

AN exploration of police brutality at the Johannesburg Central Police Station

by

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DECLARATION

Declaration of authenticity

I declare that the title **AN EXPLORATION OF POLICE BRUTALITY AT THE JOHANNESBURG CENTRAL POLICE STATION** is my own work and that all the sources that I have used or quoted have been indicated and acknowledged by means of complete references.



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LIST OF ABBREVIATIONS

APA	-	American Psychological Association
APOVF	-	African Police Oversight Forum
BPS	-	Botswana Police Service
CBD	-	Central Business District
CCTV	-	Closed Circuit Television
CoJ	-	City of Johannesburg
DHA	-	Department of Home Affairs
DoJ	-	Department of Justice
ICD	-	Independent Complaints Directorate
IPID	-	Independent Police Investigative Directorate
JMPD	-	Johannesburg Metropolitan Police Department
LAPD	-	Los Angeles Police Department
LECC	-	Law Enforcement Conduct Commission
MPS	-	Municipal Police Service
MS	-	Microsoft Word
PERF	-	Police Executive Research Forum
SABC	-	South African Broadcasting Corporation
SAPS	-	South African Police Service
SAPF	-	South African Police Force
SAP	-	South African Police
SSA	-	State Security Agency

USA - United States of America
UN - United Nations
US - United States

KEY WORDS

Police

Brutality

Perpetrator

Crime

Arrest

Intimidation

Corruption

Assault

Violence

Harassment

Murder

Custody

ABSTRACT

The primary goal for this study was to explore the various causes of police brutality in Johannesburg Central Police Station and investigate the different factors that contribute to police brutality in the City of Johannesburg (CoJ). The exploration involved determining the nature and extent of the problem of police brutality, identification of factors that contribute to police brutality, investigate measures that can be taken to prevent police brutality, identification of best practice from the literature consulted and make recommendations based on the findings for the best practices that can be used to prevent police brutality.

South African Police Service (SAPS) conducted interviews on the problem of police brutality from middle managers within the Johannesburg central police station. Literature was conducted to acquire more knowledge regarding the topic under investigation, which was police brutality in Johannesburg Central Police Station. The following objectives were fulfilled:

- It was discovered that the nature and extent of police brutality is a global problem, and this is because resources and implementation of legislations in policing is not consistent per country to communities,
- It was identified that factors that contribute to police brutality are man-made and required interventions through transformation from human character concurrently with the implementation of the resources and implementation of legislation,
- It was established that measures that can be taken to prevent police brutality must be based on lessons learned, remedial action, consultations with the community and South African Police Service (SAPS),
- It was revealed that there are best practices to prevent police brutality from literature consulted and redress must be conducted with consideration of geographical of policing within SAPS. These requires that peer organisations must perform their duties well to avoid the issues to escalate into policing issues within the community policing precinct,

- It was also revealed that SAPS needs to invest in innovative technological resources to prevent police brutality.

This study contributes to the knowledge base regarding police brutality within Johannesburg Central Police Station.

DECLARATION OF CONFIRMATION OF LANGUAGE EDITING

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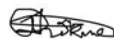
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TO WHOM IT MAY CONCERN

This certificate serves to confirm that I have edited TB Moyana's dissertation entitled, "AN EXPLORATION OF POLICE BRUTALITY AT THE JOHANNESBURG CENTRAL POLICE STATION".

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CHAPTER ONE

GENERAL ORIENTATION

1.1 INTRODUCTION

Police brutality is a widespread phenomenon of various policing areas in the South African Police Service (SAPS) stations around the country and a key concern in contemporary societies across the globe. However, one of the inherent characteristics of police work across the world is the use of force (Amnesty International, 2015); which makes the use of force and police brutality a well-known occupational hazard. In this study, police brutality refers to actions by the police, which generally range from assaults, death of people because of excessive use of force, harassment by police officers among several other factors. In addition, Thompson and Lee (2004:123) believe that the two main forms of brutality used by the police include physical assaults and non-physical brutality that entail the use of abusive language.

There is a growing concern in the South African community at large that the matters related to police brutality are not given the necessary attention and are not intensively addressed as they should. This study aimed to explore the various causes of police brutality in the Johannesburg Central Police Station precinct, and to investigate the different factors which have contributed to the issue of police brutality thereof. This chapter deals with the general orientation of the dissertation. The outline consists of the background to the problem of police brutality, the problem statement, which the researcher used to formulate the main research questions, aims and objectives for this study. Key theoretical concepts of the study and the importance of the study are clarified in this chapter. An overview of the chapters that are used in this study presented for better understanding of the study.

1.2 BACKGROUND TO THE STUDY

In South Africa, the South African Police Force (SAPF), now the SAPS had a history of brutality and excessive use of force to suppress any uprising against the

oppressive apartheid government (Wisler & Onwudiwe, 2008: 21; Burger, 2011:46). It was also evident that the SAPF was discriminatory by nature in executing their policing mandate in the old South Africa. Many black communities feared the SAPF. There are also more issues related to police brutality which are perceived to have race-related issues. Owing to the nature of the history of South Africa, the experience of citizens has been that of being targeted by the police and brutalised during policing or any form of gatherings considered illegal by the SAPF. History informs us that “excessive police force has disproportionately impacted black lives” (Carter, 2017:532). Furthermore, it is also vital that to appropriately understand police violence, movements addressing it in policing today, a view through the racial lens must not be excluded (Carter, 2017:523).

With the advent of democracy, the Constitution of the Republic of South Africa, Act 108 of 1996 mandates the police to maintain public order, prevent crime, protect and safeguard the citizens of the country and enforce the law (South Africa, 1996). There is also SAPS legislation which helps with the identification of the foundation of the structures and regulations of SAPS. SAPS is governed by SAPS Act 68 of 1995 (South Africa, 1995) and also the Regulations of Gatherings Act 205 of 1993 (South Africa, 1993). These Acts provide SAPS with legislative guidelines on how to execute their duties and exercise their powers within the organisation and when faced with the public at large during policing. Furthermore, the police are granted powers to use legal force, protect citizen’s constitutional rights and treat them in a respectful way within the ambit of the law. It is in the execution of their duties that the police are accused of abusing their powers when using unlawful violence during arrests, investigations and in detention.

The powers, duties and functions of SAPS are outlined in chapter 5 of SAPS Act 68 of 1995 (South Africa, 1995), the Regulations of Gatherings Act 205 of 1993 ((South Africa, 1993).) and other various legislative measures regulations and monitoring institutions that regulate how the police execute their duties and that also limits their rights to ensure professionalism. Hence, the establishment of oversight platforms such as the South African Parliament’s Portfolio Committee for the Police and the

Independent Police Investigative Directorate (IPID) were meant to investigate reported cases against SAPS members and metro police members.

There have been some reports in the media indicating that there is a manifestation of the traits of the SAPF in the current SAPS. The high crime rate often found police reverting to their old style of policing, used by the then SAPF, which seldom resorted into violence than the use of force to enforce the law, by resorting to violence to enforce the law. During September 2019, the Business Tech Staff writer (2019), a website article reported that Johannesburg Central was reported to be among the worst areas for crime in South Africa, sitting at 12199 reported crimes (down 0.2%). SAPS Cape Town Central was number one on the list and followed by Johannesburg Central Police Station.

The City of Johannesburg (CoJ) is known for its high crime rates, violence and overcrowding in the inner city characterised by poverty and decaying infrastructure. The CoJ is one of the largest cities in the world. It is situated in South Africa in Gauteng Province. In addition, the CoJ is also known as the economic hub of South Africa. With this fact, the CoJ attracts a lot of migration from other continents and oversea population for economic reasons.

According to the 2011 Census, the CoJ had a total population of 4.4 million (The CoJ, 2011). Furthermore, the CoJ is said to be dominated by the following sectors: financial and business services, retail and wholesale trade, community and social service and the manufacturing sector. These sectors create job opportunities for many people. Hence, this situation obligates SAPS to broaden and capacitate the policing resources in the Johannesburg policing area. As a result, SAPS Johannesburg Central Cluster consists of eight police stations, namely: Johannesburg Central, Booyens, Mondeor, Moffatview, Langlaagte, Brixton, Sophiatown, and Fairland.

SAPS has been put under the spotlight lately owing to several incidents which occurred in the Johannesburg central business district (CBD) area during policing.

Alpert and Dunham (2004:19) explain that the use of force by the police is subject to much media attention, in situations where excessive force is used, which adjusts the public to how the police explain their actions. The selected cases from the media are sighted to demonstrate the extent of the problem, the image of SAPS and that of the country towards our international community. These transgressions were captured using video and photographic equipment. What is of concern to the researcher is what happens in the absence of the media or public attention which this study questions.

Policing is a highly contested terrain because of the inherent powers granted to the police to use force while executing their duties. There are many legislative provisions, which guide the police on the responsible use of force and performing their duties in a professional manner. Some of these provisions are encapsulated in section 49 of the Criminal Procedure Act 51 of 1977 (South Africa, 1977), which stipulates that police officers have a right to defend themselves, but only if their life is under immediate threat from a suspect. SAPS Strategic Plan 2014-2019, which outlines its vision, mission, values, code of conduct and code of ethics intends to minimise police brutality (SAPS Strategic Plan, 2014:76). The latter document contains principles and values that govern the conduct of employees of SAPS. The code of ethics obliges each member of SAPS to uphold the vision, values and the ethos of SAPS.

In terms of Regulation 20 (q) of SAPS Discipline Regulation (2005) police officials who contravene the provisions of the code of conduct are guilty of misconduct (South Africa 2005). In a bid to deal with police misconduct, a police oversight body, namely, IPID was established. IPID Act 1 of 2011 is mandated to conduct investigations on SAPS and Municipal Police departments. However, IPID has been receiving criticism from the public on its contribution in cracking down unethical practices committed by the law enforcement officers (Zondi & Ukpere, 2014:576). There has been many complaints about police brutality and unlawful practices permeated by police officers. Moreover, it was reported in the 2012-2013 IPID Annual Report (2013:21), that 706 people were killed in police custody or as a result

of police action during the period ending March 31, 2013 (Bureau of Democracy, Human Rights & Labour, 2013:2).

Police brutality has been a major problem, and not much has been done to ensure that it is adequately addressed in Johannesburg Central Police station. This research intended to fully investigate some of the unknown reasons by exploring the nature of police brutality in Johannesburg Central Police Station. This research therefore explored the problem of police brutality in detail with a view of offering solutions to the problem. The research aims to build onto the body of literature pertaining to brutality by police officials in South Africa.

The aims of the study were to explore the various causes of police brutality in Johannesburg and investigate the different factors that have a contribution to police brutality in Johannesburg. The research endeavours to describe the measures that can be adopted to prevent police brutality in Johannesburg, as well as the best practices which should be adopted by the police management in Johannesburg to deal with police brutality. While various research studies have been carried out concerning police brutality in South Africa, none has been conducted with specific emphasis on Johannesburg Central Police Station.

1.2.1 Researcher's knowledge and experience of police brutality

The researcher has more than eight years of experience in the policing environment. Crime prevention, attending complaints, investigating cases and counter intelligence (vetting) were some of the researcher's responsibilities. The researcher has the necessary knowledge and skills relevant to the research topic. The researcher worked at a SAPS client service centre, responsible for crime prevention and doing detective work. The researcher resigned from SAPS and joined Department of International Relations as an Assistant Director (Vetting). The researcher is currently employed by the CoJ as a Security Advisor.

The researcher was well trained, developed and holds various programmes, including resolving of crime programme, advance management programme, crime scene management, vetting course, State Security Advisory course, Technical

Surveillance Counter Measures, SAPS basic training, security grades and safety courses. Therefore, the researcher's previous experience and development makes him the relevant person to conduct this research. The researcher understands police brutality as misconduct by police officials using excessive force physically and also in a form of verbal attack and psychological intimidation.

1.3 RATIONALE TO THE STUDY

Historically, African countries such as South Africa have been well documented on issues related to human rights violations, in a form of policing or during policing. Police brutality was known and recorded throughout history and mostly related to the political uprisings. It was expected that the police transformation in South Africa from Police Force to a Police Service would remedy police actions of excessive violence during policing. However, after 1994, nothing much has changed because there have been media reports regarding police brutality daily. The focus of the study was only on police brutality in the Johannesburg Central police station policing precinct. This is because the CoJ is the largest city in South Africa from which the economy of the country thrives as it provides many employment opportunities. Reducing police brutality and building the relationship and connection between the police and community is very important to both parties in order to make the city safer for all for the economy to thrive.

1.4 PROBLEM STATEMENT

The Johannesburg Central Police Station was until 1997 known as John Vorster Square. The police at the old John Vorster Police Station in Johannesburg were notoriously known during the apartheid era for their use of violence towards political detainees. The police station is currently named SAPS Johannesburg Central. Despite all the legislative policies put in place to regulate the police we find that since the inception of democracy, SAPS has been finding it difficult to conduct their duties without being criticised of brutality of some sort, especially owing to recent public protests around the country. During protests, there has been evidence of injuries during protest, some of which are said to be because of the interaction with the police.

According to Tait and Marks (2011:17), there has been evidence of extreme use of force by the police in some events during policing, which led to some condemnation of the police by the press, human rights groups and politicians. Furthermore, this is reference to cases such as that of the violent death of Andries Tatane at the hands of the police in Meqheleng outside Ficksburg in April 2011, which became a symbol of problematic public order policing. Public protests have since been going on around the cities within the country, including Johannesburg. As a result, the rise of brutality especially in the Johannesburg area demands a necessary reconsideration of the nature and style of policing.

According to Karrim (2019), from News24 website news platform, the former IPID boss Robert McBride has criticised an exposé by View-finder, which found that IPID had failed police brutality victims and helped police officers escape accountability. There are some instances where it is observed that organisations such as IPID are reported negatively and it does not promote a good image of SAPS and IPID.

