the traffic services and the law enforcement services into separate units.*"

The respondents had a mixture of views on this matter. One respondent questioned this pattern by indicating that "*…it is a question of where do we draw the boundary because you cannot say that these guys are Municipal Police, so they cannot do traffic issues and then this one is a Traffic (Officer), he must not do crime prevention*." It seems these views are augmented by the belief that members of the public, especially tourists, would not know the difference, as a respondent questioned "*…do you think if I am assaulted I must not go to this one because he is wearing a khaki, or a blue uniform with a white shirt, so I should go to the other*."

5.4.2 Existing commanding structure in place

Commanding structure means the protocol followed by members of the organisation when reporting to various superiors and is used as a communication flow.

According to the respondent in Ekurhuleni Metropolitan Council, "*...the person managing the operations leg had to ensure that the traffic policing aspects do not get less attention hence our Metro Police Officers (were) used to (do) traffic policing, so it never a problem."* It is further explained that, "*...even in terms our structure and job descriptions; it cater for all of those responsibilities. We monitor the activities of the officers in terms of the three different*

responsibilities…we created separate units in terms of responsibilities…but I mean traffic service is easy to monitor because at the end reports are generated that show that if the issues of traffic are being addressed." The respondent from Johannesburg Municipal Police Service, emphasized the fact that experience is of importance with regard to this matter, and "*…that is one particular area that you have to remain with and do it to the best because that it what you are good at; I mean coming from the traffic background."* It is the view of this respondent that what Municipal Police service is doing is nothing new and Traffic Officers had been doing that for many years, but at a scaled down level, especially with regard to by-laws and crime prevention.

From the above it would seem as though nothing much has changed as the respondents claimed that the existing structures were relying on the previous experience and that there were no new major challenges facing them. It is a notion that these entities agreed that the same pattern that was engaged before the introduction of Municipal Police Services, which served them best be kept.

5.5 Financial implications of establishing a Municipal Police Service

The estimated cost of establishing a Municipal Police Service is essential to direct and develop a strategy that would sustain the service. The functions that will be executed by the service and the resources attached to the functions; depend to a large extent on the availability of funds.

5.5.1 Financial authorization to establish a Municipal Police Service

An assignment to establish an organisation usually entails the availability of funds; and in regard to this matter a financial boost or cash injection was a necessity since the legislative or political will or authorization existed.

According to some respondents they consolidated the amounts by taking the budget of other people (departments) and allowed these departments to operate as an entity and the budgets be controlled from where it had been before. With the exception of Cape Town, the respondents indicated that the mandate of converting or establishing a Municipal Police Service was a command from politicians, with no financial support from either National or Provincial Government. According to the respondent one of the problem for establishing a Municipal

Police Service for Durban is*"....that it was an 'un-funded mandate.' Unfortunately the politicians would like to have Municipal Police Service but knowing that they do not have funds. There are no funds; no extra cash has been injected into the new Municipal Police Service."* Ethekweni Municipal Police Service operated with the same people that it had before, with no increase in the budget. The interviewee sustained this, by admonishing that it was best to indicate that; what was available was extra expenditure but it was very minimal, because no new firearms were bought because the officers were still using their old firearms, "*...and I think the source of funding is the one that need political clouding and more political clouding."* According to a respondent with regard to Johannesburg Municipal Police Service, there were no additional funds and, "*...what we did was that we consolidate the budgets of those various departments."* Similarly in Tshwane, the Council funded the whole process without any extra financial assistance from National or Provincial Government.

Similar to other municipalities, the respondent from Ekuhruleni is of the opinion that, "*...there isn't much cost involved."* In contrast Cape Town illustrated a different outline whereby the re-privatisation of the budgets occurred in order to acquire funds to form the Municipal Police Service and, "*...the money come, of course from the Provincial Government of Western Cape, where we have a cooperative agreement with them (Provincial Government) in that they purchase Phillipi College, staffed it and pay for all the training courses so there was a minimum cost incurred."* Cape Town is the only Municipality that was financially assisted to establish a Municipal Police Service, apparently from the Government of the Western Cape while other Municipalities relied on their own budget to facilitate the process. Despite being boosted financially, the Cape Town Metro, like other municipalities, also had to consolidate, re-privatise and prioritise the funds for the establishment of the Municipal Police Service.

5.5.2 Actual financial outlay incurred during the process of the establishment of a Municipal Police Service

Actual outlay refers to the actual cost incurred by the different municipalities to convert or establish a Municipal Police Service.

The establishment of Tshwane Municipal Police Service was according to the respondent funded by the Council and, "*...the additional cost of the establishment of Municipal Police Service was in the order of R40 million which was approved in the initial year, I think in*

totality is about an increase of ...R60 million per year on the previous budget of Traffic and Security and Licensing functions." With regard to Johannesburg, an interviewee from the Municipal Police Service alluded that the consolidated budgets of different departments amounted to roughly R220 million, while in contrast the other respondent from Ethekweni Municipal Police Service, when asked the cost to establish a Municipal Police Service had a different view by indicating that , "*...I don't know, it is a horrendous figure, you see what happened in terms of the placement process or jobs and after grading all employees were paid on a standard remuneration bearing in mind that you know of the various authorities were on different remuneration grades."* To give a clear picture on this, in relation to Durban or Ethekweni Municipality, the other respondent argued, "*...the City Police was operating on R132 million budgets, that includes Capital and Operating budget and the budget now is about R150-160 million, about an increase of R12 million increases."* The actual cost of establishing a Municipal Police Service for Cape Town as stated by the respondent, in terms of capital is R20 million, and in terms of operational costs is R50 –52 million.

The respondent from Ekurhuleni Municipality is of the opinion that the only expenses incurred by this municipality was for training of converting Traffic Officers to Municipal Police Officers, purchasing and of issuing of new uniforms; the branding of the vehicles but he does not have the exact figure. According to the other interviewee from the with the same Council the cost of training one hundred and forty seven newly recruits cost the council R975 000-00, excluding transport and accommodation when they are sent to Johannesburg Training College at R6 500-00 per person and transport costs are estimated at, "*...about R500 000-00 for the six months, it might be little bit more."*

According to the respondent in Cape Town, a cooperative agreement was entered between the Provincial Government of Western Cape and the City of Cape Town, which led to the Provincial Government purchasing the Phillipi College for use as a training facility for municipal policing. The Provincial Government also paid for all other training resources including salaries of instructors. According to the respondent from Phillipi College, "*...the last time we worked this amount out, the training of one student or recruit Municipal Police Officer at Phillipi College cost the Department of Community Services from R15 000-00 to R20 000-00. This amount includes meals, accommodation, training materials, instructors*

used for training, training uniforms and any other thing connected to training." According to the other respondent, the only cost the City Council of Cape Town could have incurred is that of purchasing vehicles and firearms, bullet proof clothing and other operational requirements, salaries and general expenses.

Notwithstanding the differing views of the different respondents, there is an agreement except for Cape Town, that the bulk of expenses were incurred for training of officials, material in terms of uniforms, and changing of signs on buildings and cars. Cape Town used the bulk of money to purchase resources while the training costs were the gesture from the Province of the Western Cape with catered for everything, including accommodation and uniform. It is also the belief of the respondents that the cost of converting from Traffic Departments to Municipal Police Service did not place a major burden on the municipalities since the Traffic Officers were already trained and thus they were qualified for the new positions.

5.6 Sustainability of a policing model

Sustainability of the policing model refers to the policing model practiced by the different Municipal Police Services and how the Municipalities undertake to sustain such model and cater for the priority of crime prevention.

5.6.1 The process of crime prevention

Crime prevention is a continuous process that necessitates delivery of incessantly and an endless concession to achieve positive set goals.

The respondent on this issue indicated that the function of preventing crime has long been within the job description of Traffic Officers. According to a respondent, in Ethekweni the Durban City Police were previously responsible for three functions; namely, crime prevention, traffic policing and enforcement of by-laws. This means that there has been a team or a unit that solely concentrated on crime prevention function and "*...the advantage was that this unit existed before the establishment and they carried on and existed during the establishment process; and they focused specifically on crime prevention."* Furthermore, a respondent from the former Umhlanga Protection Services emphasized coordination and that, "*...everything is done in conjunction and consultation with the South African Police Service and what we did, is just to lay closely in conjunction with the subgroups police services and their intelligence*

on the station level. This is basically on the ground where you plan your day to day activities in terms of crime prevention."

It seems the Ekhuruleni Municipal Police Service also followed the same route by introducing a separate unit dealing with crime prevention for the purpose of ensuring balance with the traffic activities and the South African Police Service. According to the respondent there are structures at area level with the Sub-Areas Commissioners where "... *our operational guys are involved planning and suggesting strategies to combat crime at Area levels and at the Provincial level. There is coordination of crime prevention services at Local areas, Local stations and the Area Commissioner."* The respondent indicated that, "…*the Johannesburg Traffic Department has been always doing crime prevention but it was not a core function. After establishing a Municipal Police Service, this function was just repackaged and made core function of the Traffic Officers. Officers are thus detailed to do traffic policing duties, enforcement of municipal by-laws and crime prevention activities."*

In relation to Tshwane, it is expounded that pro-active policing has got four main responsibilities, being "... *road policing, crime prevention, by-law enforcement and regional policing section, and this is catered through the development of units."* According to a respondent various units were established to counter crime activities in Tshwane, and these units included the dog and bicycle units, the under cover units and non wearing uniform units, and "…*we also established units to deal with transportation matters and a specialized unit to deal with by-laws."* Similarly, this is the situation in Ethekweni, where ordinary constables are mingling with the crowd while not wearing uniform and there is the vagrant unit that deals with street children. The respondent gave further details about crime prevention by indicating that "... *in Cape Town crime prevention is maintained by keeping the Traffic Departments operating as is and focusing on traffic matters, while the City Police concentrate on crime prevention. We have an excellent working relationship with the South African Police Service, we invited to all activities that they plan and we also do the same."*

It is obvious from the respondents that the function of crime prevention is done by relying on members of the South African Police Service at the various station levels and even the planning process of crime activities relies on the latter. The only selective crime prevention

function, except traffic and by-laws enforcement done by the Municipal Police Service, is that of using non-uniformed members of the Municipal Police Service to observe any crime activity within the crowds and report such to members wearing uniform.

5.6.2 Factors that hampered effective crime prevention

Factors that hampered effective crime prevention is those challenges or problems that the Municipal Police Service came across when executing its functions.

According to the respondent the issue of crime prevention in Ethekweni is delicate because "*...you are told to conduct a crime prevention strategy and without being provided with sufficient resources or funds. This means that you will not be in a position to implement the strategy before you get the required resources."* According to the respondent in Tshwane Municipal Police Service, the curriculum for the Municipal Police Service training focuses only on the six months traffic officer training as prescribed by the National Department of Transport of which almost five months are dedicated to traffic related training. No training is directed to basic police work and only a month is reserved for crime prevention and thus the three functions are not equally covered in the curriculum, and "*...practical training is almost neglected in this training curriculum."* This further implies that Municipal Police Officers will be incompetent in terms of crime prevention and basic police work.

It is the view of the respondents that lack of resources; specifically for Ethekweni Municipal Police retard implementation of proper service delivery model. The main challenge lies with the strategy plan that is bound to fail, due to lack of financial support, but also bearing in mind that the boundaries were extended and what is done at one region must be done in the other region. In Tshwane, lack of proper training is identified as a major menace to ensure appropriate delivery of crime prevention and this is recognized specifically the approach to neglect practical training at the college.

5.7 Training undertaken by members of the Municipal Police Service

Legislation requires that a person should undertake a prescribed training in order to qualify as a Municipal Police Officer and to ensure that the service is professionally delivered.

5.7.1 Conversion course

A conversion course or bridging course relates to the training the qualified Traffic Officers undertook to convert from Traffic Officers to Municipal Police Officers.

It appeared from individual interviews with instructors that the conversion course was done in accordance with the directives contained in the South African Police Service Amendment Act (Act 83/1998). According to respondents who administered Municipal Police Service bridging courses, this course is made out of 15 sets of modules, which are basically Law subjects that covers 50 per cent of the whole course. The other two subjects are Ethics and Community Policing, which are basically new to traffic officers. In addition to this, in Ethekweni, "*... there was concentration on the practically new subject, the domestic violence which is currently critical in terms of Police Officers powers and how to handle ethical part and further how to remove the other party and it."* This is treated as a separate subject and according to the instructors; emphasis was also heavily placed on human rights, which was also part of Law component in the bridging course. The respondents had the same opinion that the bridging course predetermined by the South African Police Service Amendment Act (Act 83/1998); comprises primarily law subjects, namely; Police Ethics, Community Policing, Problem Solving, Criminal Law, certain seizure methods and searching, executing the attendance of an accused in court, Common Law crimes, Crimes against the person, Theft, and Public Violence.

In contrast, no such bridging course was conducted at Cape Town, "*... because first of all they had to adhere to the curriculum as set out by the Department of Transport in order to qualify them first as Traffic Officers, and then do something additional which is Municipal Police Service training course."* New recruits were also trained to what they termed community policing which encompassed 88 periods in which they were trained to "*....go out and shake hands with the community."* It came to light that other municipalities that had the demand to increase their operational forces and who relied on recruiting from within by way of training security and other law enforcement officers handled the training in the same way as Cape Town did.

It is clear that the bridging course was done uniformly according to the prescriptions of the South African Police Service Amendment Act (Act 83/1998). The contents of this course

largely comprise of law subjects, which among others, include Domestic violence, which is treated separately by other municipalities. Since Cape Town did not convert Traffic Departments, the approach it took to train Municipal Police Officers entailed first; training to qualify as a Traffic Officer and second; do the conversion training as prescribed by legislation. This was also the case for new recruits and Security Officials who were recruited by other municipalities.

5.7.2 Back in training

Training is a continuous process that enhances insight of procedures to be followed when executing the functions. Inefficiency in training leads to a void in information.

The respondents reported that after the completion of the training course, the officials are drawn back to training to be trained Operational or Standing Orders including the manner in which Council's vehicles should be driven. According to respondents trainees are trained Speed Pursuit and Fire Arm skills. This is to ascertain whether a person can operate under stressful conditions and to test the mind-set of the people who apply for the jobs. They also receive training in Discipline, Code of Conduct, Standing Orders and the compilation of documents; including filing of section 56 and 341; reporting an accident, how to compile a record and how to write a docket. A respondent indicated that, "…*in Cape Town, after completing the curriculum set by the Act something additional done, what that means at the end of the day is that, when recruits qualify as Traffic Officers they are introduced in what is called "operational real world" which is done under auspices of the South African Police Service, This means training recruits according to the practical from the directives of the South African Police Service."*

The perception of the respondents indicates that, although new recruits were sent for basic training, on return they were further trained in standing procedures and proficiency in shooting and driving. Apparently, in other municipalities the involvement of South African Police Service is regarded as important, therefore their assistance was invited to train in what is called 'Operation Real World.'

5.8 Phasing out the Traffic Departments

The establishment of a Municipal Police Service entailed the conversion of Traffic Department to a Municipal Police Services; hence an appropriate process of phasing out the Traffic Department is crucial to alleviate conflict.

5.8.1 Placement of Traffic Officers

Placement of Traffic Officers refers to the manner of placing converted Traffic Officers in the new structure of the Municipal Police Service.

It is evident from respondents that most municipalities embarked on converting from Traffic Departments to a Municipal Police Service and this was done through the amalgamation of different Traffic Departments. In relation to Ethekweni, the amalgamation was between Traffic Departments and the former Durban City Police. According to the respondent there were no guidelines on how to go about placing people in the new structure, therefore in Ethekweni they dealt with it in terms of reporting lines, and "*.... if you were a senior you were placed in a senior position, if you are reporting to the former Executive Director, we were placed at that level as a Senior Superintendent under the Director."* Furthermore, the rank of Superintendent and Senior Superintendent was clustered together to form one reporting level. One respondent however, indicated his discontent about the manner in which it was conducted and indicated that it only benefited those coming into the structure of the City Police while those who had already been City Police officials did not benefit and, "*...that has a negative impact and crippled the department in terms of functioning."*

One respondent indicated that he used the lure of money or higher remuneration benefits to attract Traffic Officers to join Municipal Police Service, because the latter would be an added responsibility on Traffic Officers and also because the Municipality's status changed from a Local Municipality to a status of a Metropolitan City. Communication was emphasised by bringing people on board and also, "*.... by being transparent, democratic, bottom line, communication, communication, communication and bring people on board and make them part of the process. Let them own the process."* To enhance the process of relaying the information to the affected staff, workshops were conducted and task teams or working groups were formed which involved the labour unions. Emanating from the respondents in

relation to Cape Town, it is obvious that there were no Traffic Departments that were affected by the establishment of Municipal Police Service in that area.

It is apparent that the phasing out of Traffic Departments was not an undemanding exercise. The procedure followed by various institutes revealed that financial gain was used as a tool to entice Traffic Officers to have the same opinion on forming part of the newly established Municipal Police Service. Other respondents agreed that they followed the route of placement according to the position the person held in the previous structure to allocate such a person into the new structure of the Municipal Police Service. The procedure followed in Cape Town however, did not necessitate interference with Traffic Departments.

5.8.2 Challenges that confronted the placement procedure

A challenge that confronts placement process refers to the difficulties that called for special consideration during the practice of placing officials in the organization.