On 10 October 2019, during an interview with Daneel Knoetze, on eNCA (2019) news broadcaster channel, it was suggested that IPID closed some of the cases prematurely. Therefore, this suggests that there is a possibility that the victims of cases of police brutality never surfaces to get justice. However, there have been also some of the public incidents, which were publicised or published, showing lack of capacity of police officials within the Johannesburg CBD. This problem has become more visible because of easy access to camcorders which are used to record incidents of brutality which is then passed on for media attention (Burger, 2011:49; Thompson & Lee, 2004:147).

Citing recent incidents in Johannesburg CBD reported by Savides and Pijoos (2019) in the Times live website news, on 02 August 2019, that there was a street battle between the police and the public, where the police eventually withdrew and ran away from a group of alleged foreign nationals, selling counterfeited good within the Johannesburg CBD. The group of foreign nationals running towards them outnumbered the police officials. This was perceived as weakness by the public and gave a backlash over such policing methods. Then the following days the police

brought along more human capacity (police officials), armed and responding with ammunition towards the crowds.

Then there was still criticism over such methods as well. Those recent incidents provided a glimpse of the nature of policing area SAPS is faced with and the challenges faced, which results into cases of police brutality opened for investigation. The researcher wanted to establish from SAPS members themselves, located in the Johannesburg Central Police Station area, and looking at the cases from 2015 to 2019.

It was vital that the researcher obtained this information from the middle and junior management level, who have more experience in the field, to get more insightful results.

1.5 DELIMITATION OF THE STUDY

This study was delimited to police brutality cases of members of Johannesburg Central Police station in Gauteng Province, South Africa from 2015 to 2019.

1.5.1 Geographical delimitation

This study was delimited to police brutality cases reported to Johannesburg Central Police Station in Gauteng Province.

1.5.2 Time frame

This study focused on the police brutality cases reported between 2015 to 2019.

1.5.3 Numerical demarcation

There are currently 22 SAPS middle management within the Johannesburg Central Police Station. This study was limited to 16 SAPS members, who are at middle management and who only work in Johannesburg Central Police Station, within Gauteng Province in South Africa.

1.6 RESEARCH AIMS AND OBJECTIVES

Rucker (2012:2) explains that the aim of the study stems from the questions like

- Why must one write a dissertation?

- For what intent is this dissertation being written?

This would not be in a method of a research question, but rather that conceive to construct one. The aim of this research was to explore the nature as well as extent of police brutality at the Johannesburg Central Police Station. According to Dolin (2010:5), objectives are statements, not questions which the researcher outlines his or her intentions to get to the situation. The objectives of this research that derived from the above aim were to:

- Describe the nature and degree of the problem of police brutality at the Johannesburg Central Police Station policing precinct,
- Identify the contributing factors of police brutality in the Johannesburg Central Police Station policing area,
- Investigate measures that can be put in place towards the prevention of brutality by the members of Johannesburg Central Police Station in their policing precinct,
- Identify the best practice from the literature which can inform the problem under investigation,
- Make recommendations to police management based on the findings of research about the best practices that can be used to prevent police brutality.

1.7 RESEARCH QUESTIONS

Research questions are questions posed by the researcher in a study, in order to use them to collect data to meet a research objective (Salkind, 2010:5-9). According to Robson (2002:1), a research question can be defined as a brief question articulating what the research study wants to discover in the end of the study. The research questions contribute in terms of narrowing down the purpose statement in order to create specific questions which the researcher intends to answer (Creswell, 2011:110). According to White (2009:123), the formulation of a research question is the first thing which a researcher does to get an answer in a research study.

The primary research question of this study was:

- What is the nature and extent of police brutality in Johannesburg Central Police Station?

The secondary research questions are:

- What are the underlying causes that contribute to police brutality in Johannesburg Central Police Station policing precinct?
- What are the factors that contribute to police brutality in Johannesburg Central Police Station policing precinct?
- How can police brutality be prevented within Johannesburg Central Police Station policing precinct?
- What lessons can be learnt from the best practices that relate to the prevention of police brutality internationally?

1.8 KEY CONCEPTS

According to Uecke (2012:62) key concepts can be defined in the introduction section for the novelty in a research study. The following key theoretical concepts will be concisely explained to gain understanding of the study:

1.8.1 Police brutality

Police brutality can be defined broadly to include a range of abusive police practice such as the usage of profanity, racial slur and unwarranted searches not entailing the use of force (Holmes & Smith, 2008:6). According to Snyman (2008:130), police brutality is a violation of constitutional rights that happens when a police official acts with extreme force by using an extent of force with regards to a civilian that is considered more necessary.

1.8.2 Management

According to McAlindon (2014:166), management is a process which takes place within the structure. In addition, (2009:4) add that management is the organisational process which is inclusive of strategic planning, setting objectives, resource management, and ensuring human capital and financial assets needed towards achieving objects and mearing results are properly deployed.

1.8.3 Police violence

Police violence can be described according to Morris (2007:6), as the usage of power and physical force, actual or threatened, against oneself, the next person or directed to a group or a community, which results in a huge probability of an injury, death, maldevelopment, physical harm or even deprivation. On the other hand, Harmon (2008:1121) describes police violence as a combination of state power and human agency that differentiates police violence from other forms of state pressure or coercion and from other forms of warranted force by individuals.

1.8.4 Human rights

Human rights refer to the Bill of Rights as mentioned in chapter two, from sections 7-39 of the Constitution of the Republic of South Africa, Act 108 of 1996 (South Africa, 1996). Human rights are advocated as those rights which everyone must enjoy just being be part of being human. This right is absolute, which means that it cannot be removed except in specific situations and according to due process (Parliament of the Republic of South Africa, undated: 2).

1.8.5 Accountability

According to Bivins (2012:19), accountability can be described as an act resulting from what people want by those found to be responsible for specific actions and who is accountable for the consequences of those actions. In contrast, Desai (2009:7) asserts that public accountabilities is those actions placed in a form of responsibility to public officials to justify their actions and performance by using accountability mechanism.

1.9 VALUE OF THE RESEARCH

The findings of this research will contribute to a better understanding of the factors that result in police brutality within specific police stations. Such an understanding can assist police management to create an environment where such factors can be prevented through proactive planning and management. The findings from the research will provide the police with insights into best practices as well as shortcomings in their current approach to the analysis and prevention of police brutality in Johannesburg Central Police Station.

The findings from the research will further provide other researchers or academics with new knowledge and fill the information gap about the nature and extent of the problem at other SAPS police stations. Understanding the problem of police brutality will enable the researcher to examine best practices internationally which can be used as guidance in drafting policy about preventing police brutality to ensure that police brutality is effectively dealt with.

The findings of the research could make recommendations to police management about the role that the police management can play in preventing police brutality. The research will also enhance the researcher's skills in researching complex and sensitive issues in policing. The study was of vital importance to the police scientific community, which might use findings in this study either as a basis for a further research on police brutality.

1.9.1 South African Police Service (SAPS)

The findings of this research will contribute to a better understanding of the factors that result in police brutality within the Johannesburg Central Police Station. Such an understanding can assist police management to create an environment where such factors can be prevented through proactive planning and management. The findings from the research will provide the police with insights into best practices as well as shortcomings in their current approach to the analysis and prevention of police brutality in Johannesburg.

1.9.2 Research community

The findings from the research will further provide other researchers or academics with new knowledge and fill the information gap about the nature and extent of the problem Johannesburg Central Police Station. Understanding the problem of police brutality will enable the researcher to examine best practices internationally which can be used as guidance in drafting policy about preventing police brutality to ensure that police brutality is effectively dealt with. The research will also enhance the researcher's skills in researching complex and sensitive issues in policing.

1.9.3 Local and international community

The study will also be of importance to the police scientific community and for future reference by other researchers, which might use findings in this study either as a basis for a further research on police brutality.

1.10 PROBLEMS ENCOUNTERED DURING THE STUDY

The problems encountered during the study were that it took long to obtain ethical clearance from the University of South Africa (UNISA). Permission to conduct research from the SAPS requested and successfully granted. However, the challenge was for the researcher to manage time and appointments according to the participants' schedule. This created a bit of disruption in the researcher's data collection, as the participants were not available at the same time and agreed upon during to conduct the interviews. The interviews had to be sent to one person within SAPS to assist with a distribution of the interview schedules. With some of the set appointments after interview schedule was sent, the researcher was under the impression that the participants were reluctant to participate owing to some reasons, which resulted into the researcher making the conclusions below:

- The topic itself seemed to be the problem, hence a few people wanted to participate in the study under the conditions that they would not be exposed.
- With recent spate of police internal investigations and probes by the public, media and IPID, every police official is extremely cautious during interactions with civilians.
- Some were reluctant to be recorded but comfortable with completing the interviews on their own and print it out for the researcher to take home;
- Some asked whether researcher was wearing a hidden cameras, which gave the researcher an impression that the participant does not want to be exposed participating but wanted to be part of the study.
- SAPS members seemed not to believe that the study was specifically for academic purposes. They were under suspicion that the study was an indirect investigation of some sort; within their department or their colleagues.

- Collection of the completed interviews schedules were not conducted at the same time for the researcher to be able to incorporate the findings at once but had to write the dissertation in segments and wait for the other interviews to be returned.

1.11 CHAPTER LAYOUT

This dissertation was organised as follows

1.11.1 Chapter 1: General orientation

This chapter introduced the topic about an exploration of police brutality at Johannesburg Central Police Station. The research problem and a background to the study were discussed. The research aim, objectives, questions, research methodology, key theoretical concepts and value of the study, was also dealt with. The problems encountered during the study were outlined.

1.11.2 Chapter 2: Research methodology

This chapter focused on the research methodology used to approach and conduct this study. This chapter clearly outlined the chosen method to make the study possible. The methodology was outlined in a chronological order, in which the researcher used as a map to conduct the investigation. The methodology was chosen in consideration of the research questions and objectives of the study and to articulate how data will be collected, analysed and interpreted within the research standards. Ethical considerations were applied as guidelines to provide a credible and authentic academic research study.

1.11.3 Chapter 3: The nature and extent of police brutality in global and local communities

This chapter focused on literature from all sorts of literature related to the topic or similar police brutality. The researcher gave an international, regional and then the local picture of police brutality. Literature consulted include journal articles, annual reports, legislation, media statements, newspapers, website articles and scholar collections in a form of dissertations and thesis. Further, this chapter aimed to deal

with the nature as well as extent of police brutality in South Africa especially in Johannesburg Central Police Station, from SAPS member's perspective.

1.11.4 Chapter 4: Innovative strategies used to prevent police brutality

This chapter discusses police brutality from an international perspective as well as best practices of preventing police brutality in policing context, as well as the constitutional interpretation. This chapter discussed the legislative mandate and the strategies utilised by SAPS in addressing police brutality.

1.11.5 Chapter 5: Presentation of findings

This chapter highlighted the main findings that align with the research question, aim and objectives. Subsequently, the salient points and interpretation of the main findings of the research in relation to the police brutality by Johannesburg Central Police Station policing precinct were outlined.

1.11.6 Chapter 6: Recommendations and conclusions

The recommendations of this chapter were also aligned with the research questions to provide a conclusion. It is also suggested that the recommendations may be implemented and assist other researchers proceed with the future research on the same topic.

1.12 SUMMARY

Police brutality is a very sensitive issue, which involves both human beings, the victim and the perpetrator. The victim could be a civilian and the perpetrator could be the professional police; both are human beings with universal human rights. Once there has been a violation, it is very difficult for the public to avoid such occurrences. Human rights violations during policing have been the most talked about problem within the global community, and this problem needs to be constantly investigated in order to learn from previous encounters and come up with future solutions.

The general orienting chapter provides a map of the dissertation, the background and the rationale of the study were presented. The problem statement was presented. The aims and objectives of the study were presented, and research questions formulated as a result. This provided a guideline for the study. Key theoretical

definitions pertaining to this study were provided for easy understanding in relation to the topic. In addition, geographical limitations and time frames are outlined to minimise confusion. Delimitations and problems encountered in this study were presented for better understanding on the research journey.

CHAPTER TWO

RESEARCH METHODOLOGY

2.1 INTRODUCTION

The subject of police brutality is not only a subject which belonged in the past police organisation, namely the SAPF and not in the sphere of service delivery to the people of South Africa. With the transformation from the SAPF to SAPS, there are still reports indicating that such actions by police are still taking place. This issue involves SAPS members who have families and civilians who are also in the same status as SAPS member in terms of family ties. Hence, this subject is sensitive by nature. The researcher decided that it was vital that the correct research method was deployed to capacitate the study with orderly manner of conducting research. It was very important for the researcher to ensure that there is authenticity in the methods to be used in this study. It was intended that the methods should be practical and meant to assist in the understanding of the topic under study without bias.

The fact that the human brutality is a humanitarian issue, and the SAPS are entrusted to police or protect society and not brutalise them, or the other way around. This compelled the researcher to adopt research methodology used by other scholars, tested for succession and proven to provide adequate results. The researcher has decided to make use of both qualitative and quantitative methods, which will be defined in this study as mixed methods and provide clarity for choosing such research methods. According to Wium & Louw (2018:9), when quantitative and qualitative methods are effective. Data was collected in a qualitative format and presented in a numerical order in this dissertation report.

This chapter explains the chosen research methodology fitted to drive the study into the polite exploration within the Johannesburg Central Police Station. The chosen research methodological approach and design are defined. Explanations on how the chosen methods were utilised was also addressed, from population sampling, interpretation, analysis, trustworthiness, and ethical considerations in this study. For

these reasons, the methodology outlined can assist in the understanding of how the entire research was conducted for the benefit of Johannesburg Central Police Station, public at large and the reputation of the country in the eyes of the global community.