Respondents seemed to agree that the placement procedures caused problems since some of the officials were discontent with the final placement. The respondents were adamant that only certain people benefited from the exercise, while others were left stranded with a low morale. One respondent indicated that the smaller municipalities, which had, prior to amalgamation of municipalities promoted officers in order to benefit, aggravated the situation. It also came to the fore that some officials claimed for positions they did not permanently occupy, and "*....I think that is a problem when people are acting in position, when it comes to placement they want to be placed in those positions, instead of his substantive post, he now put a post that he is acting on."* Such persons would claim that the job he was doing was that of a higher position and to remedy those errors, they were referred for arbitration for decision-making.

Some respondents perceived placement as a process that advantaged some groups of officials and disadvantaged those who had been in the organization. It is further evident that whenever there existed a dispute with regard to placement, such a case was referred for arbitration since the organisation is neutral in nature and is not influenced in any manner, except by proof that substantiates a claim.

5.8.3 Successful conversion from Traffic Department to Municipal Police Service

Successful conversion from Traffic Department to Municipal Police Service highlights the effectiveness of the implementation. Stated differently, the successfulness of the implementation is measured through the reaction from both officials and the public.

The respondents all agreed that the conversions from Traffic Department to Municipal Policing were done hastily, resulting in perplexity of both officials and members of the public. Most respondents are of the opinion that the time frame was also inappropriate for such an exercise, and "*.... on the 29th March we were Traffic Department and on the 30 March we were a Police Department. It was an overnight conversion and even now when the members of the public phones, they would say 'can I speak to Johannesburg Traffic Department', and I would say 'the Traffic Department does not exist anymore, you are speaking to the Police Department."* The respondents also felt that the process lacked media coverage long before the launch of the service, in order to sell the service to the community in that Municipal Area and to alleviate misconceptions that it is the Traffic Officer, but in another uniform.

In general, the respondents had concerns with the time frame that was given for such municipalities to convert Traffic Departments to a Municipal Police Service, as it brought uncertainty to members as well as to the community. Media coverage was necessary to inform the public about the development so that they (community) could buy in to the concept and not be puzzled.

5.9 Municipal Police Services approach to Community Police and Coordination

The Municipal Police Services approach to policing relates to the mechanism of distributing functional policing services to the community.

5.9.1 Partnership policing

Partnership policing means policing approach in consultation with or with the involvement of the community.

It emerged clearly from the respondents that serving on the Community Forums and attending meetings with the business community is tantamount to Community Partnership Policing. It seems that Partnership Policing signifies the presence of a member of the Municipal Police Service in general gatherings with the public, others even believed that working closely with

the South African Police Service is Community Policing by indicating that "....*we have big Business and Commercial community that exist, we already have South African Police Service Forums and committees that are existing, so automatically the metro police will sit on the same buttons."* One respondent exhorted that the policing style is that an officer should carry out his duties as an inspector and adhere to the act in terms of the principles, guidelines and standards, and take pride in endeavours and be fair, logical and not discriminate. Even though a vast number of respondents observed representation on Forums as Partnership Policing, a respondent representing Cape Town, is of the opinion that the policing style practised by Cape Town Municipal Police Service is directed at social crime prevention, in that "....*we have launched initiative such as a Programme where the City Police and Constables patrol in the vicinity of the schools and in gangster areas. We launched the Domestic Violence Project, the Silent Witness Programme, Violence Against Women and Children Program."* Children of a more senior age (between 16 and 18 years) participate in soccer and children are brought to the headquarters to acquaint themselves with the police work.

In other areas like Tshwane, a discussion with the section 21 companies which were working for City's improvement; were initiated and this resulted in creating an undercover unit. This unit consists of non wearing uniform Municipal Police Officers and patrol the City Centre, and "*.... look at issues around the sources of crime whereby this is precipitated by issues of poverty, lack of access to facilities and lack of guidance. We created safety groups comprising of young people and developed them to be safety conscious as they grow up."*

In comparison to the above, Ekurhuleni Municipal Police Service approached policing with a view of bringing the service nearer to the people "*.... by taking the decision to have the Regional Headquarters where the community is situated. At the Regional level we segmented our operations into localities where we got our officers at Local level working together with the community and the Councillor of the particular ward. So it is a Ward Based policing and it enhances and promotes the involvement of the Community in policing."* Planning is done with the assistance of a Councillor who in turn reports such to the council for consideration and further execution.

5.9.2. Coordination

Coordination refers to the manner in which the Municipal Police Services harmonize its activities with other law enforcement agencies.

According to respondents, the primary law enforcement agency that is in regular consultation with the Municipal Police Services is the South African Police Service. The members indicated that there are representatives on each Area Commissioner's Committee as well as on the Provincial Commissioner's Committee for the purpose of information. According to one respondent, "*.... the act provides for the establishment of various structures, the Provincial Coordinating Committees, Local Coordinating Committees, and the Area Coordinating Committees, at that level the relationship with the South African Police Service were very strong and that senior Municipal Police Service members sit on other forums with the South African Police Service members, in joint meetings to arrange how the activities are to be conducted."* It was further reported by respondents that Municipal Police Service members are trained in partnership with the South African Police Service to deal with VIP's, further it is, "*...mandatory for Regional Commanders or the management at the Regional Police level to be part of the Community Police Forum's and also part of the Ward Committee of the Council. Further there are crime prevention units with the South African Police Service as well as crime prevention forum where the South African Police Service, the South African National Defence Force, the Correctional Services and the Social Services, Department of Health and the Non Governmental Organizations form part."*

Respondents stated that, in terms of the Province and in the various regions, the Commissioners of South African Police Service and the Chief of Police work together and serve on forums to communicate a strategy of working together. To enhance coordination with the South African Police Service there exist structures at area level with the sub-area commissioner where operational members are involved in terms of planning and this strategy goes up to Provincial level. This indicates that there is coordination at the Local Area, Local Station and the Area Commissioner Level, and in-service training, as well as the practical aspects is created with the involvement of the training officers of the South African Police Service. Furthermore, there are weekly Crime Coordinating Committee meetings with the joint committees and the other committees, such as Operating Management Forum (OMF)

where all organizations, the including Traffic Department, and Close Circuit Television (CCTV) sit around the table.

It is clear that Municipalities regard involvement in structures where crime matters are discussed as Partnership Policing. Community Policing per se; is perceived as taking part on Community Police Forums some municipalities created projects of involving the community by training the youth to be crime conscious and to patrol the city in civilian clothes. Most municipalities prefer to plan in conjunction with the South African Police Service at Local, Regional and Provincial level while also the involvement of other organisations is invited, like the South African National Defence Force. That is policing approached holistically with the involvement of all organisations affected by the crime, even the involvement of communities through Ward Based policing.

5.9.3. Civilian Oversight Committee and its composition

A Civilian Oversight Committee is according to the enabling legislation, a necessity to ensure that Municipal Police Service powers are not abused.

While the South African Police Service Amendment Act, (Act 83/998) mandates a Municipal Police Service to create within its ranks an oversight body; it was found that no municipality had established such a body, due to uncertainty on some issues related to such a body. According to respondents the function as well as the composition of this body is indistinguishable, and "*this committee is difficult to establish because there is no clear cut of who should be involved in it, however such committee is necessary and it must not exclude the people directly involved like Chief of the Police, the Chief Executive Officer because it must be an independent group."* The respondents have different views on this matter; in Ethekweni it was proposed that the Department of Transport, the Executive Director of Emergency and the Director of the Durban Metro Police should form part of the Civilian Committee. A respondent is however of the opinion that people with knowledge of policing at National, Provincial and Local level are needed on the Civilian Committee, but "*...these people must however know that they are not bosses but they are there to ensure that the police do as required by the legislation and they must be in a position to assist the police in terms of policing principles and management principles."*

According to a respondent, there is a belief that there must be a close correlation between the Civilian Oversight Committee with the business, the labour and various components to ensure that the committee is not political. It was emphasised that one cannot have Councillors serving in the Civilian Oversight Committee, like the standing committee of Councillors because it is believed that, "*.... an attempt is made to get the political sting out of the Civilian Oversight Committee and once it composes of Councillors such will never be reached."* In contrast, other respondents had different views, according to a respondent, "*.... Ekurhuleni is using portfolio committee as a Civilian Oversight because there is a lot of confusion in terms of its establishment and the act is not clear about its composition and the Minister of the Executive Council for Safety and Liaison is assisting on this matter."*

According to the respondent there is a lot of confusion in terms of the establishment of an Civilian Oversight Committee because, "*.... the act is not clear about its composition, we felt that we hold the process until there is a clear direction."* Accordingly, the application and Business-plan for Ekurhuleni Metropolitan Police Service suggests that, "*.... Councillors of the Public Safety Committee, the interim Head of Public Safety, the Chief Executive Officer or his authorized delegate, the First Executive Head of the Metropolitan Police Service and other delegated officials in the Department of Public Safety, a member of South African Police Service, one member of each legally constituted Community Police Forum operating in the Ekurhuleni Metro area of jurisdiction and a representative of Commerce and Industry will be forming a Civilian Oversight Committee."*

In comparison to the above, respondents signified that the Civilian Oversight Committee for Johannesburg Metropolitan Police, according to the Business-plan, will comprise of representatives from two Councillors serving on the Mayor's Executive Committee, a representative of organized Business (Business Against Crime), a representative of the Johannesburg Area Community Police Forum Board, a representative of the Gauteng Department of Transport, a representative of the organised Labour (Congress of South African Trade Union) and a representative of organised civic society (South African National Civic Organizations or ratepayers' representative). In Tshwane, the two Councillors serving in the Civilian Oversight Committee are regarded as Civilians, "*because they are elected by the public as public officials representing the community, our Civilian Oversight in totality is*

compiled by civilian people. It is now established as a Section 80 committee, but there as clear distinction in terms of their roles and functions and it the advisory committee to the Executive Mayor or the Municipal Manager."

Another respondent suggested that, according to the business plan for Tshwane Municipality, this Civilian Oversight Committee would comprise of one Councillor serving on the Mayoral Committee and two others, a representative of organised business (Business Against Crime) and the nominee from the Police Science Faculty at the University of South Africa. Cape Town's approach towards the Civilian Oversight is that six to seven Councillors plus seven other members constitute a Civilian Oversight Committee. The composition of this committee will include, "*six Councillors from the Safety Portfolio Committee and five additional members from the public, to be identified by the Executive Committee to form the Civilian Oversight Committee. This committee should be chaired by the Chairperson of the Safety Portfolio Committee and other members should be from bodies of Central City Partnership and the Cape Chamber of Commerce."*

There is confusion on the composition and the function of the Civilian Oversight Committee. No municipality has exactly established this committee in accordance with the act. During the study period Municipal Police Services used the so-called Section 80 committees, instead of properly constituted Civilian Oversight Committees prescribed by legislation. Respondents were also divided on this issue; some believing that the composition should be independent, while others believed that it should include Councillors.

5.10 Sovereignty of a Municipal Police Service

It is the prerequisite of South African Police Service Amendment Act, (Act 83/1998) that a Municipal Police Service be politically independent; sovereignty therefore denotes the independence of a Municipal Police Service from political interference.

5.10.1 Channels of reporting

Individual interviews on this matter demonstrated that respondents were not consistent and were divided. One respondent held the belief that, since it is the public's funds there will always be political interference while others believed that there is no such interference.

Reading their responses indicated that they are confronted with major challenges, of which one respondent judged there is no solution for that, "…. *in fact it is a nightmare, as far as I am concerned both from Provincial and Local Government, you sometimes do not know which way to turn your head."* In contrast another respondent was inclined to say, "…. *there is no political interference in the administration of our Metro…. we do have political oversight but at the end of the day we have the Executive Director of Public Safety and the Chief of Police which the politicians work through them."* Similarly, it is also the situation in Ethekweni, where it was reported that politicians have to an extent interest in the operations of the Municipal Police Service, but the difference is, "…. *the Metro Police does not report to the standing committees but report directly to the Executive Council."*

Similarly, Tshwane respondents reiterated that the service had a strong bond with members of the Mayoral Committee responsible for Community Safety and the trategy was that from the onset, a workshop be conducted at which the Councillors in charge of Public Safety (Portfolio Head) and other Council members of the Mayoral Committee were present. Councillors were informed about the services of the Municipal Police Service and the roles of Councillors were clarified to avoid interference. A memorandum of understanding was also agreed upon with the committee that indicated that Municipal Police Service is established in terms of the South African Police Service Act and the National Crime Prevention Strategy of the Country. The Council is therefore aware that these legislations bind the Municipal Police Service as its main goals. Municipalities took different measures to ensure that there is no political interference, but while some claim that there is no such interference, there is an indication that this causes problem to field workers, as some believe that as Council's money is involved the politicians should interfere. The only meaningful approach available to this is the channels of reporting that Councillors should follow.

5.10.2 Adherence to the laws of the Country

It also strongly emerged from respondents' views that every Municipal Police official should sign a code of conduct, that "…. *guides you how you should operate in uniform and this code of conduct should state that if an order is not consistent with the law of the land, such officer should refuse to do it; that should be part of ethics and obviously a councillor would not interfere with the officials."* Officials should focus on their operations what is required by the

superiors and orders from their Traffic Commander. A respondent interviewed for Tshwane had a different view, by indicating that "*.... it is important that your police are political, but underneath that there is an underlying background and foundation which we cannot run from, but I think in open the police should remain un-political."* One respondent indicated that the Batho Pele principles and the Reconstruction and Development Plan principles and the Constitution must drive the establishment of Metro Police Service and the people (Councillors) should make use of Ward systems to promote political independence.

It would seem the only advice in terms of the matter is that Municipal Police officers should adhere to the rules and regulations of the country and further be governed by the standards operating procedures from their respective municipalities.

5.11 Summary

The data collected from fifteen officials of the five municipalities that had already established a Municipal Police Service in terms of the stipulations of the South African Police Service Amendment Act, (Act 83/1998) were described. Recruitment procedures were explored from municipality to municipality and problems that the establishment process encountered were highlighted and the changes in working procedures as well as structuring of the Municipal Police Service were established. The main focus during the establishment process was surveyed, the continuation of service delivery during the process and the financial implications of establishing a Municipal Police Service investigated. Methods of sustaining a police model employed by the Municipal Police Service and training undertaken by the members of the Municipal Police Service were brought in to perspective, as well as the procedure of phasing out the various existing Traffic Departments. The important issue of Municipal Police Services' approach to policing and coordination with other law enforcement agencies were discussed; and the existence and composition of the Civilian Oversight Committee and political independence of the Municipal Police Service surveyed with the view of establishing commonalities.

Chapter 6

Interpretation of the research findings

6.1 Introduction

This chapter endeavours to analyse the data that was gathered by interviewing fifteen high-ranking officials who were involved in the formation of Municipal Police Services; from instructors who administered and conducted training courses to appointed Municipal Police Officers of the five municipalities that have already established a Municipal Police Service. The perspectives of the Acts and the universal practices of the Police Services are also discussed.

The interpretation of the data, with the objective of identifying various International-policing models, evaluating the best practices in Municipal Police Services in South Africa, as well as deducing and refining a model for Mangaung Municipal Policing constitute the rest of the chapter.

6.2 Procedure used to convert and establish a Municipal Police Service

The South African perspective endorsed the amalgamation of different Traffic Departments to form or establish Municipal Police Services. Four Local Authorities interviewed followed the procedure of amalgamating Traffic Departments, while only one Local Authority took a different route of establishing a totally new entity.

6.2.1 Recruitment and training of Municipal Police Service Officers

Recruitment and training is vital in moulding the organization and advancing a professional service delivery and accomplishment of ambitions.

6.2.1.1 Recruitment of Municipal Police Officers

The process of establishing a Municipal Police Service for Ethekweni, Johannesburg, Ekurhuleni and Tshwane Metro Councils involved the recruitment of Traffic Officers, who had already been employed by those municipalities. These Metros followed the guidance of the South African Police Service Amendment Act (Act 83 of 1998), that provides that every

person, who on the date of the establishment of a Municipal Police Service under section 64 (1)(Q) for a particular municipality is registered as a Traffic Officer in terms of any law, and who is employed by that municipality, may be appointed as a member of the Municipal Police Service; even though the person may not comply with the training requirements determined by the National Commissioner. This however, caused some dissatisfaction, especially from the ranks of the then Durban City Police officers who questioned the competency of those who were just drawn and integrated into the ranks of the Municipal Police Service without undergoing any formal police training. However, those integrated into the Durban City Police are of the opinion that since crime prevention had been part of their functions, there existed no need for training before appointment as Municipal Police Officers.

The period of grace or window period contained in section 64(1)(Q) expired on 1 October 2003, meaning that the Mangaung Municipality will not enjoy the opportunity, but the Act is silent on what should be the procedure after the expiry period. Therefore, since the Act stipulates as one of the requirements to qualify for appointment as Municipal Police Officer to be registered as a traffic officer in terms of the Road Traffic Act, Act 29/1989, Mangaung Municipality would be forced to convert 64 Traffic Officers to Municipal Police Officers. Other municipalities have also gone as far as identifying within its structures, Security Officers, Law Enforcement Officers and Wardens who have the basic requirements. These people were trained and on completion of the training, they were appointed as Municipal Policed Officers. The basic requirements that were used to validate and then meet the criteria for recruitment for Municipal Police Officers included a driver's licence, matric or grade 12 educations with no criminal records. These requirements are specified by the enabling Act, the South African Police Service Amendment Act, (Act 83 of 1998). To augment the numbers, the Mangaung Municipality has the avenue of recruiting within the ranks of the Security Department, persons capable and with the basic requirements stated in the Government Gazette 20142 of 11 June 1999.

The City of Cape Town took a different approach by not drawing from its Traffic fraternity Traffic Officers, the Security Department and/or Law Enforcement Officials and Wardens to form and establish a Municipal Police Service. Instead, the City of Cape Town maintained Traffic Services and Law Enforcement Services as separate units and established a new entity

by recruiting from outside these ranks. The logic behind this move is to ensure that a meaningful impact on crime would be attained by getting additional "Bobbies on the beat", meaning to add more officers on the streets. Travis (1998:8) sustains this logic by indicating that in New York City, when the city started to increase its Police Department by nearly twenty percent the number of Homicides dropped from 2,245 in 1990 to 767 in 1997, a sixty six percent drop over seven years. For the purpose of recruiting capable persons, these municipalities used the conditions contained in the regulations and further stipulate that recruits must be physically fit. To determine the health and mental state of the applicants, this City administered medical examinations and psychometric tests to all applicants, before short listing was conducted.

6.2.1.2 Training of Municipal Police Officers

The Traffic Officers appointed as Municipal Police Officers for the four Municipal Councils, Ethekweni, Ekurhuleni, Johannesburg and Tshwane in terms of section 64 (1)(Q) had to undergo what is termed a bridging course or a conversion course. This bridging or conversion course entails the presentation of only a certain part of the curriculum on Municipal Policing to the Traffic Officers, since they believed that Traffic Officers were already seventy percent complaint to training as Municipal Police Officers. In the case of the Mangaung Municipality, it would therefore be expected that thirty of the sixty-four Traffic Officers should undergo training at an institution accredited by the South African Police Service as per Government Gazette 20142, of 11 June 1999. The section of training taken by Traffic Officers in the conventional course included Law subjects, which involved Ethics or Ethical Policing and Personal Ethics, Prevention of Police Corruption and Brutality, Departmental Forms, Community Policing, Domestic Violence, Human Rights, Problem Solving, Criminal Law and Law of Evidence as well as Criminal Procedure, Certain seizures and methods of searching, Attendance of accused in Courts, Common Law crimes, Theft, Crime against the property and Statutory Offences.

Since Cape Town did not resort to converting from Traffic Officers to Municipal Police Officers, the newly recruited officers undertook formal training of Municipal Police Officers as prescribed by the National Commissioner of the South African Police Service. This will be outlined in detail later in the section dealing with training undertaken by Municipal Police

Service Officers. Security Officials augmenting the Municipal Police Service Officers numbers for Mangaung Municipality will also be categorized as new recruits; therefore they will undergo the formal training mentioned above. In addition to these training courses, both Cape Town and other Local Authorities interviewed conducted driving proficiency tests and shooting proficiency tests.

The current in-house training facility in Mangaung Municipality is nationally accredited to train Traffic Officers and Law Enforcement Officers. The conditions for eligibility to become a member of a Municipal Police Service are set out in the regulations published in terms of the South African Police Service Act, (Act 68/1995). Conversion course administered to qualifying Traffic Officers is prescribed by legislation and takes four weeks of contact sessions either on continuous period or broken period. Those who do not qualify, should be accorded a grace period of three years to acquire the required standards and new recruits and qualifying Security Officials wishing to be Municipal Police Officers should be phased in after the training of Traffic Officers.

6.2.2 Problems with conversion

The municipalities that established Municipal Police Services encountered various difficulties in pursuing this objective.

6.2.2.1.1 Absence of Placement Policy

Most municipalities merged or amalgamated different entities like the Traffic Department and the then City Police Departments. These municipalities have no guideline of how the amalgamation should be conducted hence there was confusion on which procedure to be followed to place officials. There were no placement policies in place to guide the process of amalgamating or merging different organisations. The only guideline available is the application format for establishing a Municipal Police Service, which is the procedure to apply to the Member of the Executive Council for Safety and Security. Municipalities differed in terms of grading and the people from smaller municipalities, which amalgamated, especially with Durban City Police, had a feeling that the latter dictated terms and the route forward. The absence of the formal Placement Policy to merge or amalgamate different departments caused conflict among the various members to be amalgamated. Mangaung

Municipality amalgamated with both Botshabelo and Thaba-Nchu in 2000 and according to Nkolanyane (2003) the Placement Policy was completed during 2002.

6.2.2.2 The different composition of the different organisations

The composition of the Organisations that amalgamated differed immensely in terms of remuneration of employees, rank structure, and how they it functioned. Remuneration of employees before the amalgamation process differed profoundly since employees were paid in terms of the grading of the Municipality. The rank structure of one Municipality was based on a five level hierarchy, while the others were based on an eight or even eleven level hierarchy. This disparities caused a problem on how should employees be placed on the new structure. Crime prevention function was primary to other organisations while on others it was not and therefore the job descriptions of employees were diverse. The amalgamation process brought down the morale of some officials, since some are of the opinion that some benefited from the process while others did not benefit. The fortunate part for Mangaung Municipality is that there already exists one structure for Traffic Department and the only consideration would therefore be focused on augmenting the qualifying officials by including the Security personnel.

6.2.2.3 The Conditions of Service

The Conditions of Service of these municipalities differed tremendously, and the National Government, the body that promulgated the establishment of Municipal Police Service, is silent on how to merge different organisations with different basic Conditions of Service. Furthermore, no provision is made in terms of Section 12 of the Amalgamation of the Authorities for a unique new Municipal Police Service and therefore the placement of officers resulted in benefiting the less experienced and this brought down the morale of the experienced officers, since they did not benefit from the process. Since the officials made use of different Conditions of Service, this implied that the working hours varied, and as such, some officials working on Sundays were paid overtime while others were not remunerated for performing Police Services on Sundays. This resulted that those who according to their Conditions of Service, not eligible for double payment or overtime on Sundays, did not turn up for work. This caused a decline in service delivery and productivity as there was no consistency on the part of the employer in relation to fair labour practice. In

the case of Mangaung Municipality the basic Conditions of Service were adopted at the same period with the finalization of the placement policy.

6.2.2.4 Resisting officials

During the establishment process some Traffic Officers mentioned that they are comfortable in working as Traffic Officers and not as Municipal Police Officers. These emanated from the fact that members from bigger municipalities wanted to play big brother to those of the smaller municipalities and the latter then resorted to keeping the status quo and stay as Traffic Officers. Therefore the officials felt that there should be provision made for the employees who wanted to stay on as Traffic Officers or alternatively, there should be a method of placing them within the other departments of the Council. According to Figure 2.2, only thirty-nine traffic officers qualified to be employed as Municipal Police Officers for Mangaung Municipality; and among this there will be those resisting conversion and those not qualifying. The Municipality should therefore devise some means of ensuring that these employees are accommodated and stay employed. This would be rational if they are placed or redeployed within other departments in the Municipality of Mangaung.

6.2.2.5 Period of training

It is mandatory that the recruit Municipal Police Service Officers should first complete the curriculum for Traffic Officers as set out by the Department of Transport in order to qualify first as Traffic Officers. The duration of this training is six months, and that of Municipal Police Service Officers also six months and during this period both the Traffic Officers' curriculum and Municipal Police Officers' curriculum set by the National Commissioner should be covered. This implies that two sets of training courses had to be conduct a period of six months. No additional time was added to accommodate the training of Municipal Police Service' Officers. In order to ensure that Municipal Police Service Officers are properly trained to deliver a professional police service; the training for Municipal Police Service Officers in Mangaung should be scheduled to take nine months. The first six months period should focus on conducting a Traffic Officer's course. Further to the six months period allocated to traffic training, there should be an additional three months training period that would cater for training of Municipal Police Officers as set by National Commissioner. A further three months practical training should be conducted under the supervision of a field

training officer having experience in police work. Traffic Officer's, who are converting from the traffic profession to Municipal Police Service officers, should undergo a theoretical conversion course of four weeks with a further three months practical field training under the supervision of a field training officer having experience in police work.

6.2.2.6 Core curriculum

There is also discontent in terms of the development and competency of the curriculum set for Municipal Police Officers, as it mostly encompasses the theoretical part of the practice and fails to address the important practical part of policing. This therefore means that Municipal Police Officers are not practically trained to perform Municipal Police Service. Practical training is an essential aspect of producing a professional service and it should be mandatory to augment theoretical knowledge.

Extension of the period of training from six months to nine months will provide sufficient time to train Municipal Police Officers practical police work and other training as set by the National Commissioner. Field training officers should be used to conduct practical Municipal Police training to new recruits within the last three months, or alternatively new recruits should accompany qualified Municipal Police Officers while they are working to learn. It is vital that new recruits learn truthful applications of practical Municipal Police Service work; hence extreme care should be taken to select well-mannered, seasoned Municipal Police Officers to do this function.

6.2.3 Change in working procedure

There are no major changes in relation to the working procedure adopted by the then Durban City Police and the South African Police Service. The former was not investigating cases, which is the same with the Municipal Police Service established under the South African Police Service Amendment Act, (Act 83 of 1998). It is believed that since nothing is forfeited or gained, the establishment process in Ethekweni entailed a name change. The fact that there existed a team or unit of officers' focus on crime prevention function put this Municipality on the advantage. Cape Town viewed that conversion of Traffic Officers to Municipal Police Officers was in Cape Town, regarded as a mere a change of uniform from Traffic Officer to Municipal Police Officers, therefore a new entity was formed with new

uniform and new working procedures. The Johannesburg Municipal Police Department believed that they were already performing the function of preventing crime therefore the process of establishment entailed the repackaging of a crime prevention function and making it a core function. The working procedure for the purpose therefore entailed consciousness of also preventing crime while enforcing traffic laws.

Mangaung Municipality comprises of a Traffic Department, as well as Security Department. It will therefore be expected to prepare a job specification that would include the three functions contained in the South African Police Service Amendment Act, (Act 83/ 1998). Multi-skilled Municipal Police Service members should be ensured because it is not possible to treat the three statutory functions of the Municipal Police Service as separate functions that exist in isolation. These functions: Traffic Policing, By-Laws and Crime Prevention should form the core of the functions of Municipal Police Service for Mangaung Municipality and they should not be separated. The shift system that would be applicable for operation would be 3 shifts that would be working 8 hours per day. The first shift will work from 06:00 to 14:00; the second shift will work from 14:00 to 22:00 and the last shift from 22:00 to 06:00. There would have to be either four or five shifts to allow for rotation of the shifts so that there will always be a shift on duty while the other shifts are either on recess or on day offs.

There should be more members on duty in the shifts that deal with peak hour periods, to conduct traffic law enforcement and crime prevention. The shifts that start at 22:00 to 06:00 would for instance; have fewer personnel than the shift from that at 14:00 to 22:00. The operational force should be a common pool amongst the regions and areas (Botshabelo, Thaba Nchu and Bloemfontein), with sufficient physical planning mobility and flexibility that the shifts will be allocated to those geographical areas where the services are required in particular times of the day, week or month.

6.2.4 Structuring the Municipal Police Service

Every Municipal Police Service structured its hierarchy of command in accordance to its service needs. The Ethekweni Police Department followed the structure that the Durban City Police used before amalgamation. The Traffic Departments that amalgamated with Ethekweni used the City's Police's structure as a benchmark for uniform, salary and the

hierarchy. The only notable changes are the designations of the incumbents' positions, like the Chief Constable, Deputy Chief Constable, Chief Inspector, and the Inspectors, Sergeants and Constables; to Director of Metro Police, Regional Commander or Senior Superintendent, the Superintendent, Inspectors, Sergeants and Constables. The complete new structure comprises of six levels of command, which was the same during the time of the Durban City Police.

The Johannesburg and Tshwane Metro Police have the same seven levels of the differing designations of the hierarchy on the structure. The Johannesburg Metro Police attaches the name Chief of Police to the most senior officer, while Tshwane Metro Police assign the name Commissioner of Police. The reason behind this designation is that the incumbents are from the ranks South African Police Service and they held the position of Commissioner before being appointed to the Municipal Police Service. Below this rank are the Director, Deputy Director, Chief Superintendent, Superintendent, Inspectors and Metro Police Officers.

In Cape Town the structure was used as a service delivery model, by dissecting the City into regions. The City was divided into Metropolitan regions where there is an East and West Metropolitan Regions sub-divided into Sub-Regions, which are further broken up into Areas and Areas broken up into Divisions; and Divisions into Sergeant Areas. The most senior member of the Metro Police is named the Executive Head or Chief of Police, followed by the Deputy Chief, Divisional Commander of the Metropolitan Area Sub-Division, Assistant Divisional Commander, the Precinct Commander and Assistant Precinct Commander; Sergeants and Constables.

The ranking structure of the Ekurhuleni Police Department is not different from other municipalities but is the only one that comprise of eleven levels of command. The names allocated to positions are similar to all Municipal Police Department, except for Cape Town. The highest ranking person is the Executive Head of the Police Department, and below is the Chief of Police. This means that the Chief of Police reports to the Executive Head which in fact occupy the position of the Executive Director of Community Services. The structure below the position of Chief of Police is similar to the one used in Johannesburg and Tswane, Municipal Police Departments. This organization wished to attract experienced Traffic

Officers to join Municipal Police hence the position of Senior Municipal Police Officer was created just below the position of the Inspector. This was also done to counter resistance from Traffic Officers who were reluctant to join the newly formed Municipal Police Service. Additional to this, below the Metro Police Officers; a level of a Recruit Municipal Police Service was created to accommodate the recruits.

The structure that would be sensible for Mangaung Police Service would comprise of six levels with the Chief of Police as the Executive Head. This will be followed by the Deputy Chief of Police and two positions of the Regional Commanders for both Bloemfontein and Botshabelo/Thaba Nchu regions. Three Area Commanders would supplement the Regional Commander followed by the Area Supervisors and lastly the Municipal Police Service members. Below this level there will be Law Enforcement Officers or Traffic Wardens and Traffic Guards.

6.3 The main focus during the establishment of a Municipal Police Service

The focus during an assignment is fundamental to sustain the intention of the process and to ensure that the process is not easily derailed.

6.3.1. Re-enforcing the existing police structures

The Durban City Police was performing the crime function before the introduction of Municipal Police Service. The Senior Superintendents in regions were in charge of the crime prevention function and there existed a partnership between the South African Police Service and the Traffic Departments. These Traffic Departments were called Protection Services and as such the whole process focused on re-enforcing the existing Traffic Departments to function as Municipal Police Service. In Johannesburg the situation is almost the same, since it is believed that the Traffic Departments were used to do crime prevention but at a scaled-down level, and what the Metro Police Officers are doing now, was done before by Traffic Departments. The focus of the process was to get the sub-structures to work and to extend the crime prevention service to other areas.

The focus of the process for the Ekurhuleni Metro Police was to transform the Traffic Departments into Municipal Police or Metro Police Service. After the transformation of these

departments the focus was on patrol issues that enhance more visible patrol and projects involving the community. This is similar to the Tshwane Municipal Police Department; that concentrates on the operations and service delivery; therefore the conversion of the trained Traffic Officers to Municipal Police Officers. Cape Town's main focus during the establishment process was to recruit from outside so that the introduction of a Metro Police Service will have an impact on crime. Additional members were recruited, not from the Traffic Department, but from outside the Traffic Department to form a new entity. This further meant that, should a person in the ranks of Traffic Department wish to join the Metro Police, it should be voluntary and such a person will not be converted, but will have to apply for such a position.

This situation was such that a Traffic Department with approximately five hundred and eighty Traffic Officers and approximately five hundred and ninety Law Enforcement Officers exists. This resulted in three law enforcement agencies running in the City, which might be confusing to the public, because although they differ in uniform, they pursue the same objective and the tourists do not know which is which. The Durban City Police amalgamated with the Traffic Departments and re-enforced these departments to perform a crime prevention function. Other municipalities chose to amalgamate with and transform the Traffic Departments and Security Departments to form a Municipal Police Service. The feeling is that these Traffic Departments were already performing crime prevention functions during the patrol services. The focus in establishing a Municipal Police Service for Mangaung Municipality would be to establish a Municipal Police Service that would supplement the South African Police Service in countering crime in Mangaung Municipality and will be done by converting the current Traffic Department.

6.3.2 Crime prevention

The second focus was on crime prevention, meaning the manner in which the various structures are placed to prevent crime and to promote safety. The Johannesburg and Tshwane Metro Police looked at the needs of the community and what needs to be done to address it. The focus was then to prevent crime and to bring about safety in the City to promote the economy. The Ekurhuleni Metro Police emphasised crime prevention by focusing the manner of doing patrol duties, how to do more visible policing and how to involve the community in

achieving this goal. They needed to satisfy the community in relation to crime prevention, but they were well aware that more resources would be needed to enhance the notion. They were convinced that in the long run the service will be improved and the objective will be achieved. Cape Town approached the crime prevention issue in a different way, by ensuring that they employ or recruit, capable persons who would qualify to perform the Municipal Police duties and make a meaningful impact on crime.

All the Municipal Police Services mentioned above focused on crime prevention with Johannesburg and Tshwane Police Services taking a conscious decision to consider the needs of the community or involve the community to counter crime. On the other hand, in Cape Town it is believed that a new entity should be structured or formed to have a meaningful impact on crime, and therefore they countered crime by focusing on recruiting qualified and medically fit persons to perform the police duties. This move implies that in addition to the existing Traffic Departments and Law Enforcement agencies, there are extra Municipal Police Officers appointed to contradict crime activities. The Mangaung Municipal Police Service will have to adopt a problem-solving approach to policing and crime prevention. This will necessitate that the South African Police Service and other Local Government Departments such as Parks, Sports, Water, Electricity, Roads and Social Development Agencies, to co-operate in identifying problems which affect crime and public safety and jointly develop solutions. This should be incorporated in a City Safety Strategy document.