2.2 RESEARCH METHODOLOGY

A methodology can be described according to the researcher's view when deciding on the method to use to answer a research question (Mills, 2014 (in Mills & Birks, 2014:32, 259). In contrast, Phophalia (2010:1) describes research methodology as an effective way of investigating and solving social and economic societal issues. Owing to the sensitivity of the nature of the topic, the vitality nature of Johannesburg Central Police Station as an organisation, the researcher was obligated to use both qualitative and quantitative methods to collect data in this study. The difference between the two methods is that qualitative research approach assists in the discovery and understanding of what the people involved in the research thinks of the problem (Creswell, 2014:4).

Matthews and Ross (2010:478) assert that quantitative research methods are concerned with working on data which is structured and can be also presented numerically. The researcher wanted to understand the phenomena from the respondents' point of view. In addition, literature was used to collect data in this study and other data collected was presented in graphs with numbers to articulate the data being presented in this study. As a result, mixed methods research was deemed as the most relevant and was eventually adopted for the succession of this study.

2.3 RESEARCH APPROACH

According to Mafuwane (2012:670), a research approach can be defined as a planned activity with the intention to discovering new and truthful information about the phenomenon. Evidently, there must be more to the problems of police brutality than what we read on the media platforms. A formal academic research such as this study will add value as one of the authentic studies conducted on the issue to provide a truthful perspective to our global community about police brutality in Johannesburg

Central Police Station. It was vital that the approach involves the participation of Johannesburg Central Police Station members, who can shed some light in to the challenge under study, which was the mentioned mixed methods.

2.4 MIXED METHODS RESEARCH APPROACH

Mixed methods research approach can be described as the use of more than a single method of research design. This includes data collection or analysis, with an intention of integration under one study (Johnson, Onweugbuize & Turner, 2007:119). This mixed method research increases the complements, the strengths and reduces the weaknesses of a single method study (Wium & Louw, 2018:9).

The sampled population consisted of 16 Johannesburg Central Police Station members, which some were comfortable in completing the research questionnaire. However, some preferred not to be recorded but wrote their own answers in their own hand writing and handed to the researcher after completion. Others preferred online interviewing, which they took the interview schedule, completed it and emailed it to the researcher without being recorded. Interviewing consists of somewhat formal and staid and taking turns. When interviewer pose questions and the participant answers, and polite listening from both parties (Edwards & Holland, 2013:17). However, it is possible to conduct online interviewing for some reasons indicated by Flick (2014:233), that, if the researcher's target population for the research study can be reached with such a method, it can be done so.

The SAPS members have busy schedules. During interviews, others did not mind others did not mind being recorded during the interviews, while others felt that they rather remain with questions to give more detailed answer and email it back to the researcher. Then the researcher was able to integrate the information in this study and present it under one single study, for the purpose of better understanding the phenomenon of police brutality.

2.4.1 Advantages of the mixed methods approach

According to Wium and Louw (2018:9), data collection in qualitative and quantitative provides more understanding to the problem under study. Further, it increases the strengths and reduces the limitation of in a one method sided study.

The researcher understood the concerns of Johannesburg Central Police Station members and chose to make use of the methods which suited them best to collect data. The mixed methods study was able to get Johannesburg Central Police Station members to feel at ease to participate in any form for the sake of collecting authentic data from their own personal comfort. According to Malina, Norreklit & Selto (2011:61), the deployment of both quantitative and qualitative methods can work interactively.

The other advantage was that the information outlined in the interview schedule and questionnaire was the same and there was no deviation from the topic under study. The information collected was interpreted in a uniformed manner, though collected in different methods.

2.4.2 Disadvantages of the mixed methods approach

According to De Lisle (2011:109), there is challenge highlighted in the issue of representation, as of the difficulties were life lived, which can be best articulated in the text than numbers. The disadvantages in this study was that, using both methods took longer to collect data as the researcher had to be respectful towards the time schedule of Johannesburg Central police station members. Information was presented in both quantitative and qualitative form for better understanding.

2.5 RESEARCH DESIGN

Welman, Kruger and Mitchell (2005:52) describe a research design as the plan according to which we obtain research participants (subjects) and collect information from them. According to Vosloo (2014:316), a research design involves the steps taken in the research study. In addition, Creswell (2014:11) adds that research designs are the kind of enquiries found in qualitative, quantitative and mixed methods approaches to give a study direction. The researcher has decided to provide the readers with an understanding of the type of design chosen to address

his objectives. Empirical design was more qualified as the researcher was using both qualitative and quantitative research methods.

2.5.1 Empirical design

According to Viorela (2017:1), empirical design consists of methodical gathering and analysis of data in research. Police officials are the main characters during policing. They are charged with a duty to police the sectoral area they are posted at or located and accused of police brutality. Hence, they are the right officials to be asked questions in order to get their perspective in a logical manner.

2.5.2 Qualitative research approach and design

De Vos, Strydom and Fouche (2005:268) define qualitative research as an investigation based on different methodological tradition of inquiry that explores a social or human problem. Stake (2010:36) argues that a qualitative research method involves interpretations of the behaviour of human beings. SAPS members are human beings and the civilians being policed are human beings. Police brutality is a behaviour which leaves one party involved in harm or grievously bodily harm or death in some instances. Hence, the study is inevitably involved human behaviour.

2.5.3 Advantages of qualitative approach and design

Qualitative research approach is known to assist researchers who want to cover a vast array of dimensions of population in the study and who share commonalities (Lynch, 2014:01). SAPS members use universal legislation, standards, standing orders and members wear similar uniform to show the unity within the organisation. Chances were high that SAPS members might share similarities in executing the legislation and all applicable standing orders, however, experience a challenge in the geographical areas. Hence, the researcher was not ignorant to the possibility of the disadvantages to the method under study.

2.5.4 Disadvantage of qualitative approach and design

There was a problem related to time consuming in data collection. Too much time was spent to put together the right information to obtain research ethics approval

from SAPS approval. According to Pheiffer (2009:8), it can take the researcher months to gather data for research prior consolidating it into a report. The researcher agreed with Pheiffer (2009:8) as this research was on a halt during the time he was waiting approvals. Further, this left the researcher with months of not being able to write anything or conclude on anything as the research could not proceed without ethical considerations.

2.5.5 The use of qualitative approach in this study

According to Creswell (2014:4), qualitative research is used to explore and understand the meaning of individuals or groups assigned to a social or human problem. The researcher decided to use qualitative approach because the problem under investigation is hindering the relationship between the police and the community, the image, service delivery, and derailing resources of the organisation (SAPS).

2.5.6 Quantitative research approach and design

According to Matthews and Ross (2010:478), quantitative research approach is mainly concerned about collecting data, which can be structured and presented in a numerical format. Data collected for this study were presented in a quantitative format as well. Graphs were created to show the information from SAPS Johannesburg Central Police Station members in a rank format and in numbers according to their answers. The intention was to be able to present the frequency of which the answers from the respondents were similar or meant same thing in order to show collaborations on the state of affairs related to the topic. It was also easier to show the types of brutality considered by the participants and their understanding as they contributed to this study. The numbers presented in the study shows the perspective of number of accounts the participants and respondents' view of the posed research question and whether the answers are common as related to the topic. Hence, quantitative data presentation was vital for this study.

2.5.7 Advantages of quantitative research approach and design

The researcher was able to use quantitative method to present data collected from the participants in a numerical format and using a Microsoft (MS) Word and Excel

graphs. It was easier for the researcher to present graphs and also write a narrative behind the data presented in the chapters of this dissertation.

2.5.8 Disadvantage of quantitative research approach and design

The researcher needed to explain further what the answers in numbers meant in this study. As a result, a narrative format in a qualitative design was vital for better understanding of the study.

2.5.9 The use of quantitative research approach and design

All the research questions provided in this study, to extract the problem of police brutality were outlined using quantitative method as presented. The answers made it to point out the similar problematic answers which the respondents were of the opinion that it was the cause of police brutality. The numbers were easily showing the frequency of the answer to the question posed to them.


2.6 POPULATION AND SAMPLING METHODS

For the succession of this research, it was vital that the researcher identifies the population which could assist with the information required for the study to be successful. The researcher identified SAPS members in Johannesburg Central Police Station, who are in middle management and have got long-term service record of at least more than five years. Eventually, 12 members were keen on being interviewed while two members only had time for a research questionnaire.

2.6.1 Population

A population is the study object made up of individuals, groups, organization, human products and events or condition to which they are exposed (Welman, et al. 2011:52). Asiamah (2017:1607) describes a population as a group of participants who have commonalities in respect of what the researcher is researching, and from which, the researcher seeks to extract knowledge from as a part of research study to contribute to academic knowledge. Johannesburg Central Police Station has 90 members, with 22 members at senior level. Johannesburg Central Police Station middle and junior members are displayed in Table 2.1.

Table 2.1: Johannesburg Central Police Station middle and junior members

BRIGADIER		
MIC: Lieutenant Colonel		MAC: Lieutenant Colonel
Support Colonel	Vispol Colonel	Branch Commander Colonel
Admin Commander /Lieutenant Colonel	CSC Coordinator / Lieutenant Colonel	Group A General / Lieutenant Colonel
SCM Commander / Captain	SAP 13 Commander / Captain	Group B Serious Violent Crime / Lieutenant Colonel
Finance Commander / Lieutenant Colonel	Social Crime Commander/ Warrant Officer	Group Crime Office / Lieutenant Colonel
Commination's commander / Captain	FRC Commander / Captain	Group D Economics/ Lieutenant. Colonel
Human Resource Management Commander / Lieutenant Colonel	Liquor and 2nd hand Goods /Captain	
LOSS Management Commander	Court Commander/ Colonel	

Source: adapted from Johannesburg Central Police Station Organisational Profile: Organogram (Station Annual Operational Plan 2019/2020, 2019:18)

Among SAPS members, some are middle managers while others are senior managers. There are other police stations within Johannesburg area, such as Booyens, Brixton, Fairlands, Mondeor, Langlaagte, Sophiatown and Moffatview. This station falls under a cluster of Johannesburg, though the researcher has decided to only focus on Johannesburg Central Police Station.

The researcher's ideal population for this study should have been all police stations that fall under Johannesburg policing cluster but owing to the seven police stations

as mentioned above and the time limited for this research, the researcher narrowed the population and used a target population. This research was limited to one police station which is Johannesburg Central where the study focused on senior and middle managers. The reason why the researcher chose Johannesburg Central Police Station is because of the size of the jurisdiction of the station and the fact that Johannesburg Central Police Station is the accounting station within Johannesburg Central Police Station policing precinct.

2.6.2 Sampling

Sampling involves the researcher using a representative from the population under study and using the data collected (Latham, 2007:2). A sample is the elements of the population being studied and sampling is the process by which elements are drawn from the population (Fox & Bayat, 2007:54). The researcher has chosen to use both quantitative and qualitative research method for this study. In a qualitative study, there was a use of non-probability sampling method. According to Showkat and Parveen (2017:7), the non-probability sampling which requires judgement not randomisation. Hence, participants are selected for the main reason of ease of access.

The researcher has purposefully selected the 16 members of Johannesburg Central Police Station, in Gauteng, South Africa to participate in this study. This type of sampling method depends on the researcher's judgement. More importantly, it is also less expensive, less complicated and can be easily applied (Showkat & Parveen, 2017:7-8). The reason the researcher decided to focus on Johannesburg Central Police Station middle managers as stated under population heading is because he is of the idea that most junior members are directly involved in the incidents or cases of police brutality and these members must report such incidents to their managers.

The researcher avers that police brutality is the most pressing issue in South Africa and requires the right participants and respondents for this study. Therefore, it warrants critically and purposively selecting a sample to engage with participants and respondents for gaining first-hand information on the problem of police brutality

from SAPS Johannesburg Central Police Station police managers and who have been in their position for more than five years. For this study, interviews were conducted with Johannesburg Central Police Station middle managers and junior management officials based on them meeting the interview criteria and their availability until the data become saturated (see table 2.1, profile of Role players under 2.7.2 of this chapter).

2.7 RESEARCH TECHNIQUES

Librarians of University of South Africa (UNISA) assisted the researcher in collecting the initial available research. He then proceeded to collect data from local media platforms such as the television news channels, newspaper houses, organisational reports from official websites and other unverified media uploaded on social media by the public at large, which were eventually used as evidence during police brutality criminal court proceedings.

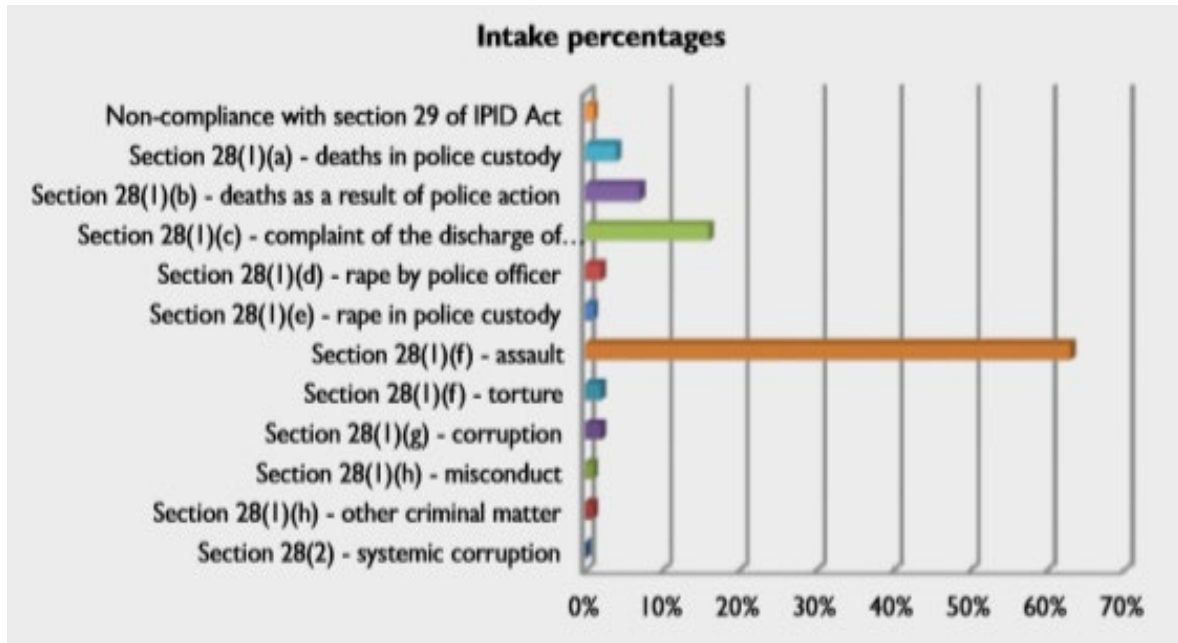
This assisted the researcher to be able to identify places to collect information that will formulate literature, which can be verified and authenticated by the authorities and how to formulate or develop interview schedules for data collection. More details on the data collection steps is outlined in the data collection heading.