6.3.3 Structure formation

The different Municipalities formed the structures differently. The formation of structures of the four municipalities, other than the Ethekweni Municipal Police Department, were formed by first drawing a simple structure that depicts only the top structure and the formulation of the structure is drawn from within the departments amalgamating. The structure of Cape Town was done to cover all the areas of the Local Council and therefore the regions were sub-divided into sub-regions to decentralise control or decision-making. In Ethekweni, the structure was shaped in terms of the reporting lines. The person, who was heading a Traffic Department and reporting directly to Council via reports or in person, was categorized to report to the Director of Municipal Police Service in the new establishment. The categories, Senior Superintendents and Superintendent were clustered together to form a single reporting

line. The persons reporting to a certain member before the amalgamation were not taken into account, since it was believed that such a person whether there were two or three persons reporting to him, was defending and motivating the required resources to Council meetings himself. In other words, he had the responsibility to manage and control the activities of the organisation irrespective of the number of sub-ordinates.

The structure formation for the Mangaung Municipal Police Service should be informed by geographical and sector operations. It is envisaged that the operation will be for two regions; Bloemfontein and Botshabelo/Thaba-Nchu: each with a commander accountable to the Deputy Executive Head of the Municipal Police Service. The Bloemfontein region should be split into two areas on a geographical basis to provide equivalent service levels across the region. Supervisors will support Area Commanders and then Municipal Police Officers or Constables would service each area. The same scenario will be applicable to Botshabelo/Thaba-Nchu.

6.4 Continuation of service delivery during the establishment process

The maintenance of service delivery during and after the establishment of a Municipal Police Service is vital to render consistent professional service.

6.4.1 Existing resources in place

To ensure that the delivery of services were not negatively affected during and after the establishment process, the Ethekweni Metro Police chose not to interfere with the existing resources which were in place. The advantage they have is that they already have a unit focusing on crime prevention, and another unit focusing on traffic matters. These units were not touched, and continued to operate as they had previously. The municipalities that converted to a Municipal Police Service also created units for crime prevention and for traffic functions. The problem however, is that this pattern of operation raised some questions because there were two types of officers on the streets, doing two different jobs. They did not get involved in each other's jobs and the specialization created confusion for the public and the officers forgot the proper discharging of their functions. The main problem was from the perspective of the public, differentiating the crime prevention unit and the traffic unit, especially the tourist. In Cape Town it was also the same, since the Traffic Departments were

not interfered with and a new entity was formed that would cater for both traffic matters and crime prevention. It is thus understood that creating additional deployment of Municipal Police Officers to operate parallel with the existing Traffic Department, enhances traffic service delivery. In order not to interfere with the existing system in terms of traffic policing, training will have to be done on a contact class and part time basis, for Traffic Officers converting to a Municipal Police Service Officers.

6.4.2 Existing commanding structure in place

To further ensure that traffic services were not negatively affected, the Ekurhuleni Municipal Police Department relied on the operational manager so that the traffic policing aspect do not get less attention, because they were previously used to policing traffic. This means that whenever a senior personnel officer dispatched a unit to do functions, traffic activities should be on the list to be performed. The job description of Municipal Police Officers covers three responsibilities: traffic law enforcement, enforcement of by-laws and crime prevention. Traffic enforcement is easily monitored through the generation of reports, as they will indicate when the traffic function is neglected. It is as if nothing much had changed as the respondents claimed that the existing structures were relying on the previous experience and that there were no new challenges facing them. It seems as if these entities agreed that the same pattern that was engaged before the introduction of Municipal Police Services served them better. The allocation of manpower to shifts should be done by clustering more officers during peak hour periods to ensure consistency in delivering of service.

6.5 Financial implications of establishing a Municipal Police Service

In order for the municipality to establish a Municipal Police Service, there should be sound fiscal resources to maintain and sustain such a service.

6.5.1 Financial authorization to establish a Municipal Police Service

Municipalities that formed a Municipal Police Service did not get any cash injection from either Provincial or National Government. This is with exception of the Cape Town City Council that had a cooperation agreement with the Provincial government to purchase the Phillipi Training College and equip it with all training resource to train Municipal Police Officers for the Cape Town City Police. All expenses for training Municipal Police Officers

were paid by the Provincial Government of the Western Cape while the Cape Town City Council only incurred costs for operating the Municipal Police Service. Other municipalities did not enjoy the same gesture from the Provincial Government; capital and operation budget of different merging departments were consolidated to fund the process. The establishment of Municipal Police Services is viewed as an un-funded mandated, since the politicians insisted that Municipal Police Service be established while there were insufficient funds for such a process. These municipalities did not experienced major increases on their budgets and the percentage increases were almost the normal because budgets of different amalgamating departments were consolidated. Mangaung Municipality has a budget for both Traffic and Security Departments that can be used as a basis for establishing a Municipal Police Service, but extra funds will be needed to employ more personnel and to purchase more necessary resources. Further investigation into this matter is needed.

6.5.2 Actual outlay incurred during the process of the establishment of a Municipal Police Service

The actual cost for establishing Municipal Police Services differed from location to location. Johannesburg Metro Police Service consolidated the budgets of all the traffic departments that were amalgamating. The consolidated funds when computed amounted to R220 million. This figure was raised due to the fact that a uniform allowance was to be paid to employees after the salary grading had been conducted. Tshwane Metro established its police department with an initial cost of R40 million and it was anticipated that the cost would escalate to R60 million per year if the budgets of the traffic and security and the licensing functions of the previous years were taken as guidelines.

It is clear how much it cost to establish a Municipal Police Service in Durban but it was estimated that the then Durban City Police cost the municipality R132 million. The budget after the establishment of the Ethekweni Municipal Police Service in terms of the South African Police Service Amendment Act, (Act 83/1998) is estimated between R150-160 million. An increase of R28 million was therefore noted after the establishment in Durban. Cape Town Municipal Police Department established with capital costs of R20 million, which was used to purchase Municipal Police Service resources like vehicles, uniforms, firearms and other accessories. The operational costs are estimated to be between R50-52 million. The

Provincial Government of Western Cape, paid according to the agreement, approximately R15 000-00 to R20 000-00 to train one student at the Phillipi Training College. These costs included meals, accommodation, training materials and training uniforms. This department was launched with over four hundred Municipal Police Officers.

Costs incurred by the Ekurhuleni Municipal Police Service were only for training of new recruited officers at the Johannesburg Municipal Police Academy. No actual out-lay were provided, but they gave an indication of what it cost to train new recruits. To increase the number of the Police, this Municipality employed one hundred and forty-seven people. These recruits were trained at the cost of R6500-00 per person, excluding transport. The cost for transport is estimated at about R500 000-00 for the six months as they daily travelled from the Ekurhuleni districts to Johannesburg Municipal Police Academy.

Notwithstanding the differing views of the respondents, they all agreed, except for Cape Town, that the bulk of expenses was incurred for training officials, materials in terms of uniform and changing of signs on buildings and cars. Cape Town on the other hand, used the bulk of money to purchase resources, while the training was paid as a gesture by the Province of the Western Cape, which catered for everything, including accommodation and uniforms. It is also the believed by the respondents that the cost of converting from Traffic Departments to Municipal Police Service did not place a major burden on the municipalities, since the Traffic Officers were trained and thus qualified for conversion course. The operational framework and guiding principles within the Municipal Police at which the service would operate at an ideal or full force level, would have to be identified. It is recognised that it may not be financially or practically viable to attain the ideal situation at the beginning of the operation of the Municipal Police Service. An incremental strategy would therefore have to be developed and a more detailed investigation done to quantify the amount needed to establish an ideal Municipal Police Service.

6.5 Sustainability of the policing model

The Municipal Police organisations should have a method of sustaining the policing model it adopted, to improve safety.

6.6.1 The process of crime prevention

A crime prevention model should be maintained and sustained to ensure a continued and persistent approach to crime.

It emerged very clearly from the interviewees, responses that the concept of crime prevention for the different Municipal Police Services is realized through the creation of crime prevention units. There is a firm belief that crime prevention has been contained in the job description of a Traffic Officer therefore the respondents suggested that Traffic Officers had crime prevention as a non-core function and that the act of establishing a Municipal Police Service was just a repackaging of the crime prevention function to a core function. The Ethekweni Metro Police, has during the existence of the then Durban City Police been doing the three functions; namely crime prevention, traffic policing and by-laws enforcement. The crime prevention function was allocated a separate unit dealing with it and included the vagrants and street children unit, the dog unit, the bicycle and motorbike unit, the horseback unit, as well as the non-wearing uniform units. In addition to the above, a definite cooperation and coordination with the South African Police Service from station level to Provincial level; also existed.

Other Municipal Police Departments also followed the same route and introduced separate units to balance the equation of delivering an equal service to the community. The coordination or cooperation with the South African Police Service structures is of paramount importance to gather intelligence at station level and on dispatching officers at beginning of the shift, officials from Johannesburg are detailed to do traffic policing, enforcement of by-laws and crime prevention activities. Constables are also expected to walk with the crowds in civilian clothes and to report any occurrence of crime without being noticed. In Cape Town they ensured that by keeping the Traffic Department separate, the crime prevention function gets the necessary attention it needs from City Police Officers; and the relationship with the South African Police Service is necessary when crime prevention programs are drawn-up.

The function of crime prevention is done in collaboration with the members of the South African Police Service from the various station levels and even the planning process of crime activities is done in conjunction with the latter. The only selective crime prevention function, except for traffic and by-laws enforcement done by the Municipal Police Service, is that of

using non-uniformed members to observe any crime activity within the crowds and then to report such to members in uniform. Planning with the South African Police Service will be essential to contain crime activities and units from shifts should be deployed in such a way that a unit focuses on crime prevention, specifically Petty crimes. On regional level there should be a unit specializing in crime prevention, in coordination with the South African Police Service.

6.6.2 Factors that hampered effective crime prevention

In view of the respondents' perspectives the function of crime prevention is detrimentally affected by lack of resources that is manifested as a result of insufficient funding to support the organisation, as there were no extra cash injections during the establishment. This resulted in major challenges with regard with the developed strategic plans that could not be implemented because of lack of financial support. Further to these challenge, the demarcation of new municipalities during amalgamation process increased the boundaries and thus necessitate the extension of service delivery to new delineated places after the establishment a Municipal Police Service process. Furthermore, the other factor that hampers effective crime prevention and strongly emerged was that Municipal Police Officers were inadequately trained because the training undertook mostly consists of the curriculum set for Traffic Officers. Practical training is not contained in this curriculum which is compiled by the National Department of Transport. This training therefore renders Municipal Police Officers incompetent with regard to the practical function of a Police Officer and the function of preventing crime. To ensure that Municipal Police Officers are trained theoretically and practically; the period of training should be extended to nine months plus a further three months practical training period. This period will also cater for the training of the curriculum set by the Commissioner and also allow practical training with Field Training Officers.

6.7 Training undertaken by members of a Municipal Police Service

According to the South African Police Service Amendment Act, (Act 83 of 1998), the National Commissioner of South African Police Service prescribes the training of Municipal Police Officers.

6.7.1 Conversion Course

In other municipalities the training administered to members of a Traffic Department to qualify for appointment as a Municipal Police Service Officer is known as a Conversion Course, while in some it is called a Bridging Course. The Conversion or Bridging Course was conducted with the directives contained in the South African Police Service Amendment Act, (Act 83 of 1998). The Bridging Course, predetermined by the South African Police Service Amendment Act, (Act 83/1998); comprises primarily on Law subjects, namely; Police Ethics, Community Policing, Problem Solving, Criminal Law, Certain seizure methods and searching, Executing the attendance of an accused in Court, Common Law Crimes, Theft and Public Violence. All these are covered in 15 modules.

Since Cape Town did not opt to convert from Traffic Department to Municipal Police Service, no such conversion was done. New recruits first completed the curriculum set by the National Department of Transport and did the curriculum set by the National Commissioner within a period of six months. The approach taken by Cape Town is relevant to municipalities who recruited Security Officers to increase the Municipal Police Officers numbers. The conversion course is conducted uniformly through-out the country. The in-house training facility in Bloemfontein is accredited to train Traffic Officers and has facilities which are already South African Police Service accredited to conduct this course. Conversion courses will be conducted on a contact class basis to Traffic Officials but the South African Police Service will conduct the examination. It is however necessary that the training facility be upgraded for Municipal Police Service accreditation.

6.7.2 Training related to Standard Operating Procedures

After the completion of the training course, the officials are drawn back to training and trained what is called Standard Operating Procedures or Standing Orders. During this training officials are among other things trained how to handle and drive Council's vehicles. Some municipalities had gone as far as conducting training in Speed Pursuit and Fire Arm skills to ascertain whether a person can operate under stressful conditions and to test the mind-set of the people who apply for the job. In some cases officers are even trained Code of Conduct and Discipline, the Basic Condition of Service and Standing Orders; the filing of a documents including dockets, the Section 56 and 341 Citations; reporting an accident, report writing and

taking of statements. In Cape Town, the trainees complete the curriculum set by the Department of Transport and thereafter do an additional training called Operational Real World. This is done under the auspices of the South African Police Service and recruits are trained the practical function of policing at the directives of the members of South African Police Service. This training should be part of the proposed further three months for training of the practical and South African Police Service curriculum. It is also suggested that a Municipal Police Service member attend a refresher course at least twice a year.

6.8 Phasing out of Traffic Departments

The phasing out of Traffic Departments was not a straightforward process. Different municipalities approached this process different hence different views were gathered from respondents.

6.8.1 Placement of Traffic Officers

The process for the Ethekweni Municipal Police Service entailed the amalgamation of various Traffic Departments with the then Durban City Police. For this purpose, the members of the Traffic Departments were placed into the structures of the then Durban City Police in accordance with the reporting lines. This means that consideration of whom a person reported to in the previous structure was used to direct and guide who the new immediate senior would be, and all the senior personnel who reported directly to Council, were placed on the new rank structure to report to the Director of the Metro Police. Designations of Superintendent and Senior Superintendent were clustered as one position with different levels. This procedure brought some animosity to some of the members who claimed that it advantaged those who came from the Traffic Departments and disadvantaged the former Durban City Police members.

Cape Town did not convert its Traffic Department; hence it did not encounter any hardship in respect of this issue. The Municipalities in Gauteng Province, Johannesburg, Tshwane and Ekurhuleni used financial incentives to lure the Traffic Officials to join Municipal Police Services. The changing status of the Municipality to a Metropolitan Council entailed an adjustment to the salaries of the Traffic Officers therefore there was motivation to accept an extra responsibility. Three Municipalities conducted workshops to inform members about the

transformation and phasing out of Traffic Departments. Various working groups were established during these workshops to discuss and recommend how different issues should be addressed, and this facilitated that those who were to be affected participate in the discussions.

The placement of Traffic Officers who qualify should be done as soon as the examination has been passed. This would allow those that do not qualify to continue with the delivery of traffic service until they qualify. This process will be a basic service level requirement and it should be continuously improved to incorporate the newly recruited officers and the Security personnel. The service delivery targets and time frames must be determined at the outset of the implementation project and should be coordinated with the financial resources available. Traffic Officers that do not qualify or choose not be part of the Municipal Police Service would have to be redeployed to other departments after a certain period of time.

6.8.2 Challenges that confronts placement procedure

The municipalities that converted from Traffic Departments to Municipal Police Services came across different problems during the process of conversion. The placement procedure introduced specifically to the Ethekweni personnel created dissatisfaction in officials who perceived the process biased towards the officials who were previously employed by the then Durban City Police. This dissatisfaction did not only retard the process but also had a negative influence on the productivity of the organisation, as the officials' morale was low. The other problem that faced the process was how to place the officials of the small municipalities who had acted in vacant positions and then claimed to have acted long enough in these positions to be employed permanently. The other challenge was the persons from small municipalities who just after the announcement of the amalgamation, promoted themselves to higher positions. To resolve these matters, all such cases were referred to arbitration for decision-making. Consultation and communication with the Department of Labour and those who are to be affected, is essential to establish early negotiations and agreement regarding the placement of officials within the Municipal Police Service. Consultation with the persons to be affected by the placement is necessary to augment the already Organisational Rights and Collective Agreement between the Mangaung Municipality and Labour Organisations operating in the Municipality.

6.8.3 Successful conversion from the Traffic Department to a Municipal Police Service

Even though the conversion processes from Traffic Departments to Municipal Police Services were perceived as successful, the interviewees identified some discrepancies with regard to the pace at which the conversion from Traffic Departments to Municipal Police Services were conducted, the timing or the period of the establishment of the Municipal Police Services and the lack of publicity. The process of converting from Traffic Departments to Municipal Police Services was accordingly perceived to be inadequate, since it was done at a fast pace, confusing the officials, as well as the community. The timing of the conversion from Traffic Departments to Municipal Police Services was also problematic, since it was conducted as an overnight process. This is because the public was aware of the Traffic Department the one-day, and the next day they were confronted with a Municipal Police Service with a different new uniform. Lastly, there was a feeling that the process of conversion lacked publicity or media coverage to inform the public of its presence and to alleviate misconceptions from the public, similar to what occurred in Johannesburg.