2.7.1 Preliminary literature study

For the researcher to prove that there is a problem of police brutality in South Africa, he had to visit the Independent Police Investigative Directorate (IPID) website to view and download annual reports. The latter provided more information on the statistics and a narrative account on police brutality cases that have been reported. This was able to provide the researcher with accurate facts on police brutality, that, it does exist, and also that there are investigations underway and some were completed and arrests were made.

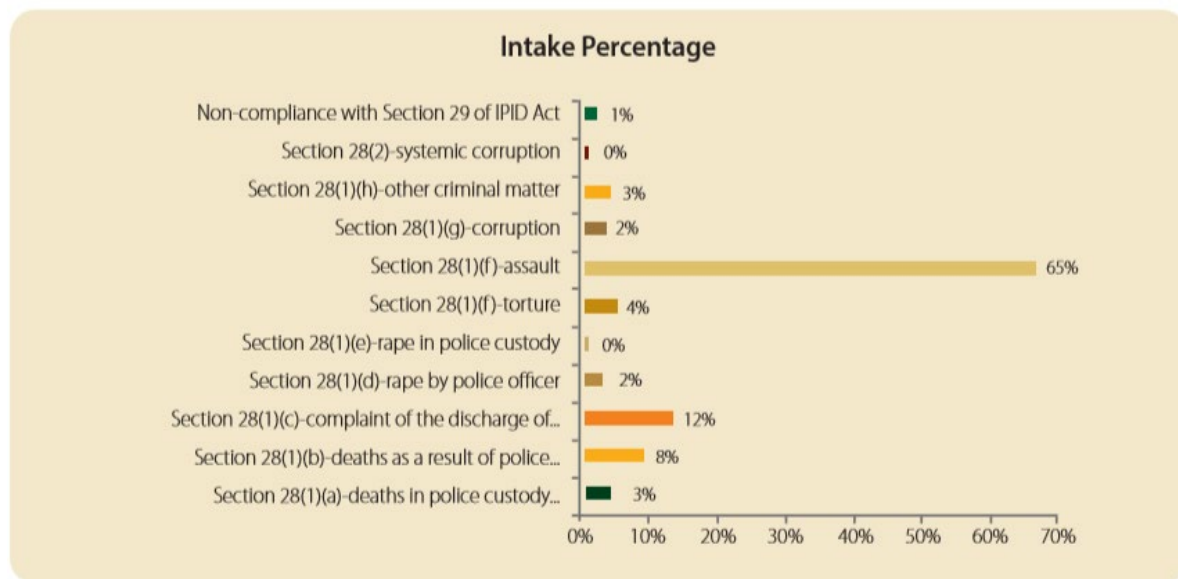
Citing some of the examples are cases such as mentioned in the following IPID annual reports are cases committed by police officials as stipulated in IPID Act 1 of 2011. Figure 2.1 shows the percentage of the cases reported per section 28 and 33 of IPID Act 1 of 2011 (IPID Annual Report, 2015:44).

Figure 2.1 Cases reported in 2015 annual report



Source: IPID Annual Report (2015:44)

Figure 2.2 Cases reported in 2018 annual report



Source: IPID Annual Report (2018:39)

These figures showed that the majority of cases reported were assault as all were above 60% in all the figures, followed by an official discharge of an official firearm at

more than 12%, followed by death in police custody at above 8% and lastly, death in custody by more than 2 %.

This also gave the researcher an indication that SAPS was committed to eradicating the problem, in partnership with IPID and other spheres within the criminal justice wheel. Police documents such as IPID Annual Plan (2016-2017) required to be analysed to determine the extent of the problem and the strategies employed to prevent police brutality in Johannesburg Central Police Station policing precinct. In this case, secondary sources of data used by the researcher can also be extracted from the website of IPID.

The researcher further looked at issues of police brutality in other countries such as Zimbabwe, Botswana, Australia and United States of America (USA). This provided more insight to the research that the topic under study was a universal human rights problem and it was not only affecting South Africa but most of the global community during policing.

2.7.2 Construction of interview schedule and research questionnaire

According to Zohrabi (2013:255), interviewing is when the researcher wants to get first-hand information directly from specific people who possess or would likely have knowledge related to his study. In addition, it is also somehow formal and staid, which takes turns as the question is posed and the other person being interviewed answers (Edwards & Holland, 2013:17). In this regard, an interview schedule was developed to guide the researcher during the data gathering process. The researcher wanted to ensure that the interviews were not threatening and wanted Johannesburg Central Police Station members not to feel like he or she was under investigation of some sort, however, to feel like he or she was taking part in the solution. Semi-structured interviews were suitable for this study. Semi-Structured interviews are superbly suitable for a number of valuable tasks, particularly when more than a few of open-ended questions requires follow-up queries (Newcomer, Hatry and Wholey, 2015:493)

They were also more of a conversational, which provided flexibility that prompted new information which was not what the researcher expected from the participants'

answers. All the questions in the interview schedule and questionnaire were uniformed. The schedule was meant to allow consistency in the data collection as the same questions were posed to all participants in the same way. The interviews and questionnaire were constructed in an attempt to answer the main research questions and the sub-research questions. The interview schedule consisted of the research topic, the purpose of the research and ethical considerations prior any participation.

The researcher further disclosed the authenticity of the research by providing information such as the approval by UNISA Research Ethics Committee (See annexure A) and approval from SAPS Ethical Clearance (See annexure B). This information was meant to put the participants at ease and ensure that the study is for academic purposes only. It was not meant to target anyone personally, and however, it has to do with a challenge faced by society and SAPS, which is police brutality.

Furthermore, the interview schedule and questionnaire consisted of two sections, namely “section A” which collected profiles of the participants, information such as age, gender, rank and years of service. This information was vital to the researcher than the issue of racial demarcation. That profile served no purpose in the researcher’s objectives to establish police brutality objectively without racial biasness. Section B of the interview schedule consisted of questions to solicit data to answer the main research questions (See annexure C).

2.8 DATA COLLECTION METHODS

The researcher used literature and interviews to collect literature for this study.

2.8.1 Literature review

According to Marshall (2010:20), literature review can be viewed as a method of identifying, assessing and interpreting what other researchers have already written. Hofstee (2006:91) describes a literature review as a body of works published by other scholars. This includes books, journal articles and other web-based material, published under official websites. The researcher identified a topic he wanted to research, then send the topic to UNISA librarians for further assistance. Information

related to the topic was then returned in a form of abstracts, links to sources such as journals, books and according to a genre extracted from the topic lines. This process assisted the researcher to identify which sources were primary and which ones were secondary for usage in the study. Moreover, the researcher was able to dismantle the information for the chapter. Not all information was not meant to be confined one chapter but different chapters and proper headlines to make sense to the audience and to give the study direction.

2.8.1.1 **Primary literature**

The researcher studied the Constitution of the Republic of South Africa Act 108 of 1996 to gain better understanding of human rights and the duty of the police to serve and protect citizens. He also studied the National Development Plan 2030 regarding the commitment made by government to make South Africa a safer place to live.

- SAPS founding legislation, regulations, standing orders, policies and procedures,
- Founding policies that articulate the importance of IPID position in investigating cases pertaining police brutality,
- IPID annual reports published on the website for public viewing at <http://www.ipid.gov.za>,
- Public policies that envisaged SAPS role in protecting society, and
- Some of the primary data collected in this dissertation is the interview schedule, containing information extracted from the participants.

2.8.1.2 **Secondary literature**

Secondary data included data quoted by other authors found during their research studies (Cook, 2011). This type of data is known to carry the advantage of a broader comparison of research through time (Grant, 2012:4). The secondary data incorporated in this study are:

- Various government website such as *South African Parliament*, at <https://pmg.org.za> and SAPS official website,
- Various reports by organisations such as Amnesty International, and African Police Oversight Forum,

- Various academic books, journal articles from academic journal publications, such as international journal of comparative and applied criminal justice, and Institute of Security study's SA Crime Quarterly,
- Various thesis and dissertations from university repository,
- Various newspaper articles such as from the *Times*, *News24* <https://www.news24.com>, *Mail and Guardian* at <https://mg.co.za/>, *Socialist world* <http://www.socialistworld.net> , www.iol.co.za and killedbypolice.net, and
- Various media broadcasting institutions such as the South African Broadcasting Commission (SABC).

2.8.1.3 **Advantages of literature reviewed**

The advantage in this study was that the researcher had access to information related to cases of police brutality:

- This information allowed the researcher to know where to look for further information,
- It also gave the researcher direction as to what type of questions can make follow-up questions from the questions,
- It allowed the researcher to be up to date with regards to the questions of police brutality in South Africa.

2.8.1.4 **Disadvantages of literature reviewed**

The disadvantage was the reading part of the literature. It involved too much literature, which required understanding prior quoting and referencing in this dissertation. Some of the disadvantages required the researcher to make use of own Wireless Fidelity (Wi-Fi) connection, which requires data purchasing and it was very expensive. This is because the researcher downloaded more relevant literature, even with the links received from the university library required that the researcher must still read full texts and not links.

2.8.2 **Interviews**

An interview consists of an established procedure for taking turns in posing a question and expecting an answer, in a formal, staid and polite way (Edwards & Holland, 2013:17). The researcher sent the interviews schedule to a SAPS senior

member for distribution of the questionnaire. The purpose for this was to enable the participants to know what the research was all about prior committing to sit down for the appointment. All approval information such as the ethics certificate and approval from SAPS was sent to the potential participants so that they have enough time to read through prior to agreeing to the actual interview. Other participants requested to be afforded more time prior interviews as they had very busy schedules. Eventually, interviews were conducted with the 16 participants as outlined in Table 2.2. Further, the interviews and questionnaires were conducted with a specific population, consisting of Johannesburg Central Police Station members, who were in middle management and top management officials and within the Johannesburg Central Police Station policing precinct. Below is a table with a profile of the role players in this study.

Table 2.2: Profile of role players

PROFILING ROLE PLAYERS				
Role player	Gender	Age group	Rank	Years of service
Respondent 1	Male	41-50	Colonel	16-20
Respondent 2	Female	41-50	Lieutenant Colonel	-
Participant 1	Male	41-50	Lieutenant Colonel	16-20
Participant 2	Male	-	Lieutenant Colonel	11-15
Participant 3	Male	-	Lieutenant Colonel	16-20
Participant 4	Male	-	Lieutenant Colonel	-
Participant 5	Male	30-40	Lieutenant Colonel	16-20
Participant 6	Female	41-50	Captain	11-15
Participant 7	Male	30-40	Captain	11-15
Participant 8	Male	41-50	Captain	11-15
Participant 9	Male	41-50	Captain	11-15
Participant 10	Female	30-40	Lieutenant Colonel	11-15
Participant 11	Female	30-40	Lieutenant Colonel	11-15
Participant 12	Male	51-60	Lieutenant Colonel	21+

Source: designed by the researcher

2.8.2.1 Advantages of interviews

The advantages of the interviews were that participants had more to say, especially while they answered questions on a laptop during an interview. It was easy for them to elaborate more without having to write it down. The researcher found it easy to work with their answers.

2.8.2.2 Disadvantages of interviews

The researcher found it very difficult to balance between conducting interviews, making appointment and then to be cancelled by potential participants. Then a new appointment is set, however, according to the terms of the participants.

2.8.2.3 Advantages of questionnaire

Respondents did not take long to return the questionnaires and their answers were brief. It was easy for the respondents to type in their answers using Microsoft (MS) Word. Moreover, it was also easy for the respondents to just write one worded answer.

2.8.2.4 Disadvantages of questionnaire

Respondents did not provide more reasons as to why they gave that answer to the posed question. However, the answer was still provided. It was also difficult to make follow-ups as the respondents were no longer available, as some were on leave.

2.9 DATA ANALYSIS

According to Denscombe (2010:273), qualitative data analysis is presented in a narrative manner, which provides the ability for the reader to visualise or read like spoken words. In addition, Creswell (2013:180) asserts that data analysis consists of preparing and organising the collected data into themes for final discussion. The returned interview schedules and questionnaires were given numbers from one (1), sources to be referred to as Participant or Respondent 1, 2 or 3 and so on.

Then the researcher read through the questions which are related to chapter and presented the participants and respondents' opinions in a narrative manner. The data collected through interviews were presented in chapters under headlines linked

to the main research questions. The data were presented in a context which resonates with what the participants and respondents answer and the comments made. The researcher used Microsoft (MS) Bar Charts, in figures, to highlight some of the most pressing answers from participant and respondents and followed by comments throughout the chapters. Data were then used to present the findings of the research and make recommendations as well.

2.10 TRUSTWORTHINESS

There are four known indicators to prove trustworthiness, which are credibility, transferability, dependability and confirmability in research (Kumar, 2011:184).

2.10.1 Credibility

Credibility includes recognition on whether the results are believable from the participants' perspective in research (Trochim & Donnelley in Kumar, 2011:185). The researcher has ensured that the research under investigation is a familiar subject and the participants are experts. Furthermore, the researcher to give participants a chance to review their responses on the interview schedule.

2.10.2 Transferability

Transferability refers to the probability that the study findings have meaning to others in similar situations. Transferability also refers to the extent to which the results of qualitative research can be transferred to other contexts (Trochim & Donnelley in Kumar, 2011:185). The researcher hopes to transfer new findings related to police brutality as it is an on-going phenomenon, not only in South Africa, but internationally as well. Hence, this may contribute to conflict resolution in other spheres with the same problem.

2.10.3 Dependability

Noble and Smith (2015:34-35) posit that qualitative researchers are said to aim to ensure that the methodology taken under the study provides dependable findings. This means that if the study were repeated in a similar context with the same participants, the findings would be consistent. Another method to ensure

dependability in this study was a dependability audit and a dense description of research methods.

2.10.4 Confirmability

Confirmability amounts to the extent to which the results of the study can be backed up by others (Litchman, 2014:387). The fact that the participants are the sampled population, which derives from SAPS, who work directly with the community and have first-hand experience carries the weight in the study.

2.11 ETHICAL CONSIDERATIONS

UNISA Policy on Research Ethics (2007) requires that researchers should not commit plagiarism, piracy, falsification or the fabrication of results at any stage of the research. The researcher made an application for approval to conduct research to the ethics committee and approval was granted and was allocated reference number ST19. The researcher was aware there are laws to protect human beings such as Protection of Personal Information Act 4 of 2013, Promotion of Access to Information Act 2 of 2000 and the Constitution of the Republic of South Africa Act 108 of 1996 as well to consider and not violate during research. Hence, it is of vital importance for the research to ensure that during the process of collecting data participants are free from any form of harm (physical or emotional) since this study presents no threat or potential danger to the participants and respondents (physically or mentally).

The researcher also made sure that data collected are always protected. The data were recorded on a digital recorder and on MS Word and were kept in a safe place. In this study, the researcher ensured that the confidentiality is upheld in this study. Accordingly, the researcher did not write the names of the participants in the discussion of the findings of the research, but a number was assigned to each interview in a manner that the number allocated represents the participant. The researcher has followed university guidelines for conducting ethical research which advocates transparency, integrity and accountability in a study (UNISA Policy on Research Ethics, 2007).

2.11.1 Informed consent

The researcher has obtained the necessary permission to conduct the study in accordance to SAPS National Instruction 1/2006. The researcher has adhered to the instructions when making the application to conduct the study and a copy of permission shall be attached as “Annexure B”. The application to conduct the study was forwarded to SAPS and approval was granted. SAPS have since responded by requiring the content regarding the research, such as the topic, aims and goals, as well as the motivation to the study.

2.11.2 Right to privacy

The researcher adhered to SAPS principle of need to know when dealing with issues confidentiality and data protection. Participants and respondents are human beings as well, hence, none of their constitutional rights were violated during this process.

2.11.3 Honesty with professional colleagues

The researcher acknowledged all sources that are used in this research. This was done throughout the research process to avoid committing plagiarism.

2.12 SUMMARY

Owing to the sensitivity of the topic under investigation, it was vital that all research methodology is up to the standards of the university, SAPS and human rights outlined in the Bill of Rights, chapter two of the Constitution of the Republic of South Africa. Mixed methods involving the usage of both quantitative and qualitative methods were chosen as the research methodology procedure to enable the researcher to have a direction on how the study was to be conducted. Definition of concepts were outlined, the advantages and disadvantage on the chosen methods were outlined to acknowledge that challenges do exist in every research study. Research methods were defined, data analysis was explained, trustworthiness of the research established, and ethical considerations were presented as proof that the researcher followed all the guidelines.

CHAPTER THREE

THE NATURE AND EXTENT OF POLICE BRUTALITY IN GLOBAL AND LOCAL COMMUNITIES

3.1 INTRODUCTION

One of the escalating problems in South African Police Service (SAPS) is police brutality reported on a regular basis. This problem is not only starting now but has been inherited by South African Police Service (SAPS) from the then South African Police Force (SAPF) from the apartheid era. The SAPF was dominated by unconstitutional laws which were rejected by most of the people in the country (Masiapata, 2007:2). However, there have been interventions such as the change in the name from the SAPF to the SAPS, which were some of the measures used to eliminate the stigma of the “police state” to the country and to serve and protect all people in South Africa. There is an increasing concern that police brutality has not been adequately dealt with in the democratic era within SAPS.

To date, more evidence has come to surface with the assistance of cameras installed on the streets within the cities and individual cameras from people’s mobile phones. So far, interventions by SAPS to stop members from acts of brutality to civilians has since not been working. This chapter focuses on the literature gathered from local and international sources on the perceptions of the origins of police brutality, the contributing factors, and strategies to prevent police brutality at a global level. It was evident that police officials are disconnected to society by the virtue of being law enforcers and are perceived not to have personal problems or are trained enough to handle all types of problems which may come their way. This study revealed that the origins of police brutality is caused by several factors, which some were found to be police official psychological issues, domestic issues, work related issues, which includes issues related to personal development in terms of training, incentives and internal communications.

3.2 THE PERCEPTIONS OF ORIGINS OF POLICE BRUTALITY

According to the United States Commission of Civil Rights (2018:3), police officials are said to have difficult and admirable jobs of providing crucial services to the public

they are meant to protect and serve. As a result, the job puts them in dangerous position which may require the use of force during policing. Though police officials are expected to operate in the highest standards of the professionalism and accountability, however, they are also workers and still must enjoy their rights in general. According to Marks and Fleming (2007:14), it is apparent that in many parts of the world, the police are actively campaigning for their rights as citizens and as workers. This factor also brings to light that police officials are part of the community they police. Hence, it affects the relationship between the police and the community one way or the other. The relationship has always been a tough one at a global glance. This is because the world consists of human beings with diverse cultural backgrounds. There have been historical events which have kept the relationship difficult.

3.2.1 Appointments of unqualified personnel

According to Zondi and Ukpere (2017:575), police brutality can be in a form of false arrests, intimidation, verbal attacks, police corruption and many forms of inappropriate behaviour by members of the police. All these are because of a conduct of a human being, either the victim or the perpetrator. However, police officials are always subjected to the fact that they should be able to prevent a bad situation because they are presumed to be trained for such instances. There are some factors which are perceived to have the ability to influence the character of the police official. Some could be that the police official was deployed with an unqualified character in the first place. This means that they do not meet the requirements that will project good values of SAPS as an organisation. For an example, it could be that the professional police themselves are employed with criminal records, which means that they had a character and the ability to commit crimes and just proceeded with their way of life after their deployment into the policing profession.

Police officials were employed without ethics in their character, let alone the required experience at senior positions. For an example, political appointments within SAPS, which according to Burger (2012), Police Minister, Bheki Cele is also said to not have had no experience as a police official but rather only served as a politician in

KwaZulu-Natal. In addition, according to Faull (2014:35), in the Khayelitsha Commission Report, there was evidence indicating that there is indeed political interference. With such interference in SAPS issues, it reflects badly on police management (Burger, 2012:57). Furthermore, Burger (2012) cites some of the leadership within SAPS, such as the former SAPS Commissioner Jackie Selebi who was named as one of the leaders without experience in policing and then got convicted for corruption and sentenced to 15 years in jail. Generally, in South Africa, police officials are perceived to have the following, publicly known legislative attributes, which came to be communicated on a daily basis through all sorts of media as follows:

- Understanding of the supreme law of the country, which is the Constitution of the Republic of South Africa Act 108 of 1996 (South Africa, 1996). There is the Bill of Rights, in chapter two, which articulate how everyone should be treated prior to looking at section 205 of the Constitution as well. The latter can also be looked at with subject to section 36 of the same Constitution, which articulates that, with all the rights outlined, there are also limitations stipulated in some cases the law must protect the people and the country,
- Understanding the different cultural background of the country, familiarise themselves with the history of the country for sensitive issues related to the history of SAPS,
- Understand the economic problems and understand the political dynamics which can interfere in the work of SAPS prior to engaging in taking any sites but only prioritise that of SAPS mandate,
- Understand the constitutional mandate linked to SAPS, the standing orders and the purpose of SAPS duties,
- Understand that he or she must be ethical, and be willing to represent SAPS well, on or off duty to the public,
- Whether in leadership position, he or she must be able to present themselves in such a manner which can reflect humility, accountability and proper managerial responsible attributes in the organisation (SAPS) or public,

- Not have a criminal record, or be a criminal, or commit criminal activities in the name of the organisation (SAPS).

3.2.2 Lack of ethical behaviour

According to Kruger, Lancaster and Landman (2016:52), “ethical values relate to beliefs regarding what is correct and appropriate”, rather than with what is truthful, operative or necessary. Ethics can be pronounced as values seen in human behavioural traits, that tells human beings how to act in circumstances which they are in (Uys & Harty, undated:3). SAPS is meant to reflect ethical standards to society at large, and it is vital that the reputation is maintained that way. In addition, Mehta (2017:31) asserts that the most ethical predicaments consist of a conflict between the needs of the part and the whole, meaning that “the individual versus the organisation or the organisation versus society”. It is important for SAPS to ensure that all decisions made, either by a police official or the managers, do not have a negative impact on society but a good one. This helps in maintaining the relationship with the community. However, when unethical decisions made by police officials posted to conduct community policing and then the management must see to it that ethical principles are maintained for the sake of the organisation.

According to Mehta (2017:31), managers are confronted with hard ethical decisions, which is somewhat beneficial from a normative strategy based on norms and values that guide their decision. With reference to the situation of police brutality cases facing SAPS, it is vital that the training standards and all regulations applicable in the policing duties are executed to the point. Drumwright, Prentice and Biasucci (2015:434) add that it is important that human beings are mindful of the vulnerabilities that come with the factors which can undermine the ethical decision making, which are cognitive errors, social and organisation pressure and situational factors. However, most human decisions are made intuitively by the consciousness system. Moreover, the decisions are made emotionally before the cognitive parts of the brain engage (Drumwright, Prentice & Biasucci, 2015:433).

3.2.3 Discriminative policing

Discrimination is to show favour, prejudice or bias for or against a person on any arbitrary grounds (Commission for Conciliation, Mediation and Arbitration, 2002:n.p). South Africa has been under colonial rule for 300 years, 30 years of formal policy of the apartheid regime that entrenched and enacted racial exclusion and economic exploitation for some citizen not classified as white which ended in 1994 (Van der Spuy & Rontsch, 2008:52). The researcher is of the view that policing is by nature a genuine duty, which includes protection of families and communities at large. This is because, generally policing is done voluntary and on a daily basis without us human beings noticing it (Bucqueroux, 2007:2). Primarily, taking care of families by protecting them is also policing. However, with evolution and migration came the policing profession, which involves performing policing duties for wages. The remuneration part came with the money being used to influence some of the duties for personal gain, which then subjected other people who do not have money in a vulnerable situation as they could not afford to pay for more what is personal for them. Then the situation has to have standards. The people who have more resources such as money will then get better treatment than the ones who do not have resources.

For example, after 1994, SAPS does not seem to have changed that much. This can be witnessed through daily incidents on media platforms. The incidents do not satisfy the citizens why there is need for policing, while all they see is police brutality. Other South Africans cannot seem to have access to a mere police station just to report an offence. Majority of villages in rural areas still do not have a police station. Instead, they must share a police station with 10 to 20 villages in some regional areas in the vast demographics of South Africa. This has resulted in civilians not seeing the importance of professional policing.

It has been observed that the community does not see the need why it is vital that there must be collaboration with the professional police when they are not there when they need them. For an example, during the month of April 2015, there was concern surrounding the police brutality in South Africa, which was brought into the spotlight when two ununiformed police officials shot a young man in Soweto. It was

said that the young man noticed an unmarked vehicle blocking his way and he attempted to reverse and the occupants in the vehicle shot him (Qukula, 2015). Such incidents are classified under some level of discrimination towards a specific class of society, without properly giving the person they are policing a chance to investigate what is happening, like they would allegedly do when faced with a different person and of a specific race during policing.

With reference to recent televised events on the state capture Commission, led by Deputy Justice Zondo, well known as the “Zondo Commission”, it has been reported on a daily basis that the state policing resources are since been used for political battles in South Africa. Hence, Gerber (2018) from News24 reported on the 04 October 2018, that the Independent Police Investigative Directorate (IPID) is ready to work with the Zondo Commission of Inquiry into State Capture and has already started investigations into police officials suspected of defeating the ends of justice in the state capture probes.

These revelations proved to the public that some of SAPS members cannot be trusted and are actually outlaws within the law. It also further pleased the public in general that SAPS members who are contravening with the law can also face the law, not only the civilians. The Zondo Commission is also showing that the applicability of the law in a correct way is not discriminative as everyone breaking the law will face the might of the law.

3.3 HISTORICAL OVERVIEW OF POLICE BRUTALITY AT GLOBAL LEVEL

Research has shown that police brutality is not a uniquely South African problem since several nations have experienced it. In America, Black people interact with the police more often than do their counterparts in other racial or ethnic groups, in part because of greater police presence or activity in low-income urban neighbourhoods disproportionately inhabited by black residents (Kennedy, 2016: 23). African Americans are a minority in North America, unlike in South Africa, African natives are the majority in the country. According to Amnesty International (2015:1), in the USA, hundreds of men and women are killed by police every year across the United States. No one knows exactly how many because the USA does not count how

many lives are lost. In some countries like the USA, Director-Counsel and President wrote a letter to the Department of Justice (DOJ) to:

- Undertake a comprehensive review of police-involved assaults and killings,
- Provide strong incentives for racial bias training and avoiding the use of force in the DoJ grant process,
- Hold police officers accountable to the full extent of the law,
- Encourage the use of police officer body-worn cameras.