There is a perception that the problem of the low morale identified in the Integrated Development Plan of Mangaung Municipality stems from the absence of a career path for Traffic Officers and Security Officers in the current organisation. The Municipal Police Service may therefore be perceived as providing a wider range of skills and of promotion options. The Council should ensure that employees' expectations are not unrealistic, but if a Municipal Police Service is created, it must incorporate a career path for members, therefore the Traffic Officers that qualify have the opportunity to first convert to Municipal Police, while those that do not qualify, focus on traffic functions. This will allow the gradual conversion of the Traffic Department during an extended period and also allow the Municipal Police Service to gradually develop acceptable standards.

6.9 Municipal Police Service approach to Community Police and Coordination

This relates to the manner of practising Community Policing and Coordination of the activities of the Municipal Police Service.

6.9.1 Partnership Policing

Partnership policing means practicing policing in consultation with or with the involvement of the community.

There is a general belief from the respondents that attending the different Community Forum meetings or meetings involving the business community, equals practising Community Policing. Respondents are determined that working closely with the South African Police Service in existing forums makes their Partnership Policing simple. The respondents, however, acknowledged that there is no definite style that they can be classified as Partnership Policing in the partnership policing which they claim to practice, despite the usual patrol duties and attending Police Forum meetings. The Tshwane Metro Police claim to have had discussions with section 21 Companies, endeavouring to improve the image of the City, and created groups of young people as safety groups and train them to be safety conscious.

Cape Town developed programmes that would patrol the schools situated in gangster areas and people names reporting crimes not disclosed. There is also program for children between the ages of sixteen and eighteen years were they participate in soccer matches and thereafter transported to the Municipal Police Service headquarters and shown how the police operate. The Ekhuruleni adopted what they called Ward-based policing where they use the opportunity to plan counter measures against crime with the involvement of the community leaders and the community. The service delivery method should be both pro-active and re-active and solving problems that affect the community should be approached in a multi-disciplinarily way and should extend beyond the policing function. The solutions to the problems should therefore involve the broader views of the community, as well as those of the Municipality. Solutions that deal with the factors which underlie policing and public safety problems and which meet the expectations of the community should be developed in conjunction with the community. Further, an effective information collection and analysis strategy will have to be developed.

6.9.2 Coordination

In order to harmonize and coordinate the Municipal Police Service activities with other law enforcement agencies, the former must participate in all committees established in terms of the South African Police Service Act, (Act 68 of 1995).

It emerged clearly from respondents that the Municipal Police Services participated in law enforcements committees established under the South African Police Service Act, (Act 68/1995). These committees include the Local Coordinating Committee, Area Commissioner's Committee and the Provincial Commissioner's Committee. It is also stressed by respondents that it is mandatory for the Regional Commander or the Manager at Regional Municipal Police level to be a member of the Community Police Forum of the region. Further, crime prevention forums are created in which the South African Police Service, the South African National Defence Force, the Correctional Services, the Department of Health and Non Governmental Organizations take part. The Chief of Police must according to the South African Police Service Amendment Act, (Act 83 of 1998) works together with the Provincial Commissioner to draw up a Crime Prevention Strategy as per directive of the South African Police Service's Objectives.

It is essential that the Chief of Municipal Police Service for Mangaung Municipality serve on the Provincial Policing Coordinating Committee, established under Section 64K(1) of the South African Police Service Amendment Act, (Act 83 of 1998). Furthermore to ensure that cooperation and service overlap, it should be mandatory that the Chief of Police of Mangaung Municipality develop an annual plan relating to crime prevention and policing, in consultation with the Provincial Commissioner of the South African Police Service.

6.9.3 Civilian Oversight Committee and its composition

There reigns confusion on the composition, as well as what the function of this committee should be, hence no municipality has established such a committee exactly according to the Act. During the study period, Municipal Police Services used the so-called Section 80 Committees or Portfolio Committees, instead of properly constituted Civilian Oversight Committee. Respondents are divided on this issue; some believe that the composition should be independent, while others believe it to include Councillors and that people serving on this committee, should be knowledgeable of policing issues at least at the Local, Provincial or National level. However, there is a feeling that this committee should be non-political to guard against the political sting or influence and should not comprise of Councillors. Different structures are included in the proposed Civilian Oversight Committees of these Municipal Police Services, and these include among others, representatives from the Department of

Transport, representatives from the South African Police Service, members of a legally constituted Community Policing Forum, members of Commerce and Industry, members serving on the Mayoral Committee of the City, representatives from Business Against Crime, Area Community Police Forum Board, representatives from the organised Labour (e.g. COSATU), representatives from the organised civic society (SANCO) or a rate payers' representative and a nominee from the Police Science Faculty of a University.

Civilian Oversight Committee is essential to monitor the activities of the Municipal Police Service hence it should comprise of an academic person with a legal background from one of the Universities in Mangaung, two Councillors, a member from Provincial Safety and Liaison, a person representing the Chamber of Business in Mangaung, and a representative from the Department of Transport. These persons nominated should advise the service and report to Council on the progress of the service and to avoid bias it would be proper that no member of Council serving on this committee should occupy the chairperson's position.

6.10 Sovereignty of a Municipal Police Service

It is expected that the Municipal Police Service be independent from any political influence and not biased.

6.10.1 Channels of reporting

Municipalities took different measures to ensure that there is no political interference. While some claim that there is no such interference, there is an indication that it does exist and it causes problems for field workers. Others believe that since municipal money is involved in the operations of the Municipal Police Service, politicians should interfere. The other is of the view that only meaningful approach available to this matter; is the channels of reporting that councillors should follow. A role clarification workshop was done were an understanding was agreed upon with the portfolio committee that indicated that the Municipal Police Service is established in terms of the South African Police Service Act and it is bound by the National Crime Prevention Strategy of the Country and that of the Council. The Councillors should therefore work through the Municipal Manager and the Chief of Municipal Police Service; should report directly to the Municipal Manager and not to the portfolio community of Public Safety. It is essential that protocol should be maintained that stipulates that any enquiry or

necessary delivery of service lacking should be reported to the City Manager via the office of the Mayor. The present format of submission of projects or programs and development priorities of the Municipality that is entertained through Ward Projects to Council should be maintained.

6.10.2 Adherence to the laws of the Country

The other way of ensuring political independence is that Municipal Police Officers should know that they are governed by the rules and regulations of the Country, the Constitution of the Country and the Standard Operating Procedures of their respective Municipalities. This includes following the protocol and knowing which and from whom instructions should be taken.The Councillors should use the Ward systems to present their concerns. The Laws of the Country are supreme to the law enforcement agencies hence they should be followed and a comprehensive standing operational procedure agreed upon by the Trade Union and the Municipality should be drawn up and adopted by Council to alleviate confusion.

6.11 Summary

In order to establish a Municipal Police Service, most municipalities converted from Traffic Departments and only Cape Town relied on recruiting members from outside the Traffic Departments. Ethekweni Municipal Police converted from the then Durban City Police and to augment the service enlisted, the Traffic Officers of the municipalities that amalgamated with Durban Municipality. The conversion process faced challenges related to the different structure, different salary scales and different Basic Conditions of Service, the resisting Traffic Officers and the inadequate training curriculum. It would appear as though there were no major change in the working procedure since it is claimed that the Traffic Departments were previously doing crime prevention as part of their normal duties and the Municipal Police Service structures were planned according to the needs of each Municipality. The procedures to establish focused on the re-enforcement of the existing Municipal Police Services and Traffic Departments while in Cape Town the focus was to establish a new Law Enforcement unit apart from the Traffic Department. Continuation of service delivery was maintained by ensuring that the existing resources and structures were still in place while converting. There were no cash injections from either the National or the Provincial Government to assist the municipalities to establish a Municipal Police Service, except for

Cape Town, which was assisted by the Provincial Government. The actual outlay ranges from R40 million to R220 million.

The Municipal Police Services sustained the policing models by practising its Police Services in cooperation with the South African Police Service, from station level command. Factors like lack of proper training and inadequate resources hampered effective crime prevention. Traffic Officers were converted to Municipal Police Officers by doing mostly Law subjects. The new recruits first studied the curriculum set by the Department of Transport before doing the Law subjects. Engaging those involved by consultation and communicating the process phased out Traffic Departments. Other Municipalities created financial incentives to entice Traffic Officers to join the Municipal Police Service. The Municipal Police Services approached Community Policing and Coordination by planning crime prevention projects with the Provincial Commissioners of the South African Police Service and serving on Community Police Forums. It is apparent that there were no Civilian Oversight Committees and therefore portfolio committees were used as Oversight Committees, although the composition of such tremendously differed. The reporting channels and adherence to the laws of the Country are guidelines that the municipal Police Service should rely on.

Chapter 7

Recommendations on the findings of the research

7.1 Introduction

This chapter gives an overview of the previous chapters and reviews the contents of each chapter. Subsequently conclusions and recommendations based on what was learned from the interviews and the interpretation of the study will be made. The recommendations will be directed at identifying best practices for a Municipal Police Service model that may be employed to establish a Municipal Police Service for Mangaung Municipality.

The summary of the contents of all the chapters will unfold and inaugurate this chapter and this is followed by the conclusions emanating from the interpretation of the research findings. The recommendations on how the proposed model should be employed conclude this section and are encapsulated in a diagram that maps out the processes that needs to be followed.

7.2 Overview of Chapters

Chapter One introduced the problem statement of the envisaged study, and the methodology of the study that describes how the purposive or judgmental sampling was conducted. This was followed by an explanation of the data collection and analysis methods and techniques used for the interviews. Tesch's eight steps of data analysis procedure were engaged respectively in this study. Only persons with knowledge on the subject matter were interviewed to ensure validity and reliability of the information imparted and a notepad was used during the interviews. Interviewees were also telephoned afterwards to authenticate the transcriptions. The delimitations of the study comprising the key concepts, the conceptual limitation, policing, a model, the geographical factors, and time the frame to conduct the study were put in perspective, succeeded by the problems the researcher encountered during the process. These include keeping the respondents' focus during the interview process, timing of the interview, failure to honor an interview appointment, the gathering of international data and obtaining crime statistics. The principal objectives of the study were to

- Identify various International-policing models

- Evaluate the practices in Municipal Policing Service in South Africa
- Deduce a model for Mangaung Municipal policing
- Refine a model for Municipal Policing in Mangaung

The ethical issues as contained in the Code of Ethics for Research at Unisa and the layout of the subsequent chapters conclude the section.

Chapter Two placed the focus on the reasons for establishing a Municipal Police Service for Mangaung Municipality. It unfolded by demonstrating the position of Mangaung in South Africa, as well as in the Free State. The statistics of the Southern Free State region, the region in which Mangaung Municipality is situated, were analysed from 1994 to 2002. These statistics indicated an increase in the crime trend for the region, with Common Assault recording the biggest increase. The Integrated Development Plan of Mangaung Municipality appeared to be the vehicle that instigated the concept of introducing a Municipal Police Service for Mangaung Municipality by ranking crime as a threat, second behind lack of income and unemployment. Contributory risk factors to crime in South Africa and Mangaung Municipality are identified as unemployment and poverty, age and gender, HIV and AIDS, social indicators, firearms, environment, alcohol and drugs, rapid urbanization, South African Police Service resources and the history of South Africa. Problems experienced by Mangaung Municipality included complaints related to Municipal Regulations, Traffic complaints and incidents related to Council Property. Crime statistics of Mangaung Municipality's twelve police stations point towards the rising crime trend in Mangaung.

Chapter Three is directed at exploring the origin of the ideas of forming a Municipal Police Service for the Mangaung Municipality. The origin dates reflects as far back as 1996 when a principled resolution was taken by the then Bloemfontein Transitional Local Council that the possible establishment be investigated. An investigating team visited various cities to benchmark this matter. An application was further made to apply for principled approval of a City Police Service, only to find that there existed no enabling legislation at that time. The financial conditions of this municipality are favourable to establish and maintain a Municipal Police Service. The legislation enabling the establishment of a Municipal Police Service by a municipality was enacted during 1998 and this provided a guideline of applying and operating

a Municipal Police Service. The multifarious functions of the envisaged Municipal Police Service are clearly defined as traffic policing, policing of municipal by-laws and crime prevention. The status of Municipal Police members is that of peace officers and as such is given certain powers, similar to those of the South African Police Service. To qualify as a member of Municipal Police Service, one must possess a standard ten certificate and be 18 years or above. Lastly, the intention of the South African Police Service Amendment Act, (Act 83 of 1998) is to regulate and control the operation of the Municipal Police Service which was not the case during the previous Municipal Police Force introduced during the 1980's.

Chapter Four explored policing in South Africa and revealed that it started with the introduction of the "Free-Burghers" in early 1657, when they were allowed to guard their own premises. The term "police" was properly applied when the ten burghers were recruited in 1686 to handle transgressors of the law and suppress disorder in the streets. Policing in South Africa went through five stages of development since 1800; from Frontier policing to Military Policing, to a Securicratic Policing style, Transformational Policing and Community Policing. The Durban City Police was introduced in the early 1830's and did not merge with any of the four Provincial Police Forces introduced in 1913 but instead kept the Self-styled Constabulary, similar to the British Constabulary. In 1910 the first South African Police Force was established under Col. T.G.Truter, with the responsibility of preserving internal security, maintain law and order; investigate any crime or alleged crime; and the prevention of crime. In addition to this, there were the South African Railway Police Force and various Police Forces in the Homelands and Transkei, Bophuthatswana,Venda and Ciskei (TBVC) states, as well as the Municipal Police in the Black Townships and Homelands. International police trends indicated divergent views on how Community Policing was practised, but there are shared characteristics in terms of recruitment, training and Civilian Oversight.

Chapter Five presented the data collected from fifteen officials of the five municipalities that had already established a Municipal Police Service in terms of the stipulations of the South African Police Service Amendment Act, (Act 83/1998). The recruitment procedures of the various municipalities were explored and problems that the establishment procedures caused were highlighted. The change in working procedure and the structuring of a Municipal Police

Service were established. The main focus during the establishment process was explored, and the continuation of service delivery as well as the financial implications of establishing a Municipal Police Service investigated. The manner of sustaining a police model employed by the Municipal Police Service and training undertaken by the members of the Municipal Police Service were brought to perspective, as well as the procedure of phasing out the various existing Traffic Departments. The important issue of the approach of Municipal Police Services to policing and coordination with other law enforcement agencies were discussed. The existence and composition of the Oversight Committee and Political Independence of the Municipal Police Service were surveyed with the view of establishing commonalities between the various systems.

Chapter Six is directed at the interpretation of the research findings. Most municipalities investigated in this study, converted their Traffic Departments to establish a Municipal Police Service and only Cape Town relied on recruiting from outside the Traffic Departments. Ethekweni Municipal Police converted from the then Durban City Police and to augment the service, enlisted the Traffic Officers of the municipalities that amalgamated with Durban Municipality. The conversion process faced challenges related to the different structures, different salary scales and different basic Conditions of Service, as well as resistance from Traffic officers and the inadequate training curriculum. It would appear as though there were no major changes in the working procedure since it is claimed that the Traffic Departments were previously doing crime prevention during their normal duties and the Municipal Police Service structures were planned according to the needs of each Municipality. The procedure to establish Municipal Police Service for the Municipalities which were investigated focused on the re-enforcement of the existing Durban City Police Service and various Municipal Traffic Departments while in Cape Town the focus was to establish a new Law Enforcement unit apart from the Traffic Department to address the crime situation. Continuation of service delivery was maintained by ensuring that the existing resources and structures were still in place while converting. There appears to be no cash injection from either the National or Provincial Governments to assist the municipalities to establish Municipal Police Services except for Cape Town, which was assisted, by the Provincial Government. The actual outlay to establish such a service ranges from R40 million to R220 million. The other municipalities

made use of the operational budgets of the different Traffic Departments that amalgamated to form the Municipal Police Services.

The municipal Police Services sustained the policing models by practising its police service in collaboration with the South African Police Service from station level command. Factors like lack of proper training and inadequate resources hampered effective crime prevention. Members of the Municipal Police Service were converted from Traffic Officers to Municipal Police Officials by doing mostly Law subjects and the new recruits first studied the curriculum set by the Department of Transport before doing the Law subjects. Traffic Departments were phased-out by involving those affected, through consultation and communication of the process. Other municipalities provided financial incentives to entice officers to join the Municipal Police Service. These Police Services approached policing and coordination by being involved with the Provincial Commissioners of the South African Police Service and serving on Community Police Forums. It is apparent that there were no Civilian Oversight and Portfolio Committees were used as the Civilian Oversight Committees, although the views regarding its composition tremendously differ. The reporting channels and adherence to the Laws of the Country are guidelines for the independence of the Municipal Police Service.

7.3 Conclusions

Five municipalities in South Africa established a Municipal Police Service during the period 2000 to 2002 in terms of the South African Police Service Amendment Act, (Act 83 of 1998). These municipalities are Ethekweni, Ekurhuleni, Johannesburg, Tshwane and Cape Town. Following are conclusions in respect of how these municipalities established the Municipal Police Services.

7.3.1 Procedure to convert

The process for Ethekweni Metropolitan Council to establish a Municipal Police Service in terms of the South African Police Service Act, (Act 83/1998) entailed the conversion of the Durban City Police and the Traffic Departments that were entities in the municipalities that amalgamated with Durban City Council. To increase the numbers of the Municipal Police personnel, the Security Officers and Traffic Wardens were recruited and enrolled into the staff

establishment of the Municipal Police Service and trained to qualify as Municipal Police Officers. The Ekurhuleni, Johannesburg and Tshwane Metropolitan Councils converted Traffic Departments to form Municipal Police Services by training Traffic Officers as stipulated in the Act. Security Officers were also brought in to augment the Municipal Police Officers members, while Ekurhuleni further employed officials within the jurisdiction of its Council. The City of Cape Town, however, did not choose to convert Traffic Departments, but instead formed a totally new structure of Municipal Police Service that would run parallel with the Traffic Departments and Law Enforcement Officers. The rationale behind this is the belief that converting the existing Traffic Departments would not have an impact on crime prevention, and therefore they opted for additional "bobby on the beat" and recruited new persons to form Municipal Police Service. Those that took the route of conversion presented conversion or bridging course to the Traffic Officers while all those who are newly appointed received a full Municipal Police Officer's training.

7.3.2 Problems with conversion

During the process of establishing and converting Traffic Officers these municipalities encountered various problems. The problems encountered are the absence of the placement policy, which resulted in confusion, since there were no guidelines of placing officials; the variation in terms of the organisational structures of the amalgamating municipalities, since the organisational structure tremendously differed; as well as the officials who felt comfortable with the traffic profession and were tempted to resist the conversion. The period allocated to the training of officers also seemed inadequate as it failed to address the practical part of policing. It is clear that no major change in working procedures were experienced, since it is claimed that Traffic Officers had already been doing a crime prevention function in the past. There were no definite rules of how many levels the structure of a Municipal Police Service should comprise of, and as such the organograms were done according to the needs of each municipality, which is largely influenced by the service delivery model.

7.3.3 Focus on the establishment of a Municipal Police Service

During the establishment and conversion process, the major focus was placed on re-enforcing the then Durban City Police service by extending the services to new areas that needed to be serviced and augmenting the numbers of police through the addition of Traffic Officers who

were from small municipalities that amalgamated with Durban City Council. Some municipal police services focused on crime prevention while others took a conscious decision to consider the needs of the community or to involve the community to combat crime. On the other hand Cape Town felt that a new entity should be structured and formed to have a meaningful impact on crime and therefore they focussed on recruiting qualified and medically fit persons to perform the police duties. This move implies that in addition to the existing traffic departments and law enforcement agencies, there were extra Municipal Police Officers appointed to combat crime activities. The other three municipalities not mentioned above, focused on developing the structures that would influence the pattern of preventing crime and ensuring that it covers the whole area of the municipality.

7.3.4 Service delivery model

The maintenance of service delivery during and after the establishment of a Municipal Police Service were protected by not interfering with the existing resources which were in place, as the crime prevention and traffic units were separately created to ensure that service delivery is not negatively affected, although it is felt that the specialization arrangement lead to confusion as far as the community was concerned. The existing commanding structures were also not interfered with, in order to balance the functions of a Municipal Police Service.

7.3.5 Financial implications of establishing a Municipal Police Service

There was no cash injection from either the National or the Provincial Government for the four municipalities that established a Municipal Police Service. These municipalities; namely Johannesburg Ekurhuleni, Tshwane and Ethekweni; computed and consolidated the budgets of the different amalgamating municipalities' Public Safety structures to form a Municipal Police Service. It was quite evident that there were no major increases in the budgets of these departments. The only municipality that received a cash advance from the Provincial Government is Cape Town where the Province of Western Cape funded the recruitment and training of recruit Municipal Police Officials. The actual outlay incurred by the municipalities differed from region to region. The estimates for establishing the Johannesburg Police Department is R220 million which was mainly used to purchase resources and uniforms, while the Tshwane Metro Police was established with approximately R40 million, which was expected to escalate to R60 million the following year. Ekurhuleni Municipal Police Service

used almost a R1, 5 million to train approximately 145 new recruits at Johannesburg Metro Police Academy; while Ethekweni Municipal Police Service's budget roughly increased by R12 million. It is clear that the Western Cape Provincial Government forfeited over R9 million to train the new recruits.

7.3.6 Sustainability of a crime prevention model

The function of crime prevention is being done in reliance with the members of the South African Police Service from the various station levels and even the planning process of crime activities is dependent on the assistance of the latter. The only selective crime prevention function, except for traffic and by-laws done by the Municipal Police Service, is that of using non-uniformed members to observe any crime activity within crowds and then to report such to uniform wearing members. It is however, believed that the crime prevention function is contained in the job description of the Traffic Officer, hence the converting process was just to repackage this function and make it a core-function. Insufficient funding and lack of resources in relation to the extended areas as well as lack of proper training of Municipal Police Officers have a negative effect to crime prevention. Crime prevention is from local point of view, not properly is not properly addressed.

7.3.7 Training of Municipal Police Service Officers

The Municipal Police Service training course presented to Traffic Officers to qualify for a Municipal Police Service, is known as a conversion course or bridging course. The curriculum of this course is predetermined by the South African Police Service Amendment Act, (Act 83/1998) and encompasses mainly Law and/or legal subjects. The municipalities used different schedules to suit their needs while administering this program. The first program includes the provision of contact classes to Traffic Officers to convert to Municipal Police Officers, by withdrawing Traffic Officers from the street during off-peak hours. The second program is done by running day-to-day full class training to Traffic Officers while the third was conducted through a distance learning program where traffic officers are given study aids to study by themselves. Once a Traffic Officer is having knowledge and confident about the subject matter, he or she indicates such to Superior who in turn arrange for the examinations. The last schedule is an uninterrupted fourteen days full time training and thereafter writes examinations that are set by the Department of Safety and Security. Subsequent to the above,

officials are periodically called in for In-service training where they are trained in Driving skills, Standard Operating Procedures, Speed pursuits, Fire-arm skills, compilation of documents, discipline and practical training.

7.3.8 Phasing out of the Traffic Department

It was ensured that the phasing out of Traffic Departments is accurate by taking the reporting lines into consideration when integrating the various single components from different amalgamating Law Enforcement agencies. Some positions were clustered to form a particular position. Financial incentives were used to lure and encourage Traffic Officers who were resisting, joining the Municipal Police Service, and salary adjustments were offered to some officials. This, however, caused animosity among officials, since some were advantaged and others disadvantaged. The other measure was to hold workshops to relay the message to those affected by the transformation of the organizations. Although it is claimed that the conversions had been successful, it is noted that the conversion process was hastily done and the pace of the conversion was detrimental to the process, and lacked publicity or media coverage. It is thus acknowledged that it was an overnight conversion for some municipalities.

7.3.9 The Municipal Police Service approach to Community Police and Coordination

It was found that no definite policing style was adopted by these municipalities, except for becoming involved in community policing forums, business forums and liaising with the South African Police Service on its existing structures. These structures are the Local Coordinating Committee, the Area Coordinating Committee, the Provincial Coordinating Committee and the National Coordinating Committee. However, the Cape Town Municipal Police developed a program that would patrol the schools situated in gangster areas; as well as the silent witness programme where the community would report crimes to the Municipal Police Service and their identities are not disclosed. Ekurhuleni Municipal Police Service used the Ward-based Community Policing and the Crime Prevention Forums established in collaboration with the South African Police Service, the South African National Defence Force, the Department of Correctional Services, the Department of Health Services and Non Governmental Organizations.

7.3.10 Civilian Oversight Committee and its composition

These Municipal Police Services used the portfolio committees, instead of the well-constituted civilian oversight committee. This is because there are no clear directives about the composition of this committee and how it should operate. Some believe that the committee should be political, while others believe that it should not be political. The suggestions are that representatives from the Department of Transport, a representative from the South African Police Service, members of the legally constituted community policing forums, members of the Commerce and Industry of South Africa, members of the Mayoral Committees of the City, members from Business Against Crime, members of the Areas Community Police Forum Board, representatives of the organised Labour like the Congress of South African Trade Unions (COSATU), representatives from the South African National Civic Organisations (SANCO) or rate payers representative and a nominee from the Police Science Faculty of a University should serve on this committee.

7.3.11 Sovereignty of a Municipal Police Service

To ensure that there is no political interference in the services of these Municipal Police Services, the Municipal Police Services should instruct their Municipal Police Officers to follow appropriate channels of reporting. The channels of reporting entail that a Municipal Police Service member will only report to his or her immediate supervisor. Councillors should also follow their route of reporting to Council whenever there are concerns that needs attention. A role clarification workshop was also conducted in Tshwane where the objectives and operations of a Municipal Police Service were clarified to Councillors. In this workshop it was clarified that the Tshwane Municipal Police Service is bound by the National Crime Prevention Strategy of the Country and thus should focus on crime prevention. Another aspect is that officials should adhere to the laws of the Country, which include the Constitution and the Standard Operating Procedures.

7.4 Recommendations on the procedure to establish a Municipal Police Service for Mangaung Municipality

Establishing a Municipal Police Service is analogous to building a house, where one will first do a plan that would shape the house and thereafter construct the foundation before building walls, passageways, the roof and the rest. The structure of the building is a chief determinant

of the movement and activities of the people within it. Buildings are supposed to have structures that fit the activities that go on within them, and are therefore designed and redesigned to accommodate the people within, as dictated by the philosophy of the purpose. The establishment of the Mangaung Municipal Police Service must be designed to fit the common purpose of serving the community through the delivery of efficient and effective traffic law enforcement and policing, policing of by-laws and crime prevention.

Resulting from the study, recommendations for establishing a Municipal Police Service for Mangaung are detailed below:

7.4.1 Laying the ground work

The most important aspect that is necessary to promote the smooth running of the establishment process, is the time allocated to plan the service properly.

7.4.1.1 Planning stage

The municipality must allocate sufficient time to plan the establishment process and the planning process should start before the establishment process. Adequate time should be allotted to identify the resources (human and financial) that can be dedicated to the establishment process. The planning period should be used to develop systems, policies, and procedures for the Municipal Police Service.

7.4.2 A model for establishing a Municipal Police Service for Mangaung Municipality

The diagram in Figure 7.1 depicts the model that the researcher has developed for establishing a Municipal Police Service for the Mangaung Municipality. The Route Model Diagram is made out of activities (lines) and nodes (green circles and yellow circles). The smaller node (red circle) represents the end of the route and represents a final deliverable, which is not a precursor for another activity. When a node is followed by an activity, it is tagged with a number and a letter. The number precedes the activity and represents the sequence in which it must occur. The letter represents the route to which it is linked.

7.4.2.1 Political will to establish a Municipal Police Service

The intention of the municipality should be clear that there is a political will or political drive to establish a Municipal Police Service. There should be a political will not in terms of party politics but in terms of the Council taking a resolution to establish a Municipal Police Service. Care should however be taken that the Mangaung Municipality does not establish this service, just because other municipalities had done so. Political will (Green Circle 1) entails that the municipality should have a complete motivation to establish a Municipal Police Service. The following are regarded as attributes or supportive factors to such determination and should indicate the go-ahead to proceed with the establishment process; crime statistics: social indicators; traffic related statistics (collisions); complaints from the public; resources to sustain service and finances. These factors are discussed in detail below:

(a) Crime Statistics

Crime statistics are critical to inform and support the will of the Council to establish or not to establish a Municipal Police Service. The crime statistics for the Southern Free Sate region in Table 2.3, the region under which Mangaung Municipality resorts, show the difference in crime trends from 1994 to 2002. This figure shows a general total decline from 1994 to 1997, but a gradual increase from 1998 to the year 2002. This reflects that crime is not stable in this region but is fluctuating; specifically social fabric crimes are increasing. The Mangaung crime analysis 2000/2001 percentage change, Table 2.7, demonstrates that Less Policeable crimes have increased by 45.24 per cent while More Police-able crimes amplified by 83.68 per cent. Crimes that are heavily dependent upon police actions, or crimes that are more controlled by way of police visibility, increased by 385.05 per cent, category B-crimes increased by 682.19 and category A-crimes by 63.99 per cent. These figures do not suggest a positive outcome for a municipality whose mission is to provide a safe and secure environment for its inhabitants.

(b) The policing needs from the community

The needs of the community might also be used as a yardstick to determine the practicality of establishing a Municipal Police Service. Apart from the general contributory factors that lead to crime in South Africa, Mangaung Municipality received various complaints from the community, including but not limited to; complaints related to use of alcohol in public, land

invasion complaints, complaints regarding security of citizens, and complaints associated with social factors. The above pertain specifically to the implementation of by-laws, which fall more prominently in the municipality's domain than in that of the South African Police Service. These complaints toward the municipality prompt the municipality to investigate a move that would act against by-laws and crime.

(c) Social indicators contributory factors to crime

Social indicators obtained from the clinics of Mangaung, (Table 2.3) illustrate that there is a prevalence of rape of women and children that is not reported to the South African Police Service but which is recognized by the nurses. This also shows an increase per year compared to the previous year. General contributing factors, like unemployment and poverty, are also used as benchmark by the Mangaung Municipality to inform it whether to establish a Municipal Police Service or not. According to the MLM-IDP (2002-2007:3), the unemployment rate in the Mangaung Municipality is estimated at 35 per cent and is rising in Thaba-Nchu to 48 per cent. Although the municipality's key responsibility is to build livelihood opportunities to reduce poverty and inequality, unemployment impacts negatively on the living standards of the inhabitants with a subsequent escalation of crime.

(d) Resource allocation

The Manguang Municipality has no influence on how the South African Police Service allocates its resources, but in this instance the resources were reviewed to determine whether there are sufficient resources for the entire area of Mangaung Municipality. It appears as if the resources are insufficient, since the South African Police Service stations cover other areas outside the jurisdiction of Mangaung Municipality. This further indicates that there should be a forum at which the municipality can influence the Department Safety and Security on the allocation of resources.

(e) Traffic matters

According to Ntlhanka (2003), traffic related complaints are mostly received for vehicles speeding during the evenings in the suburbs and holding drag races in the city center. These complaints are increasing since there has been an average of approximately 35 cases per month this year, while such complaints were much fewer the previous years. Mangaung

Traffic Officers work two shifts; the first shift commences at 06:00 to 14:00 and the second shift at 14:00 to 22:00, from Monday to Friday. On Saturdays they work three shifts of six hours each, starting from 06:00 to 12:00; 12:00 to 18:00 and from 18:00 to 00:00. During Sundays the shift starts at 08:00 to 14:00 and from 14:00 till 20:00 that evening. It is clear there are a cycle of eight hours from Monday to Saturdays and a cycle of ten hours between Sunday and Monday where there is no traffic law enforcement or where the streets of Mangaung are not patrolled or manned by a Traffic officer. In terms of the South African Police Service Amendment Act, (Act 83/1998) a Municipal Police Service should provide a 24-hour service, and the entire period would be covered.

7.4.2.2 Application format for the Municipal Police Service

All the abovementioned aspects should give the Council a clear indication of whether to establish a Municipal Police Service or not. Circle 2 (yellow circle) in Diagram 7.1 puts the Political Will into practice. This is the first move that the Council should make to establish a Municipal Police Service, and it is done in terms of the South African Police Service Amendment Act, (Act 83/1998); Section 64A(1) which stipulates that the Council or municipality must apply in the prescribed manner to the member of the Executive Council for the establishment of a Municipal Police Service for its area of jurisdiction. The application should be accompanied by a copy of the minutes of the meeting at which the Council resolved to establish a Municipal Police Service, a copy of a financial statement of the municipality and the proposed structure of the Municipal Police Service.

While the Municipality is waiting for approval from the member of the Executive Council responsible for Safety and Security, the Municipality should develop a communication plan and identify bargaining agents, (activity 4b and 4c on the diagram). The communication plan should be directed at communicating the intention to those who are to be affected internally and externally. This means that the Traffic Officers, security officers as well as the community, should know the prospect to avoid possible embarrassment on the day of establishment. These activities are marked 4b and 4c, because it will be duty of the Chief of Police to advance, initiate negotiations and implement a communication plan. These activities are ongoing and need to be sustained throughout the implementation and rollout process.

7.4.2.3 Appoint the Executive Head (Chief of Police)

The Green Circle, (circle 3 on Diagram 7.1) depicts the next step that is influenced by the decision of the Member of the Executive Council. Should the application be approved by the Member of the Executive Council, the municipality should, in terms of section 64(C) 1, appoint a member of the Municipal Police Service as an Executive Head, in lay-man's terms, the Chief of Police. The Chief of Police should be in a position to do duties as stipulated in paragraph 3.2.4.5 of Chapter 3 of this study. The developed communication plan and bargaining agents should be the key to the Chief of Police to advance the intention of the municipality. The Chief of Police should appoint the executive team, implement and monitor the communication plan, as indicated in the Green Circle in 4c; the function of implementation and monitoring should be done by disseminating proper information to those who are to be affected by the establishment process. Other relevant discussions should be continuous and should be evaluated and adjusted to fit the prevailing situation.

The bargaining agents or labor organizations like Congress of South African Trade Unions (COSATU) have always had a strong influence on, and played a significant role in police services. The Green Circle in 4b; indicates that the Chief of Police should initiate the negotiation process during establishment of a Mangaung Municipal Police Service process, and should continue to play an active role. The labor organizations should be involved as much as possible in each step of the establishment process of a Municipal Police Service for Mangaung. By consulting them during the planning process, is tantamount to an early engagement; by working cooperatively with them, one has the chance to mobilize staff to participate in the change process of converting the Traffic or Security Departments to a Municipal Police Service.