According to Menifield, Shin and Strother (2019:56), in the USA, the disproportionate killing of African Americans by police officers did not appear to be driven by micro level racism. Rather, it is likely driven by a combination of macro-level public policies that target minority populations and meso-level policies and practices of police forces. In addition, Carter (2017:523) says that, to properly understand police violence and the movements addressing it today, it must be viewed through a racial lens. Furthermore, excessive police force has disproportionately impacted the lives of black people. With reference to the well-known history of South Africa, it has been so for the past centuries and decades as literature dictate. However, police misconduct and violence continue to be an issue in the years when rights are not supposed to be ignored (Carter, 2017:523).

The DoJ has successfully pursued criminal charges against individual police officers for official misconduct (Ifill, 2014:1-4). In most countries, the departments responsible for holding police officials are since established and there are reports made by the public as a result. In South Africa, IPID was established to investigate police officials on misconduct. In South Africa, the 2012-13 IPID annual report, 706 persons died in police custody or due to police action during the 12-month period ending March 31. In addition, nine SAPS members were charged and found guilty (USA. Bureau of Democracy, Human Rights and Labor, 2013:2).

According to Frühling (2011:83), there are other cases such as in the Dominican Republic, which represents a more global effort at police reform to transform a police force characterised by high degrees of abuse and corruption as well as severe

problems in training, professional development, democratic values, a lack of equipment, and scarce coverage in outlying geographic areas. The South African Parliament Portfolio Committee of Police also plays a role in enforcing legislation through regular monitoring and public reporting through Parliament Television.

These oversight mechanisms prescribe the roles and functions that the police need to fulfil when discharging their responsibilities. The Constitution of the Republic of South Africa Act 108 of 1996 prescribes the establishment of a national police service, which is required to be representative, legitimate, impartial, transparent, and accountable. Section 205 (3) of the Constitution directs SAPS to prevent, combat and investigate crime to maintain public order, to protect and secure the South Africa`s inhabitants and their property and to uphold and enforce the law. Members of SAPS must uphold and protect the fundamental rights of all people and execute its mission in consultation and cooperation with and in accordance with the needs of the community and government.

Ekblom (2011:114) explains that the police are also expected to render an effective service that is grounded in high ethical standards to fulfil the vision and mission of SAPS. When the police act violently towards members of the community, they are in violation of the Constitution, the SAPS Act and SAPS code of conduct, which govern the activities of the police. As mentioned in chapter one, in many news broadcasting, another worrying example include the brutal killings of 34 miners at the platinum mine in Marikana, which was well documented (Van der Spuy & Shearing, 2014). In Zambia, police brutality has always been experienced in its major prisons. In Lusaka Central Prison and Mumbwa prisons, many of the detainees have filed cases with various human rights organizations regarding brutality of the police (Human Rights Watch, 2010).

Human Rights Watch (2011) accentuates that there are no accurate statistics on the actual number of people brutally tortured and killed. Recently, during the Zimbabwean elections on 01 August 2018, there was evidence of use of police bullying, intimidation and alleged brutality (eNCA, 2018). The previous sections

looked at many research areas which include statement of the problem, research aims, purpose of the study, research questions theoretical concepts, as well as significance of the study.

This section explores some of the past literature concerning police brutality. It discusses some of the main studies which have been carried out in police brutality in South Africa. Data collected for this study suggest that there is more to police brutality problem, than the physical interaction between the police and the civilian. There was evidence suggesting that only physical contact but harassment, intimidation and trigger-happy police officials, which inflict fear in civilians, while under the custodian of the police. Reverting back to historical occurrences, research carried out by Zondi and Ukpere (2014:574) was aimed at revisiting the issue of police brutality during the post-apartheid South Africa. The study formulated questionnaires and they were distributed to 20 respondents from the general public so as to get their perception concerning the given issue. The findings of the research indicated that police brutality is a major problem prevailing in South Africa. The research established that while many people are generally perturbed by the present, they feel helpless in their capacity to alter the given situation.

Some of the respondents, however, indicated that the people in the top positions within the police hierarchy and the government can bring about a change in SAPS. The research, however, did not explore some of the key strategies which can be used to ensure that the problem is adequately solved. This research therefore explores some of the key practices that can be embraced to ensure that the problem is adequately considered.

Most of the previous researches have mainly explored the level of police brutality in South Africa. However, they have not explored some of the key strategies which can be adopted to ensure that the menace is adequately addressed. This research hence comes to bridge this gap. While many studies have been concentrating on the whole of South Africa, this research mainly looks at Johannesburg area. Police brutality has been very common in South Africa in general, and various institutions

and authorities have raised the issue in a bid to ensure that the government deals appropriately with it. Moreover, the high rate of crime in South Africa and the killing of police officials have prompted politicians to make irresponsible statements that could result in police brutality. There seems to be a connection between police brutality and sentiments from the South African elites. Sentiments from elites encouraging police brutality seem to aggravate the problem because some police tend to ignore their code of practice and implement unlawful commands. Equally, the brutal acts of the police were condemned by the former Minister of Police, Mr Mthethwa (The Minister) in 2012 when referring to the brutal killing of a teenager in Dobsonville. The researcher learned from the SABC news when the minister was making a statement that there will be no place for criminal police officers.

The Minister further said that police officers who misuse their powers, harassing and murdering innocent people do not deserve to be called police officers and they must therefore face the full might of the law. Many people have lost their lives because of police brutality. For instance, Hamilton (2012) from the socialist world net reported that, on 16 August 2012, about 34 Lonmin striking miners were massacred by SAPS members in Marikana and the strike was related to wage increase. In addition, Hosken (2011) from the iol.co.za online news reported that there was an identification of poor training, negligent police management, criminal police officials, disrespect for the law and order and disregard for internal disciplinary procedure as the main causes for the increasing of police brutality within SAPS. Furthermore, Williams (2012) from the Sowetan live news reported that police brutality cases are not properly investigated, and some incidents are not reported to IPID, which is in contravention with section 29 of IPID Act.

On 18 January 2017, the researcher learned from the South African Broadcasting Corporation (SABC) news channel, about a shooting incident which occurred between the police and robbers in Katlehong at a petrol station where a police officer shot his colleague from behind. It is alleged that the police reported that the police officer was shot by the robbers but unfortunately there was a video footage at the petrol station which revealed the actual incident. This incident can be attributed to

lack of proper training. If the police official was properly trained to handle such incident, he would reasonably have known, remembered his colleague, from clothing and proper communications channel during the process.

All the above-mentioned incidents have contravened the right to life because of incidents during policing. In addition, it is globally recognised that human dignity is a universal standard throughout. Hence, governmental states are obligated to ensure the protection of their people from the police as stipulated by the legislation and IPID Act (Godfredson, Ogloff, Thomas & Luebbbers, 2010:27). The individual police officers are human beings who have different personal opinions, objectives and interest. In addition, there is a great need for the development and maintenance of high standards of conduct among the members of the police. Therefore, failure to maintain these standards will cause the organisation to lose community trust and support and to undermine the ability of the organisation to police this country effectively.

One of these nations is for instance, the USA, where discriminatory police violence and brutality is not a new phenomenon (Matthew, Andrew, Papachristos & David, 2016: 870). In 2015, about 1139 individuals were killed by the police officers in the US (Matthew, Andrew, Papachristos & David 2016: 861). More than 25% of the people killed by police violence were mainly African Americans. This generally points out that police brutality is a common feature even in nations that are highly developed. At the demise of apartheid, the SAP was renamed the SAPS.

The transformation of the police posed major challenges for the police, as they were now to become a fully integrated service in terms of race, ethnicity and different cultures. They were also required to police by consent and involve the community in policing. South Africa, however, has been described as an excessively violent society with one of the highest levels of crime in the world (Thompson & Lee 2004:155).

Qukula (2015) on the South African radio station called Radio702, reported that on average, incidences of police brutality within South Africa are reported 1770 times every. This generally translates into five incidents every day. On 22 August 2013,

Gareth Newham, from the Guardian (2013) newspaper reported concerning police brutality within South Africa, which have significantly increased by about 313% within a decade. However, just one in 100 cases against the officers who are involved results into their conviction. There have been a series of high-profile cases in the recent past. Police brutality cases have risen from the 416 between the years 2001-2002 to about 1,722 cases between the years 2011-2012 (The Guardian, 2013). The Independent Police Investigative Directorate (IPID) opened 11,880 criminal cases between 2011 and 2012. However, According to Williams (2012) from Sowetan live news indicated that this brought just about 2,576 prosecutions, as well as 129 convictions. This generally implies that just one per cent of the criminal cases which were opened against police officials always end in a conviction.

Based on the above statistics, it is very clear that police brutality is an issue which needs to be addressed effectively. Police brutality has reached alarming levels and as such, various measures ought to take place in order to ensure that the problem is adequately responded to. While research about police brutality in the entire South Africa has been carried out by different scholars, the findings of these research reports have not impacted on how the problem is addressed. This research wishes to build on the latter research and explore the issue in Johannesburg holistically by examining the root causes that contribute to this problem with a view of offering workable solutions to the problem. While several studies have been carried out pertaining to the police brutality and some measures have been put in place to ensure that this scourge is addressed effectively, tangible results have not been attained.

The SAPS is not doing enough to address the issue of police brutality in Johannesburg. Simply put, based on statistics, police brutality is very rampant in South Africa and various kinds of measures should be adopted to ensure that it is adequately looked into by IPID. Even though many studies have been carried out with regards to police brutality, a number of them have not suggested tangible solutions which can be adopted in order to ensure that the problem is adequately dealt with. Different from other studies which have mainly concentrated on the

causes of police brutality, this research has explored some of the strategies which can be adopted to ensure that the problem is adequately addressed (Chapter Four of this study succinctly outlines these strategies). Police brutality in other continents was observed as follows:

3.3.1 Police brutality in America

Just like South Africa, countries such as Latin America are places where the police were one of the protagonist's political repressions during the period of authoritarian regimes. One of the objectives of the reforms has been to reduce police brutality and thereby to increase public trust in the police (Cruz, 2009:1-8). In the old South Africa, police were used to fight political unrests, riots and racial conflicts within the country. The USA is also one of the places where racial conflicts and police brutality made its mark in history. Looking at the recent activities on police brutality, the problem has not yet gone away.

In the USA, the relationship between the police and the community has been a long-standing important issue affecting the policing profession and the communities at large (Kohistani, Dougherty, and Klofas, 2015:1). This problem has since been escalating over police brutality over the shooting of civilians and the aggression by civilians at the police. This situation is similar to what has been historically happening in South Africa.

The USA has a history of segregation from racial discrimination for many years, just like South Africa, and the policing profession has been the tool used to escalate the adversarial relationship between the police and the community with the country. Evidently, the news media have been publishing the series of events, which research has indicated that the news media can affect the public's understanding of the events in a number of ways (Fridkin, Wintersieck, Courey & Thompson, 2017:3396). For an example, research suggests that in places such as Canada, 95% of the people there learn about crime from the media (Campbell, 2012:1). This could be a possibility even in places such as the USA.

According to Cassisi (2016:3), acts of police brutality in the USA has been on the media in 2014, since the death of a 17-year-old African American male who was

killed by a member of a neighbourhood watch group. In addition, Hargrove (2015:1) argues that police use of physical force is a particularly controversial issue in American crime fighting. Moreover, the entertainment industry, especially the television series and movies make the act of police brutality deserving to the audience watching the aired television series or a movie. However, the reality of police use of force is said to be much less dramatic and the boundaries of legitimate police use of force are much more constrained than defined in popular culture.

In the real-life reality, just to give an example, approximately 15 officers are seen in the video witnessing the beating but only four officers were charged (Hargrove, 2015:1). According to Hargrove (2015:2), policing requires a sound discretion, which means that officers must often make split-second decisions when dealing with civilians. This means that the police must have tolerance for diversity during policing, dealing with the mentally ill or differently able.

According to Menifield, Shin and Strother (2019:56), African Americans are disproportionately killed by police officers nationwide. In America, the demonization of African Americans has led many to view the brutal conduct of police officers not as violence but rather as officers' preservation of "self and community (Carter, 2017:525). In addition, African men and boys are particularly at risk of losing their lives to officers regardless of whether they have committed a crime or not.

According to a study published by the American Psychological Association (APA), young African males are presumed guilty and are considered years older than their actual age (Carter, 2017:526). In addition, O'Connor (2016), reported on the police brutality statistics during 2012 alone, that an estimated 55 400 people were injured or killed in the USA. Recently, the Killedbypolice.net (2019), the police shooting database-killed by police, there has been 197 people who were shot and killed by police during the first quarter of 2019.

3.3.2 Police brutality in Europe

Similarly, countries such as Canada and England, have been condemned by the United Nations (UN) for police brutality (Cassisi, 2016:7). However, it has not all been silent or reported on the media only. There have been formal cases reported

by civilians with regards to the police brutality. In London, it has been reported almost a decade ago, from 2010 to 2019, that there have been many cases growing of high-profile investigations into the conduct of police officers and police staff holding a position equivalent to Assistant Chief Constable or above (Hales, May, Belur & Hough, 2015: 2).

These are similar cases as in South Africa where most of SAPS police commissioners have since been accused of something somehow. The leadership has since been reported to have influenced the bottom of the ranks and lack of discipline within the police. However, in places like Mumbai, in India, it is a different story. According to Belur (2010:9), police officials in Mumbai are said to not only handle cases of arbitrary street justice. This is where some police act as judge, jury, executioner and then decides to do something about the crime problem by eliminating alleged criminals. However, their actions are praised by the public, the media and the political leadership. The brutality is acknowledged by the victim's families and victims themselves.