A strong relationship between management and the Trade unions (labor) can also facilitate the transition by, for instance early negotiation of a common collective agreement, and most contract obligations that may impede establishment can be eliminated. These may include; organizational structures, minimum staffing requirements, placement protocols, hours of

work, job descriptions or job specifications, salary parity and the rules of the process identified.

7.4.2.4 Appoint the Executive Team

The prospect of the Chief of Police would be to establish a Municipal Police Service for Mangaung Municipality and a single person cannot do this, hence a team should be appointed, as shown in Green Circle 4a. This team could be from inside the Mangaung Municipality's performance improvement section, or from expert consultants from outside the municipality. This team should be experts on work-study investigations and resource design in order to assist the Chief of Police on formulating the Municipal Police Service.

7.4.2.5 Development of principles for a Municipal Police Service

The Chief of Police and his or her Executive Team should (as in the Green Circle 5a, in Diagram 7.1), develop promotion and transfer policies, systems to compete for jobs, evaluation systems and deal with logistical financial implications of establishment in terms of infrastructure and equipment. The development of principles include inter alia; the development of a vision, mission and values of the Municipal Police Service. While the negotiations are in progress, the Chief of Police and Executive Team should develop an exit package as indicated in the Green Circle 5b. The exit package would cater for traffic members who do not wish to be part of the Municipal Police Service. This package should be considered with the utilization of these members in any other department within the municipality.

7.4.2.6 Development of a strategic plan for a Municipal Police Service

The Chief of Police, in conjunction with the Executive Team, should then develop a strategic plan or business plan as in the Green Circle 6a in terms of the section 64(C)1 of the South African Police Service Amendment Act, (Act 83/1998) which sets out the priorities and objectives of the Municipal Police Service. This plan should be done in cooperation with the South African Police Service in the region. The Green Circle numbered 6b, entails that once the collective agreement is reached, the Chief of Police and the Executive Team should develop a corporate identity, as in the Green Circle 6c, and consolidate human resources and finances as in the Green Circle 6d. The Chief of Police and the Executive Team should (as in

the Green Circle in 6e), develop promotion and transfer policies as well as the establishment of job evaluation systems. In the case of the Mangaung Municipality Traffic and Security divisions are consolidated to form one unit.

7.4.2.7 Establishment of levels for a Municipal Police Service

Circle 7a in Diagram 7.1 relates to the establishment of levels for a Municipal Police Service. In terms of the Green Circle 7b, The Chief of police or his/her Executive Team should implement and monitor the terms of the Condition of Service and develop Job-descriptions related to the Municipal Police Service. The Green Circle in 7c relate to the promotion of the developed corporate identity by branding all the necessary equipment and infrastructure in Green Circle 7d. The Executive Team should further develop systems to compete for jobs as depicted in the Green Circle 7e to control the filling of Municipal Police Service positions. This is essential to ensure that the person holding a position in the Municipal Police Service is well qualified and competent to perform the duty he or she is entrusted to do.

7.4.2.8 Consolidate the sections

The Green Circle in 8a refers to the consolidation of all related issues pertaining to the Traffic and Security Divisions of the Mangaung Municipality. Occupational Health and Safety issues as well as hours of work (as in the Green Circle 8b) for the Security and Traffic Officials are consolidated to form uniform Occupational Health and Safety systems and minimum hours of work. This includes consolidation of equipment (Green Circle 8d) like telephones, radios and computers. This can only be done once an audit was conducted to ensure that all equipment is handed in and to ascertain which of those are still in working condition.

7.4.2.9 Identify staffing levels

Green Circle 9a informs the identification of staffing levels in terms of standards and practices, as well as policies and procedures under which the Municipal Police Service members should operate (as in Circle 9f). Policies and practices, usually known as standard working procedures, should form part of the training plan as in the Green Circle 9d that would finalize the process of establishment. The training plan for Mangaung Municipality would be structured in such a way that 39 Traffic Officers are scheduled to attend a conversion or bridging course that has already been developed and contained in the National Standards for

Municipal Police Services in the Government Gazette No. 20142 of 11 June 1999. The other 17 traffic officers that do not qualify should be capacitated to improve their education. The member of the Executive Council can also be approached by applying for exemption for these officials to qualify as members of Municipal Police Service. While they improve their qualifications they should focus on traffic duties only. The Green Circle 10f, ensures that the training is introduced to Municipal Police Officers and while the training is in progress, allocation of offices should be done and evenly distributed. There is an indirect link between health and safety and job description, hence the dotted lines on the diagram.

7.4.2.10 Launching of a Municipal Police Service

The municipality should launch this service, only when the minimum number of the Municipal Police Officials has been trained and the resources are sufficient (Green Circle 10a). This will assist in avoiding to launch a name, rather than a service. Further research is necessary in respect of the Mangaung Municipality to determine the minimum number of Municipal Police Service members to qualify for the launching process. This will also be dictated by the availability of sufficient funding. It is important that all sections in the Traffic Department are consolidated (Green Circle 8a) and the message should be clear that they serve the community as Municipal Police Officials and not as Traffic Officers. This activity would lead to a launching node; that is the Red Small Circle in the end of the diagram.

It is important that all functions of a Municipal Police Service namely, traffic services, by-law services and crime prevention should be covered from the day of launching this service. Even after launching a Municipal Police Service, the training of Municipal Police Officers should be continuous; and amongst other things, the mapped-out process is not strictly linear, as monitoring and evaluation form an integral part of each activity and node. Some concessions would be necessary whenever the practicality dictates such.

7.5 Recruitment and training of Municipal Police Service members

In order to achieve the desired level of leadership and management, skills and expertise and access to reliable information is necessary. Training needs for the Municipal Police Service are not only for functional training in traffic, by-law and crime prevention, but also for leadership and management.

7.5.1 Recruitment of Municipal Police Service members

Strong leadership is an essential component of a successful establishment process of an organization. Choosing or appointing a leader is a difficult decision and therefore it is important that the Mangaung Municipality match the skills of the leader (the Executive Head of Municipal Police Service) to the needs of the organization, and the expectations of both the community and the to-be established Municipal Police Service. The Executive Head should be in office before the establishment process and the municipality should appoint a person with vision and the ability to meet the challenges. Most qualified candidates within the Traffic and Security Division should be identified and their skills matched accordingly. Once the leader has been appointed, he or she must be given the flexibility to appoint the team, which will support his/her vision, and to help establish a Municipal Police Service for Mangaung Municipality. This team (the Executive Team) should also be in place before the establishment of a Municipal Police Service and should be empowered to plan and have the skill and ability to do so.

The period of grace or window period contained in section 64(1)(Q) expired on 1 October 2003, meaning that the Mangaung Municipality will not enjoy the opportunity, but the act is silent on what should be the procedure after the expiry period. The act stipulates the primary requirement to qualify for appointment as Municipal Police Officer is to be registered as a traffic officer in terms of the Road Traffic Act, (Act 29/1989). The Mangaung Municipality therefore have the opportunity to convert 64 Traffic Officer's positions from the Traffic Department to Municipal Policing. To augment the current manpower, the municipality has the power to identify within its structures, security officers, law enforcement officers and wardens who have the basic requirements to be trained as Municipal Police Service members and on completion of the training be appointed as Municipal Police Officers. The basic requirements that must be used to validate and meet the criteria for recruitment for Municipal Police Officers should include a driving licence, matric or Grade 12 education and no criminal record. These requirements should be similar to those specified by the enabling Act, the South African Police Service Amendment Act, (Act 83/1998), and the Government Gazette No. 20142 of 11 June 1999.

7.5.2 Training of Municipal Police Officers

At the Mangaung Municipality, it would be expected that 30 of the 64 Traffic Officers undergo training at an institution accredited by the South African Police Service, as per Government Gazette 20142 of 11 June 1999. The conventional training that must be taken by traffic officers includes Law subjects, which involve Ethics or Ethical Police and Personal Ethics, Prevention of Police Corruption and Brutality. Filing of departmental forms, Community Policing, Domestic violence, Human rights, Problem solving, Criminal Law; Law of Evidence as well as Criminal Procedure are included on this curriculum. On addition to this, modules on certain seizures and methods of searching, attendance of accused in Courts, Common Law Crimes, Crimes against the person, Crime against the property and Statutory offences are taken by Traffic Officers that convert to Municipal Police Service members. Security officials augmenting the municipal police officers numbers for the Mangaung Municipality will also be categorized as new recruits, and therefore they will undergo formal training as prescribed by the National Commissioner of the South African Police Service. This training will be outlined in detail later in the section dealing with training undertaken by Municipal Police Officers. In addition to these training courses, driving proficiency tests and shooting proficiency tests should be done.

The current in-house training facility at the Mangaung Municipality is nationally accredited to train Traffic Officers and Law Enforcement Officers. The conditions for eligibility to be a member of a Municipal Police Service are set out in the regulations published in terms of the South African Police Service Act (Act 68/1995). The current Traffic Officers that qualify must be trained during four weeks of contact session training which would be on a part -time basis. Those who do not qualify should be accorded a grace period of three years to acquire the required standards, and new recruits and qualifying Security Officials wishing to be Municipal Police Officers should be phased in after the initials training of Traffic Officers.

7.6 Problems with conversion

In order to avoid problems in relation to the conversion process from a Traffic Department to a Municipal Police Service, the following issues require significant consideration.

7.6.1 Placement Policy in place

The absence of the formal placement policy to merge or amalgamate different departments caused conflict and hatred among members to be amalgamated. The Mangaung Municipality amalgamated with both Botshabelo and Thaba-Nchu in 2000 and according to Nkolanyane (2003), the placement policy was completed during 2002, but the placement policy must be done to place Traffic Officers as well as Security Officers who have expressed desire to join a Municipal Police Service. The Work-Study division of the municipality in conjunction with Labour or Trade Union must agree on the implementation of the program before the placement process begins.

7.6.2 The different composition of the different organisations

The structure of the Municipal Police Service should be developed and finalised by the executive team before the establishment of the Municipal Police Service. This structure should reflect the basic scenario, which reveals the minimum pro-active and re-active requirements, and the ideal scenario for service delivery. If the executive team is incapable, or the necessary expertise cannot be found internally to develop such a structure, professional services should be sought outside the organisation. Consultants should be brought in to train or act as advisors to the team.

7.6.3 The Conditions of Service

The Mangaung Municipality had adopted the Basic Conditions of Service concurrently with the finalization of the placement policy, but that was only relevant to the traffic profession. The basic conditions of service incorporating the conduct of Municipal Police members should therefore be developed before the establishment process can commence. The participation and involvement of the labour organisations are imperative to realize collective agreement before the implementation.

7.6.4 Resisting officials

According to Figure 2.2, Mangaung Traffic Department has 56 Traffic Officers and only 39 already qualify to be employed as Municipal Police Officers for the Mangaung Municipality; and among this number there will be those resisting conversion and those who do not qualify by failing the course, hence measures should be in place that would accommodate them. It

would be rational if they are placed or redeployed within other departments in the Municipality of Mangaung. Resistance to this change may be overcome by communication and consultation with the persons who are to be affected by the process. The executive team should consult with the persons to be affected as early as possible, and communicate and provide a rationale for decision in a clear and simple manner, detailing the significance of establishing a Municipal Police Service and how it is going to affect them. Communication and consultation should be done regularly before the establishment process and the team should avoid communicating conflicting information. Once again the cooperation of Labour Unions is essential to alleviate possible problems and also to assist in delivering the messages and attending to needs and fears of its members who are to be affected.

7.6.5 Period of training

It is mandatory that the recruit Municipal Police Officers should first complete a curriculum for Traffic Officers as set by the Department of Transport in order to qualify as Traffic Officers first. The current duration of Traffic Officers' training is six months and that of Municipal Police Officers training, also six months. In the six months period for Municipal Police Officers, both the Traffic Officers' curriculum and Municipal Police Officers curriculum as set by the National Commissioner should be covered. This implies that two sets of courses are done within a six months period; the period which was only allocated to the training of Traffic Officers course. No additional time was added to accommodate the training of Municipal Officers. In order to rectify this problem, the training should be scheduled to take six months for traffic training course and an additional three months Municipal Police training course as set by the National Commissioner. A further three months practical training should be conducted under the supervision of a field training officer having experience in police work. Traffic Officer's, who are converting from the traffic profession to Municipal Police Service Officers, should undergo a theoretical conversion course of four weeks with a further three months practical field training under the supervision of a field training officer having experience in police work.

7.6.6 Core curriculum

The Municipal Police Officers are not practically trained to perform Municipal Police Service. Practical training is an essential aspect of producing a professional service and it

should be mandatory to all Municipal Police Officers. Prolonging the period of training from six months to nine makes provision for practical training and other training to be included. Field training officers should be used to conduct practical Municipal Police training to new recruits within the last three months of the training, or alternatively new recruits should accompany qualified Municipal Police Officers on practical situations to learn. It is indispensable that new recruits learn real applications of practical Municipal Police Service work; hence extreme care should be taken to select well mannered, seasoned Municipal Police Officers to do this function. The curriculum should include all practical training necessary to mould and inform Municipal Police Service officials about the important practical part of policing. This will alleviate confusion, and promote confident Municipal Police Officers while performing their duties.

7.7 The change in working procedure

The Mangaung Municipality comprises of a Traffic Department as well as a Security Department. It will therefore be expected to prepare a job specification that would include the three functions contained in the South African Police Service Amendment Act, (Act 83/ 1998). Multi-skilled Municipal Police Service members should be appointed, since it is not possible to treat the three statutory functions of the Municipal Police Service as separate functions that exist in separate entities. These functions; namely traffic policing, by-laws and crime prevention should form the core of the functions of the Municipal Police Service Officers for the Mangaung Municipality and they should not be separated. The shift system that would be applicable for operation would be 3 shifts that would be working 8 hours per day; from 06:00 to 14:00; from 14:00 to 22:00 and from 22:00 to 06:00. There would have to be either four or five shifts to allow rotation and so there will always be one shift on recess. Members should be clustered so that each shift has the same number of members and more members should be allocated to those shifts that deal with peak periods for traffic enforcement and/or crime prevention.

The shift from 22:00 to 06:00 should, for instance, have fewer personnel than the shift from 14:00 to 22:00. The operational force should be a common pool amongst the regions and areas (Botshabelo-Thaba Nchu and Bloemfontein), with sufficient physical planning mobility and flexibility that the shifts will be allocated to those geographical areas where the services

are required at particular times of the day, week or month. Given the constraints on funding and the resulting constraint on personnel, it will always be necessary for individual members and the Municipal Police Service as a whole to be flexible and mobile. That is, members must expect to work flexible shifts and to move to where the problems are at different times of the day or days of the week or month.

7.8 Structuring a Municipal Police Service

The Mangaung Municipal Police Service should operate in three regions with each regional commander accountable to the Head, as they are responsible for activities in their regions. The Bloemfontein region should be split into two areas because its geographical layout, to provide equivalent levels of service across the region. Each area should be serviced by an area Commander, supported by Supervisors and each area should have four shifts of Constables, Law Enforcement Officers, Traffic Wardens and Traffic Guards who should resort to these Area Commanders. The other two regions should not be split, but an Area Commander supported by Supervisors and four shift Constables should service each area.

The structure that would therefore be sensible for the Mangaung Police Service should comprise of six levels, with the Chief of Police as the Executive Head. This will be followed by the Deputy Chief and the three positions of the Regional Commanders for the Bloemfontein, Botshabelo and Thaba Nchu regions. Three Area Commanders should supplement the Regional Commander, followed by the Area Supervisors and lastly there would be the Municipal Police Service members. Recruit officers, Law Enforcement Officers or Traffic Wardens and Traffic Guards shall supplement this structure.

7.9 The main focus during the establishment of a Municipal Police Service

The Municipal Police Executive Team should have a clear vision that should be formalized into specific goals and objectives to sustain the intention of the establishment process.

7.9.1 Re-enforcing the existing policing structures

The Mangaung Municipality should transform the Traffic Departments and Security Departments to form a Municipal Police Service although these departments have in a way, already been performing crime prevention functions during their respective delivery of

services. The focus in establishing a Municipal Police Service for the Mangaung Municipality should be to establish a Municipal Police Service that would supplement the South African Police Service in countering crime in Mangaung. This should be done by first converting from a Traffic Department and further developing the Security Department to reinforce the established Municipal Police Service. The second phase should be to attain the establishment of a Municipal Police Service for Mangauang Municipality by employing recruits from outside the municipality to reach the ideal structure for a Police Service.

7.9.2 Crime prevention

The Mangaung Municipal Police Service will have to adopt a problem-solving approach to policing and crime reduction and prevention that will require that the South African Police Service and other Local Government Departments such as the Parks, Sports, Water, Electricity, Roads and Social Development agencies, combine forces in identifying problems which affect crime and public safety and jointly develop solutions. The crime prevention strategy for this service should be done in conjunction with the Provincial Commissioner on an annual basis. This should be incorporated in a City Safety Strategy document, which should be developed by the Executive Team, in conjunction with the community. The service of consultants may be engaged to develop a City Safety Strategy if the Executive Team is incapable to develop one.

7.10 Continuation of service delivery during the establishment process

The maintenance of service delivery during and after the establishment of a Municipal Police Service is vital to produce a consistent, professional service.

7.10.1 Existing resources in place

In order not to interfere with the existing resources in terms of traffic policing, training will have to be done on a contact class, part time basis for Traffic Officers converting to Municipal Police Service officers during the conversion process. It would be retrogressive to deliver three functions of Municipal Policing in isolation; therefore members of the service should be multi-skilled in all modes of service delivery and be trained to use all service resources.

7.10.2 Existing commanding structure in place

Targets should be developed, taking into account the existing manpower and these may become more ambitious as more resources are made available. The allocation of manpower to shifts should be done on a basis of clustering more officers during peak hour period to ensure consistency in the delivering of service.

7.11 Financial implications of establishing a Municipal Police Service

For the municipality to establish a Municipal Police Service; there should be sound fiscal resources to maintain and sustain such a service.

7.11.1 Financial authorization to establish a Municipal Police Service

Mangaung Municipality has a budget for both Traffic and Security Departments which can be used as a basis for establishing a Municipal Police Service, but extra funds will be needed to employ more personnel and to purchase the necessary resources. Further investigation into this matter is imperative.

7.11.2 Actual outlay incurred during the process of establishment

The operational framework and guiding principles within the Municipal Police Service to operate at an ideal or full force level would have to be identified. It is recognised that it may not be financially or practically viable to attain the ideal situation at the beginning of the operation of the Municipal Police Service. An incremental strategy would therefore have to be developed and a more detailed investigation done to quantify the amount needed to establish a viable Municipal Police Service.

7.12 Sustainability of a policing model

The Municipal Police organisation should have a method of sustaining the policing model it adopted to improve safety of the citizens.

7.12.1 The process of crime prevention

A crime prevention model should be maintained and sustained to ensure a continued and persistent approach to crime. The function of crime prevention should be done in collaboration with the members of the South African Police Service at the various station

levels and even the planning process of crime prevention activities should also rely on co-operation with the South African Police Service. Although the Act segregates the function of investigating criminal cases, the municipality should form an investigative section or unit that would investigate internal cases of the municipality. This unit should conduct crime prevention in the streets, by using various selective crime prevention methods, including the use of non-uniformed members to observe any crime activity within the crowds and then report such to uniform wearing members. Planning with the South African Police Service will be essential to contain crime activities and units from the various shifts should be deployed in such a way that a unit focuses on crime prevention, specifically petty crimes. At regional level there should be a unit specializing in crime prevention, working with the South African Police Service.

7.12.2 Factors that hamper effective crime prevention

It is suggested that an independent investigation be conducted to study the feasibility of establishing a Municipal Police Service in relation to the financial viability to purchase sufficient resources and the financial sustainability of such service. To ensure that Municipal Police Officers are properly trained theoretically and practically; the period of training should be increased to nine months to cater for the contents of the curriculum set by the Commissioner and a further three months to allow practical training with Field Training Officers.

7.13 Training undertaken by members of a Municipal Police Service

The National Commissioner of South African Police Service prescribes the training of Municipal Police Officers.

7.13.1 Conversion course

The training presented to traffic officers to qualify for a Municipal Police Service is known as a Conversion course or a Bridging course. The Conversion course or Bridging course should be conducted with the directives and the guidelines contained in the South African Police Service Amendment Act, (Act 83/1998). This course is predetermined by the South African Police Service Amendment Act, (Act 83/1998) and comprise primarily of Law subjects that includes Ethics or Ethical Police and Personal Ethics, Prevention of Police Corruption and

Brutality. Filing of departmental forms, Community Policing, Domestic violence, Human rights, Problem solving, Criminal Law; Law of Evidence as well as Criminal Procedure are also included in this curriculum. On addition to this, modules on certain seizures and methods of searching, attendance of accused in Courts, Common Law crimes, crimes against the person, crime against the property and Statutory offences are taken by Traffic Officers that convert to be Municipal Police Service members.

The recruited Security Officers, who may increase the Municipal Police Officers numbers, should undergo a full training course that includes the curriculum of the Traffic Officers. It must be mandatory that new recruits first complete the curriculum set by the National Department of Transport where-after would do the curriculum set by the National Commissioner. This should be done within a period of nine months and further three months practical training. The in-house training facility in Bloemfontein is accredited to train Traffic Officers and has facilities that are already South African Police Service compliant to conduct this course. The conversion course will be conducted on a contact class basis to Traffic Officials but the South African Police Service training unit will conduct and administer the examination. It is however necessary that the training facility be upgraded for Municipal Police Service accreditation. It is further recommended that a feasibility study be conducted on this subject.

7.13.2 Training related to Standard Operating Procedures

After the completion of the training course, the officials should be drawn back to training to be trained in the operational or standing orders that include the manner of driving Council vehicles, training for speed pursuit and fire arm skills, to ascertain whether a person can operate under stressful conditions and to test the mind-set of the people who apply for the job. These also include discipline, code of conduct, and compilation of documents, which involves the filing of sections 56 and 341 citations; reporting an accident and how to compile a record and how to write a docket. Recruits should be trained in practical service through the directives of the South African Police Service and qualified field-training officers. This training should form part of the proposed additional six months for training in practical police work and the curriculum set for Municipal Police Officers by the Commissioner of the South

African Police Service. It is also suggested that a Municipal Police Service member attend a refresher course at least twice a year.

7.14 Phasing out the Traffic Departments

The phasing out of the Traffic Department is not a straightforward process and therefore the Mangaung Municipality should guard against demoralizing those who are going to be affected by the process.

7.14.1 Placement of Traffic Officers

The process of establishing a Municipal Police Service for Mangaung Municipality would entail the conversion of the Traffic Department. The members of the Traffic Departments should therefore be placed into the structures of the municipal police by the executive team in conjunction with the Trade Unions, in accordance with the reporting lines. This means that consideration of which a person reported to in the previous structure should be used to direct and guide who the new immediate supervisor would be. The designations of Superintendent and Senior Superintendent should be clustered as one position with different levels. Financial incentives should be used to lure the Traffic Officials to join the Municipal Police Service, by increasing or adjusting their salary scales to cater for the extra function of crime prevention. The other important strategy to phase out the Traffic Department is to communicate the message transparently and democratically to all who are to be involved in the transformation of the Departments of Traffic and Security. This should be done through workshops and consultants should advise the executive team on how to consult and communicate the process.

The placement of Traffic Officers who qualify should be done as soon as the examination has been passed. This would allow those that do not qualify to continue with the delivery of traffic service until they qualify. This will be a basic service level requirement and it should be continuously improved to incorporate the newly recruited officers and the Security personnel. The service delivery targets and time frames must be determined at the outset of the implementation project and should be coordinated with the financial resources available. Traffic Officers that do not qualify or chose not be part of the Municipal Police Service, would have to be redeployed to other departments after a certain period of time.

7.14.2 Challenges that confront the placement procedure

Consultation and communication with trade unions and those who are to be affected are essential to compel or impose early negotiations and agreements regarding the placement of officials within the Municipal Police Service. Consultation with the persons to be affected by the placement is necessary to augment the already Organisational Rights and Collective Agreement between the Mangaung Municipality and Trade Organisations operating in the municipality.

7.14.3 Successful conversion from the Traffic Department to Municipal Police Service

There is a perception that much of the problem of the low morale identified in the Integrated Development Plan of Mangaung Municipality stems from the absence of a career path for Traffic and Security Officers in the current organisation. The Municipal Police Service may therefore be perceived as providing wider range of skills and of promotion options. The Council should ensure that employees' expectations are not unrealistic, but if a Municipal Police Service is created, it must incorporate a career path for its members and therefore the Traffic Officers that qualify have the opportunity to first convert to the Municipal Police Service, while those that do not qualify could place their focus on the traffic functions. This will allow the gradual conversion of the Traffic Department over an extended period and also allow the Municipal Police Service to develop gradually to an acceptable standard. The process of establishing a Municipal Police Service for Mangaung should receive media coverage from the onset when the Council decides as such, and the community should be continuously briefed on the progress.

7.15 Municipal Police Service approach to policing and coordination

The manner of practising Community Policing and coordinating the activities of the Municipal Police Service should be done with the collaboration of other Law Enforcement agencies.

7.15.1 Partnership policing

A problem- and client-focused service delivery: The service delivery plan must be both pro-active (identifying and solving problems) and reactive (responding quickly and effectively to complaints and calls for assistance).

Problems, which affect the community, will usually require a multi-disciplinary approach to the solving of these problems, which may extend beyond the policing function and involve a broader community and municipal solution. It will also require the Municipal Police Service to be pro-active, rather than purely reactive. The ability of the Municipal Police Service to be both pro-active and reactive will depend on the available resources. It is crucial to be realistic about the extent to which the Municipal Police Service can deal with both problems solving and responding to complaints. The ability of the Municipal Police Service to be pro-active and to effectively use a problem solving approach to policing will also depend on the ability of the police members to think strategically. This applies to members at all levels, and not only to commanders. Training members at all levels to think strategically will be one of the most important challenges for the Municipal Police Service.

The service delivery method should be both pro-active and re-active and solving problems that affect the community should be approached multi-disciplinarily, and should extend beyond the policing function and therefore involve the broader views of the community, as well as those of the municipality. Solutions that deal with the factors which underlie policing and public safety problems and which meet the expectations of the community should be developed in conjunction with the community. Furthermore, an effective information collection and analysis strategy will have to be developed.

7.15.2 Coordination

In order to harmonize and coordinate the Municipal Police Service activities with other law enforcement agencies, the former should participate on all committees established in terms of the South African Police Service Act (Act 68/1995). These committees include the Local Coordinating Committee, the Area Coordinating Committee and the Provincial Coordinating Committee. It is also mandatory for the Regional Commander or the Manager at Regional Police Level to be a member of the Community Police Forum of the region. The crime prevention forums should be created where the South African Police Service, the South African National Defence Force, the Correctional Services, the Department of Health and the Non Governmental Organizations take part. The Chief of Police should work together with the Provincial Commissioner to draw a Crime Prevention strategy as per the directives of the South African Police Service Objectives.

The present Traffic and Security Officials serving on these committees in the Mangaung Municipality should be retained and extended to do this service in their capacity as Municipal Police Service members. It is also essential that the Chief of the Municipal Police Service for Mangaung Municipality serve on the Provincial Policing Coordinating Committee established under Section 64K(1) of the South African Police Service Amendment Act, (Act 83 of 1998). Furthermore, to ensure cooperation and service overlap, it should be mandatory that the Chief of Police of the Mangaung Municipality develop an annual plan relating to crime prevention and policing, in consultation with the Provincial Commissioner of the South African Police Service.

7.15.3 Civilian Oversight Committee and its composition

The South African Police Service Amendment Act (Act 83/1998) does not provide specific detail about what the function of the Civilian Oversight Committee should be. However, the researcher's opinion is that civilian oversight is essential to monitor the activities of the municipal police service and to provide advice to the municipality accordingly. It should therefore comprise of an academic person with legal background from one of the Universities in Mangaung, two Councillors, a member from the Provincial Safety and Liaison committee, a representative of the Chamber of Business in Mangaung as well as a representative from the Department of Transport. These persons nominated should advise the service and report to Council on the progress of the service. To avoid bias it would be proper that no member of Council of Mangaung serving on this committee should occupy a chairperson's position.

7.16 Sovereignty of a Municipal Police Service

It is expected that the Municipal Police Service should be independent from any political influence and not biased, therefore the Mangaung Municipal Police Service will adhere to the recognized channels of reporting and the laws of the Country.

7.16.1 Channels of reporting

The meaningful approach available for the proposed Mangaung Municipal Police Service to this problem is to ensure that appropriate channels of reporting are enforced on Councillors. A role clarification workshop for Councillors in respect to the Police Service should be conducted and an agreement entered with the portfolio committee in respect of channels of

reporting. It must emphasize in this workshop that the Municipal Police Service is established in terms of the South African Police Service Act, (Act 68/1995) and the National Crime Prevention Strategy of the Country. The Municipal Police Service is therefore bound by these policies to operate in terms of these documents and its main objective is crime prevention. The Councillors must therefore work through the Municipal Manager when registering a concern related to crime and the latter should cascade the information to the Chief of Municipal Police Service. The Chief of Police must report directly to the Municipal Manager and not to the Portfolio Committee of Public Safety. It is essential that protocol should be maintained that stipulate that any enquiry or necessary delivery of service lacking should be reported to the Municipal Manager via the office of the Mayor. The present format of submission of projects or programs and development priorities of the municipality that is entertained trough Ward Projects to Council should be maintained.

7.16.2 Adherence to the laws of the Country

To ensure political independence for Mangaung Municipal Police Service; members of the Municipal Police Officers should know that they are governed by the Constitution, rules and regulations of the country. The members should follow the protocol and should know which and from whom instructions should be honored. The Councillors should use the ward systems to present their concerns via the office of the Mayor and should sign a protocol agreement not to interfere with the activities of the Municipal Police Service. The laws of the Country are supreme to the law enforcement agencies hence they should be followed and a comprehensive Standing Operating Procedure (SOP) must be agreed upon by Trade Unions and the Municipality. Councillors should be involved in preparing and drafting the Standard Operating Procedures for the Municipal Police Service members.

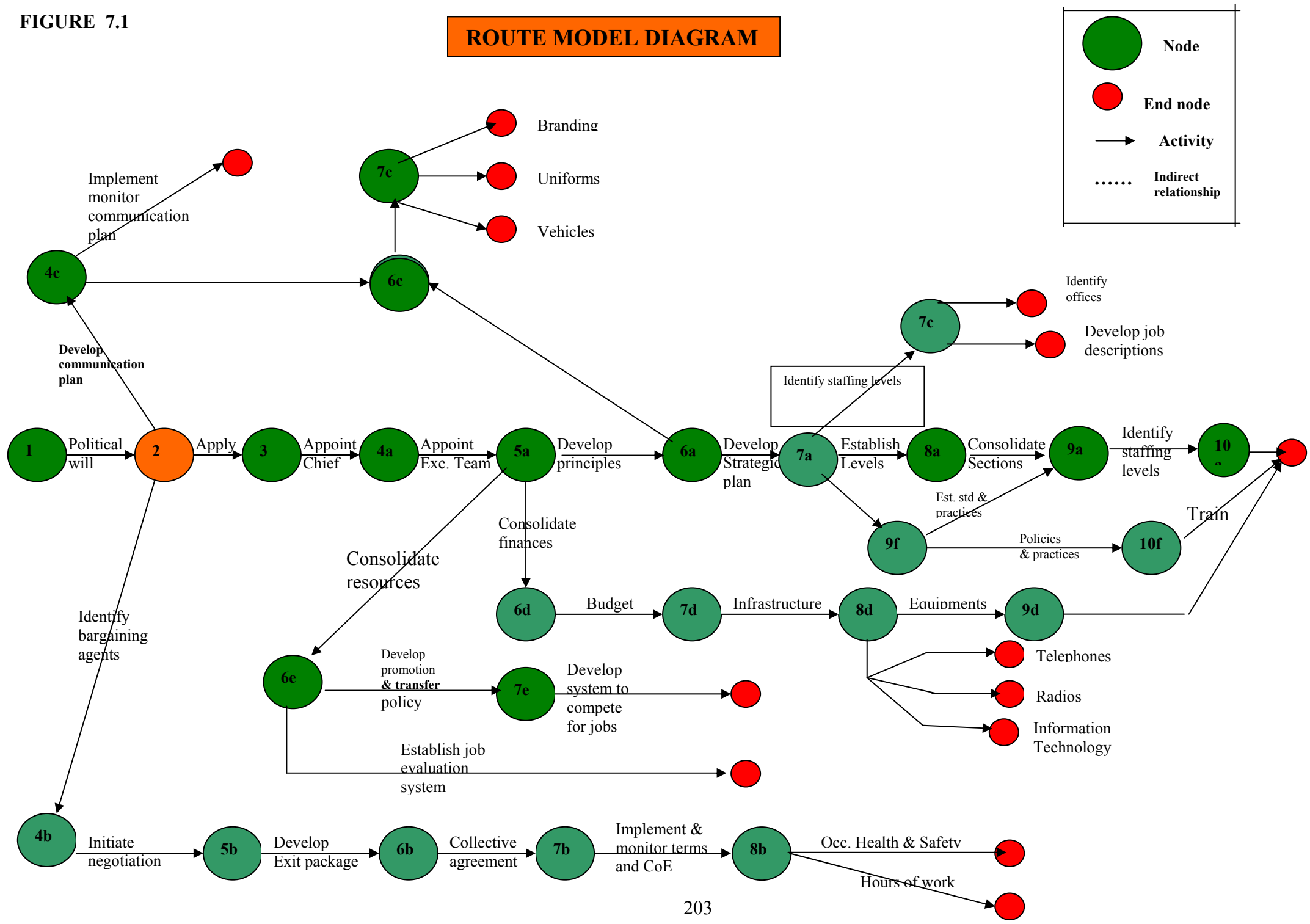
8. Conclusion

A summary of Chapter 1 to Chapter 6 is done on this chapter and the conclusions are derived from the interviews which were conducted to fifteen participants of the five municipalities that have already established a Municipal Police Service in terms of the South African Police Service Amendment Act, (Act 83/1998). The recommendations proposed for the establishment of a Municipal Police Service for Mangaung Municipality are detailed, starting with the route model to be followed to establish a Municipal Police Service. This is followed

with the discrepancies and similarities identified during the interview process that should be regarded as model to establish a Municipal Police Service for Mangaung Municipality. However, further investigation is proposed to determine the actual costs of establishing a Municipal Police Service for Mangaung Municipality.

FIGURE 7.1

ROUTE MODEL DIAGRAM



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