3.3.3 History of police brutality in Australia

According to Ombudsman Victoria (2009:76), the police involved in crime recording must have appropriate knowledge and skills if high quality crime recording is to occur. Furthermore, appropriate training enables police to comply with crime recording policies. However, Allard and Prenzler (2009:5) state that other researchers found that the diminishing physical skills was said to be the major contributing factor to accidents in the police, as lessons from academy training gave way to over-confidence and complacency.

The Australian Law Reform Commission (2019) indicated that the police are granted powers and it is the state's responsibility to ensure that these powers are not abused. Hence, they are held accountable where complaints are lodged against them. This could be that Australian police take the accountability for their actions and somehow encourage them to find mechanisms to handle situations in difficult situations. However, according to Livingstone (2018), there is confusion in the Australian police when it comes to what force a police officer can and cannot use.

According to Thrupp (2018), it was discovered that more than half of the people shot dead by the New South Wales police over the past 20 years were mentally ill. Hence, there was a mandatory day of training in how to respond to people with mental health. In another incident, it was discovered that police officials in Melbourne were filmed kicking a suspect in the face (Livingstone, 2018). In addition, Thrupp (2018) reported on Close Circuit Television (CCTV) footage where six Victorian police officials were assaulting and violently arresting a disability pensioner.

Doulton (2019) postulates that Australian police and media have proven that protests can be contained, and policemen can eventually return to work without any repercussions and this depends on how the story is presented. However, according to the Law Enforcement Conduct Commission (LECC), there have been 93 investigations into New South Wales Police use of force, 18 of which include allegations of assault and unreasonable force. In addition, a significant number of complaints about unreasonable use of force are being investigated by the New South Wales Police Force (Livingstone, 2018).

3.3.4 Overview of police brutality in other Africa countries

In Africa, the African Police Oversight Forum (APOVF) outlines that the police have enormous powers which they may use to preserve or subvert the safety, liberty and rights of citizens, which may depend on the character of society (Alemika, 2008:1). Most of the police brutality at a global glance are racists, and prone to oppression, violation of human rights and political affiliation association.

3.3.4.1 History of police brutality in Zimbabwe

According to Mugari and Obioha (2018:1), the police service is an important arm of the government, charged with the responsibility of protecting the lives and property of people, criminal investigations, and maintaining law and order. Hence, Mugari and Obioha (2018:1) further said, their job is to discharge their constitutional mandate; they are entrusted with powers such as the power to arrest, detain, search, and to use force. However, it does not at all the times appear to be so in Zimbabwe.

This is confirmed by some media reports such as those in the Sunday Times. It was reported that Zimbabweans were quick to expose the government lies on social

media when the state denounced video footage aired by Sky News on the police and army brutality on the recent strikes (Thompson, 2019). This suggested that the police and the army were used like a tool of government. During the month of January in 2019, there were protests against fuel prices hikes. Residents mentioned that the police and soldiers were patrolling Harare townships and assaulting some people in their homes, a tactic used by former Robert Mugabe's security services during his almost four decades as president (Reuters, 2019). Nevertheless, the Zimbabwean police brutality keeps on emerging under the supposed to be the democratic era. This was confirmed by Mudadigwa (2016), of Voa Zimbabwe, that Harare Civil Society Organisation have condemned what they say was a violent state response to recent protests that hit Zimbabwe.

3.3.4.2 History of policing in Botswana

The media reported that Botswana has lost its reputation as a free, democratic and human rights abiding country (News24.com, 2017). In addition, Letsididi (2017), from the Sunday Standard reported that the Botswana Police Service (BPS) Commissioner found himself unable to answer when asked by Botswana Parliament public accounts committee on the recent acquisition of *sjamboks* –whips made of tapered hard rubber that inflict painful welts. Further, it was said that the BPS was yet to democratise itself and not operate on skin tone discrimination.

3.3.5 History of police brutality in the South African democratic era

South Africa take police brutality very seriously, which is why they have established external bodies, such as the IPID, which operates independent of SAPS. According to IPID (2017/2018:18), Section 206(6) of the Constitution of the Republic of South Africa, 1996 makes provision for the establishment of an independent police complaints body. It stipulates that "On receipt of a complaint lodged by a provincial executive, an independent police complaints body established by national legislation must investigate any alleged misconduct of, or offence committed by, a member of the police services in the province"

According to Tait and Marks (2011:15-16), the Independent Complaints Directorate (ICD), now the "Independent Police Investigative Directorate" (IPID), has seen an

upsurge in cases of police brutality since 2006, reaching top notch in 2009. Furthermore, the ICD recorded a year-on-year increase of the alleged cases of brutality in relation to public order policing from five cases in 2006, 16 in 2007 and 25 in 2008 to 59 cases in 2009.

Lastly, most of cases were assault with intent to do grievous bodily harm, attempted murder and murder. In the recent years, not so long history, the following cases have since been disclosed by the IPID in terms of IPID Act section 28 (1)(a) to (h) on cases reported against member of SAPS:

Table 3.1a Statistics of the cases reported to IPID between 2012 - 2015

Financial year		Number of cases
1	2012/2013	6 728
2	2013/2014	5 745
3	2014/2015	5 879

Source: IPID Annual Report (2014/2015:41)

Table 3.1b Statistics of the cases reported to IPID between 2015-2018

Financial year		Number of cases
4	2015/2016	5 651
5	2016/2017	7 014
6	2017/2018	5 651

Source: IPID Annual Report (2017/2018:38)

The IPID bearing the official slogan 'Policing the police for a safer South Africa' is responsible for investigating police misconduct (McMichael, 2016: 3). Police brutality has since been condemned from the apartheid era. According to Hornberger (2011:131), the inner city of Johannesburg underwent reconfiguration in the late 1980s and early 1990s, which determined its direction. Evidently, everyone knows by now that it was time of climate of political change in South Africa and transformation from racial discrimination and isolation. It was all about, who must enter here and who must not, depending on the person's skin colour. Most of the reports were recorded by the Amnesty International at that time.

Under the apartheid regime, the police force was used as a brutal political tool of the ruling government (Alemika, 2008:63). Bruce (2005:141) confirms that during the apartheid period, South Africa had a worldwide reputation for police brutality. In the democratic South Africa, new cases have since been emerging and published by the media on a regular basis. Most recent incidents occur during riots (xenophobic) and protests (strikes). Police intervention was reported in a number of cases, most often involving the arrest of perpetrators (Bekker, 2015:237). However, most of the reports were said to not be accurate.

Information provided by researchers and journalists was said to be inaccurate which were likely unintended, while SAPS leadership knowingly misled the public (Alexander, Runciman, & Maruping, 2016:10). Despite these “not sure” statements, there has been notice of police brutality in South Africa (Zondi, & Ukpere, 2014:575). South Africa needs solid partnership with the community. However, South Africa is struggling to build and maintain a harmonious relationship between the police and the community.

This is because allegations of misconduct and illegal activity have been levelled against all ranks of SAPS (Burger, 2011:13). Other possible reasons could be that SAPS was inherited from the SAPF, which was created and shaped by the apartheid regime as paramilitary in character and were there to protect the interest of the racial minority (Muntingh & Dereymaeker, 2013:12). Ordinary South Africans know that and those who were born in the new South Africa learn about it on documentaries, reports and other state anniversaries annually.

For an example, Langa (2015:15-17) said that:

“Another policeman hit me with a fist on the stomach and they threw me into a police van. They took me to the police station and took the other guys to another cell. They kept me in this room at the police station. They then undressed me, and now the beating got serious because when I went out there I was feeling like I did not have ribs”.

Another example:

“Sipho is a 57-year-old black male who lives in one of the townships in Johannesburg. In 2009, his son Themba (24 years old) was the co-ordinator of a community-based organisation which was instrumental in organising a service delivery protest a local municipality. While seated in their house at around 8 pm, Sipho was shocked when a group of about 22 policemen stormed into his house and ransacked it. When recounting this experience Sipho stated,

“The police said they were looking for my son [Themba] because he was instigating other members of the community to cause disorder in the community. When I told them that he was not at home they started hitting me. “They kicked me everywhere. They also hit me with batons and even pulled me by the ears while I was lying helplessly on the floor. They didn’t stop even when I said, ‘Stop, please stop, you are hurting me, you will kill me.’ They didn’t show any mercy at all. You can imagine how it was like when, so many young policemen attacked a helpless old man like me (Langa, 2015:24).

SAPS suggest that people could have also inherited the dislike to SAPS and still view it as the SAPF. This perception is built up as the tactics have not yet changed and the ranks regressed to that time of the apartheid regime. Some of the examples which make the relationship to be difficult are the actions that occurred during the Marikana massacre, which was understood as being partly consequences of the militarisation of SAPS (Centre for Applied Legal Studies, 2015:5). This is confirmed to be a difficult task for SAPS.

Whenever there is protest, they are expected to be called for duty and protect all the people. According to Munshi (2016:67), “policing is essential to the maintaining of public order whilst remaining inclusive and tolerant of dissenting voices. Instead of policing with restraint, there has been a narrowing of democratic space through deliberate discrimination and persecution, without grounds, of community leaders and protestors by SAPS”. This situation suggests that SAPS is always working on the thin line while on duty. Seldom and evidently, then human rights are violated during policing violence, the police official will and is always subjected to accountability and criticised for lack of training to deal with the situation.

To confirm the existence of police brutality, in the Free State, there are 29 different police station cases of police brutality which indicate the wide spread of this phenomenon and it is not confined to specific units. After an analysis of these cases, 65.51% of the police brutality were reported against police station officers. About 24.14% were crime prevention officers and 3.45% against detectives and 3.45% against dog unit members and another 3.45% against tactical response team members (Van Tonder, 2013:106). According to Abrahams (2010: 501), Johannesburg is known for its mining industry which brings most of African men from different ethnic group from around the country. When this individual meets in CoJ Johannesburg, presumably form violent gangs, such as “Ninevites and Tsotsi” from their own ethnic groups for survival purposes in the big city. It was said that violence spread to the nearby townships. Furthermore, the police authorities were slow to respond, which led to the residents in many neighbourhoods to form neighbourhood watch.

Under the democracy, the following police brutality incidents were noticed by the international community under SAPS in:

- “On February 26, onlookers filmed Mozambican taxi driver Mido Macia as police handcuffed him to the back door of a SAPS van and dragged him to a police station in a township near Daveyton, Ekurhuleni, where he subsequently died”. The outcome of this case was articulated by Rahlaga (2015), that the eight former cops say goodbye to their families after being sentenced to 15 years each on 11 November 2015 for killing Mido Macia.
- “Xenophobic attacks on foreign African migrants resulted in deaths, injuries, and displacement (see section 6, National/Racial/Ethnic Minorities)”.
- “Amnesty International corroborated cases of torture, including the use of electric shock and suffocation. Police also assaulted detainees with batons, fists and booted feet. Furthermore, police torture and physical abuse allegedly occurred during house searches, arrests, interrogations, and detentions and sometimes resulted in death”.
- “On August 1, two men arrested in the June, regarding the murder of Major General Tirhani Maswanganyi claimed police repeatedly tortured them after their arrest. One of the suspects called Nditsheni Nefolovhodwe, alleged he was suffocated with a plastic bag, strangled with a plastic tube, beaten, and tied. He claimed he did not receive medical treatment while in police custody and that he was not read his rights during detention. Ndaedzo Vele, his co-accused, also claimed police beat and tortured him. An investigation continued at year’s end”.
- According to IPID, reported assaults by police increased from 1,313 cases in 2011/12 to 4,131 cases in 2012-13. Suspects in several cases were interrogated and assaulted while being detained by police, without any record made of their arrest. IPID reported 50 torture cases in its 2012-13 annual report; the 2011-12 annual report did not report the number of torture cases.
- “IPID received 146 complaints of rape in 2012-13. Of the 146 cases, 55 were against on-duty SAPS members, and the remaining 91 were against off-duty SAPS members”.

- On May 5, police arrested a warrant officer from the Mamelodi East Police Station for the April 28 rape of a 13-year-old girl. The officer was also charged with the 2008 rape of an eight-year-old girl and the 2009 rape of a 12-year-old girl, for which he was granted bail and continued to work without suspension. In the officer's most recent court appearance for the rape of the 13-year-old girl, he was denied bail and remanded to custody. The trial continued at year's end (Bureau of Democracy, Human Rights and Labor, 2013:2-)

According to the Women Legal Centre (undated:1-20), in South Africa, there are many places to report complaints per province throughout South Africa. There is no province which it can be said that there cannot be a place to report. Some of the departments are as follows:

- SAPS (all provinces);
- Department of Safety and Liaison (all provinces);
- SAPS Centre for Service Excellence;
- Public Protector (all provinces);
- Independent Police Investigative Directorate (IPID) criminal treatment; and
- Department of Community Safety.

According to the Faull (2011:3), "the Independent Complaints Directorate (ICD) was the South Africa's primary police complaints body, which was established in 1997, a time when the spectre of apartheid still hung over SAPS and it needed to re-earn public trust. Chapter 10 of the South African Police Service Act (1995) provided the legal basis on which the ICD was established". The police criminal treatment such as brutality during policing are supposed to be also directed to IPID.

According to Vetten (2017:9), IPID was instituted as a result, "to give greater bite to oversight of SAPS (the Portfolio Committee having noted in 2008 already that the ICD had been rendered a 'toothless bulldog' by SAPS), 16 the CSP was inaugurated to give effect to Section 208 of the 1996 Constitution". There are challenges here with the cases reported as they are said not have not been investigated. There was also an advertisement on radio, calling for the victims of police brutality and violence

in the hands of SAPS to come forward at IPID (McMichael, 2016:3). However, IPID was not helpful when it comes to cases such as from the example provided above, it was said that

“Sipho’s case was referred to IPID for investigation, but to date perpetrators have not yet been arrested. His son Themba asserted in an interview with me that “we need closure as the family and we also want those policemen to pay for what they did. He expressed his unhappiness that IPID had not yet completed its investigation to ensure all those policemen who tortured his father were arrested” (Langa, 2015:24).

There is also a problem of civil claims against the police which serves as an indication that there are valid civil suits which were paid out to the victims or people who took the police on legally. According to Oosthuizen (2013:20), there are more people bringing civil claims against SAPS. The individuals are said to go to court for range of damages against police officers for actions including crimes such as assault and murder. It is further said that “between March 2010 and March 2013, the total value of civil claims against SAPS rose from approximately R7.5 billion to R18.4 billion. This includes court costs, because courts sometimes order SAPS to pay the lawyers’ fees for people who have brought cases against the police”.

Further, “Some examples include the murder of Andries Tatane in April 2011; which, according to Van Schie (2013), it was mentioned that, Andries Tatane’s wife “Rose” cried inside Ficksburg Court B, after 7 police accused of killing her husband during a service delivery protest are found not guilty.

The massacre of 34 miners at Marikana in August 2012; and the death of Mido Macia after he was dragged behind a police van in February 2013” (Oosthuizen, 2013:21). The outcome of this case where that Anele Zonke and others were charged with multiple counters relating to the incidents in Marikana in 2012, as they appeared briefly in the North West High Court in Mogwase (ANA Reporter, 2019).

The assassination of a 16 year-old teenager (Thato Mokoka) from Dobsonville by student Constable (Sipho Mbatha) stationed at the police station in Dobsonville in

2012. The result of this case has been that Mr Sipho Mbatha has been charged with murder and sentenced to 17 years in prison at the Johannesburg High Court (IOL Reporter, 2015).

There have been dialogues regarding human rights violations and policing and policing, militarisation, use of force and democratic policing in South Africa (African Policing Civilian Oversight Forum and South African Human Rights Commission, 2016:7). However, reports on the media and examples provided above suggest differently.

The said funds were allocated to the civil claims in courts. However, the figures on convictions of police officials have since been recorded. According to Cronje, van Heerden, Ndebele and Kane-Berman (2015:7), "IPID data shows that 9000 reports were made to them over the 2013/14 period and that just over 5000 were successfully completed. A total of 1470 criminal recommendations were referred to the NPA. However, IPID reports that only 83 criminal convictions were secured, with 135 disciplinary convictions".

These are said to be contrary to the Data from SAPS 2013/2014 annual report.

Taking the higher of those contradictory numbers, the police report that more than 5 578 disciplinary actions were instituted against their members over the year. In more than 3 435 cases some or other sanction ranging from a verbal warning to a fine were issued – a number significantly higher than that of IPID report. In more than 503 of these incidents the member in question was dismissed. This is in line with data the police have quoted in the media that in 2014 alone more than 800 officers were fired. In fact, add the latter two numbers together and almost 1 in 100 officers have been fired over the past 24 months.

We therefore suspect that the police are themselves taking far more disciplinary action against their members than IPID data suggests – which is a very good thing. However, despite this the new cases just keep coming – suggesting that what action is taken is still insufficient to stop police criminality (Cronje, van Heerden, Ndebele & Kane-Berman, 2015: 7).

South Africa is trying to resolve the problems facing SAPS and society in general. Bruce (2017:12) said that IPID is in many ways dependent on SAPS and depends on cooperation from SAPS members to carry out its functions effectively though there are former SAPS members who also make up a significant proportion of IPID personnel.

3.3.6 The nature and extent of police brutality in Johannesburg Central Police Station

3.3.6.1 Social status of the City of Johannesburg (CoJ)

Johannesburg is the biggest and the most vibrant city in South Africa. It is known for the fact that in the olden day and still to date many people including foreigner's flock to the CoJ for economic reasons. Crime is also the most dominated of them all as most people who are not finding what they came for, such as jobs, they resort to a life of crime. Others become criminals because of being victims of crime. South Africa has groups such as Urban Safety Reference Group, which are committed to "*integrate inclusive measures for urban safety and the prevention of crime and violence*" (Urban Safety Reference Group, 2017:1).

This suggests that South Africa has measures in place to try to gather intelligence for the ins and outs of the city lives of the people, specifically looking at the potential crime and violence, which the city host different type of characters with different needs at a time. According to the Urban Safety Reference Group (2017:14-35), Johannesburg has been reported to be the second in South Africa in murder rate statistics. These were based on SAPS crime statistics released in September 2016.

On robberies and residential, Johannesburg remained number one between 2005/06 and 2015/16. Furthermore, the population was reported to have been increasing, which rapid urbanisation and the related problems of homelessness and unemployment (Urban Safety Reference Group, 2017:14). However, there is the Johannesburg City Safety Strategy (JCSS), which aims to support the further institutionalisation of city safety by drawing on specific safety-related insights that have emerged from practice within the CoJ. This ensures interventions are founded

on accurate, real-time data, therefore strengthening key inter-agency initiatives (Urban Safety Reference Group, 2017:56).

3.3.6.2 Role of the police

The mandate of SAPS as contained in Section 205 of the Constitution of the Republic of South Africa, 1996, is to prevent, combat and investigate crime, to protect and secure the inhabitants of South Africa as well as their property, and to uphold and enforce the law (African Policing Civilian Oversight Forum & South African Human Rights Commission, 2016:3). SAPS have the Johannesburg station to carry out this mandate. Johannesburg also has a police station which account for the following police stations: Booyens, Brixton, Fairlands, Mondeor, Langlaagte, Sophiatown and Moffatview.

The Johannesburg Central Police Station is expected to render an effective service of high ethical standards, which, police officials are also still human beings with different characteristics, from different families and interests (Masiapata, 2007:1). However, the station has been reported to have been clouded by police brutality instead of proper service delivery. According to Marks, Shearing and Wood (2009:145), there has been voices denouncing community policing, which have become very loud in South Africa.

3.3.6.3 Challenges in City of Johannesburg (CoJ)

There have been many challenges in the police stations around Johannesburg, which also include corruption, which may play part when police brutality has taken place. According to Faull (2011:2), “research conducted by Centre for the Study of Violence and Reconciliation at 21 Johannesburg stations in 2004 found that 92 per cent of respondents believed corruption was a serious challenge facing SAPS”. However, the former Minister Mthethwa (2012) announced in his speech that there is not space for “Tsotsi” corps (SAPS). This was regarding the alleged shooting of a Sowetan teenage boy, which he was indicating that there was an investigation underway over that shooting by a police official.

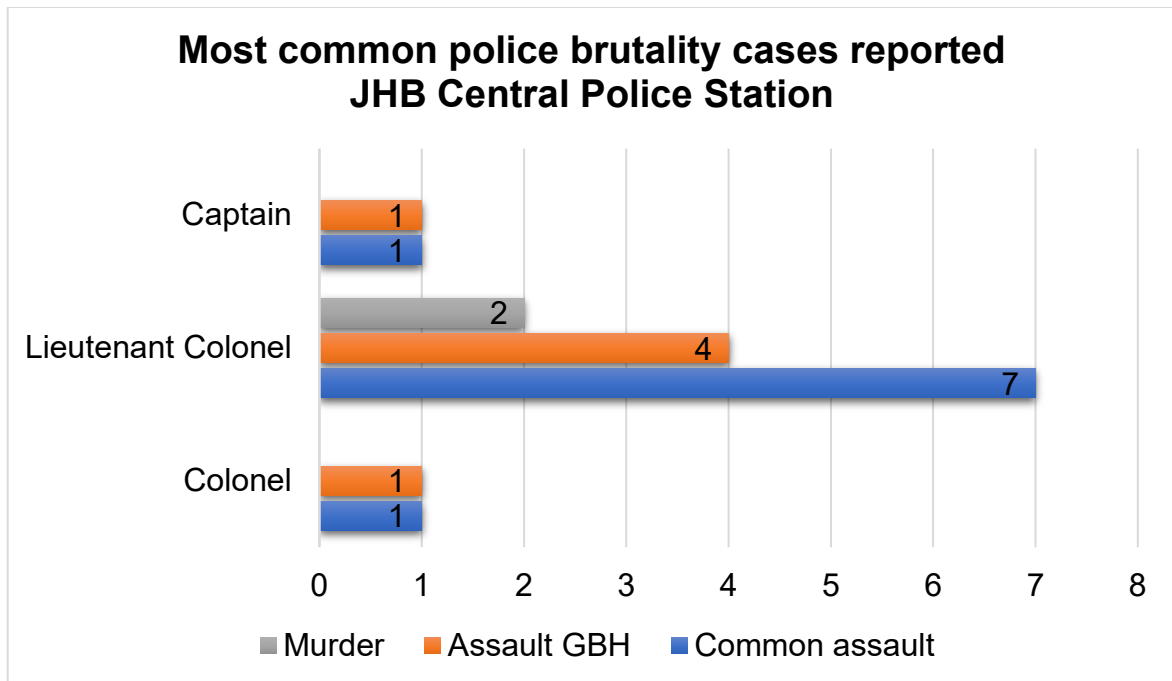
According to Hornberger (2011:139), police interventions had “your police-my police” relations within the communities, at least in the community’s perspective,

whom without knowledge of how the government police works. People tend to privatise the police and want to use them for their own personal family problems. However, observation had racial faulty lines, with differences in interests, loyalties and organisational and individual rationales. This may be perceived as conflicting alliances with different police officials and may be have perceived as corruption. Usually if the police act on the side of the other person, the other person tends to feel threatened (Hornberger, 2011:144).

3.3.6.4 Most common police brutality cases reported at Johannesburg Central Police Station

The researcher wanted to establish the type of cases usually reported at SAPS Johannesburg Central Police Station. Data collected through interviews, on the nature and extent of police brutality, question 5 investigated “What are the most common police brutality cases reported to Johannesburg Central Police Station?” The researcher was able to extract views and opinions from the participants in line with this sub-research question. The Microsoft (MS) Word Bar Chart 3.1 reflects the opinions of the participants to the posed question.

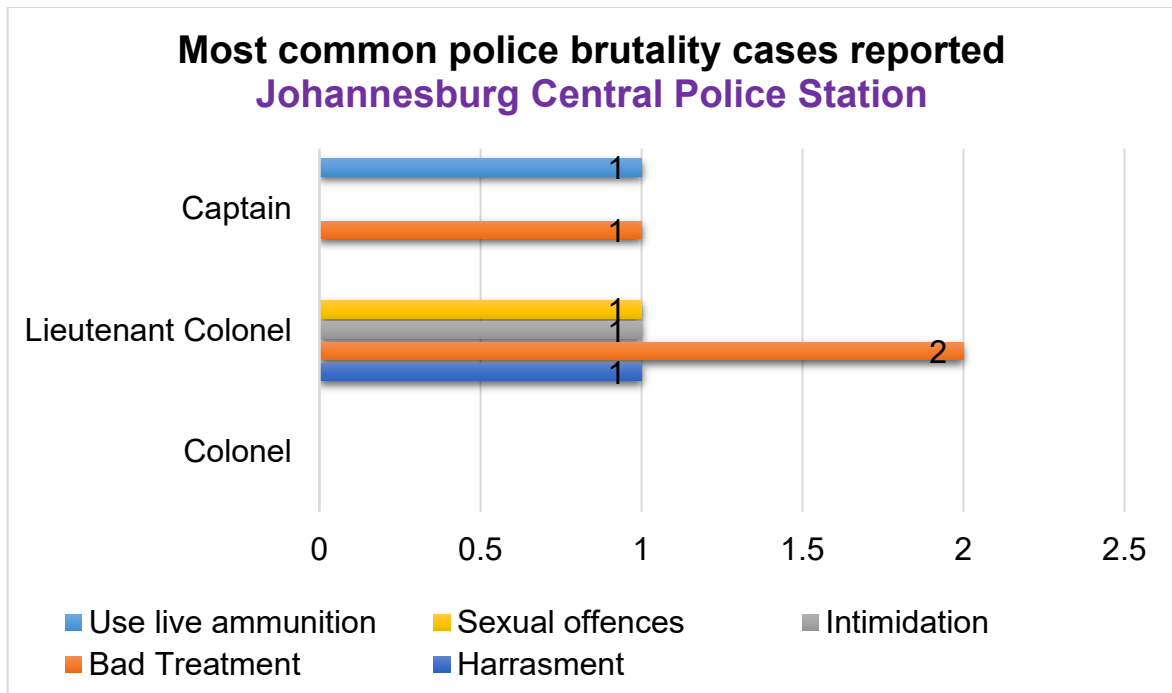
Bar Chart 3.1a: Most common police brutality cases reported Johannesburg Central Police Station



Above bar chart designed by the researcher

Bar Chart 3.1a suggests that participants holding Lieutenant Colonel Rank confirmed that police brutality in a form of assaults does exist in Johannesburg Central Police Station. Moreover, there are other forms of violations of human rights in other definitions, which suggest that the officials disclosed, which may contribute to violence within the Johannesburg Central Station. However, Participant 8 did not answer this question. Participant 11 commented that *“beating up suspect (s) / lawbreakers, Torture and inflicting pain on a suspect (s) / lawbreaker which leads to death in other instances, use of excessive force on people who are intoxicated, leaving them more vulnerable and incapacitated”* (Participant, 13, 2019). Some of the participants provided other opinions on the same questions which do not involve police brutality. However, some complaints which are encountered by civilians when they come to Johannesburg Central Police Station for services. The Microsoft (MS) Word Bar Chart 3.1b reflects additional complaints by civilians resulting from the same question 5.

Bar Chart 3.1b: Most common police brutality cases reported Johannesburg Central Police Station



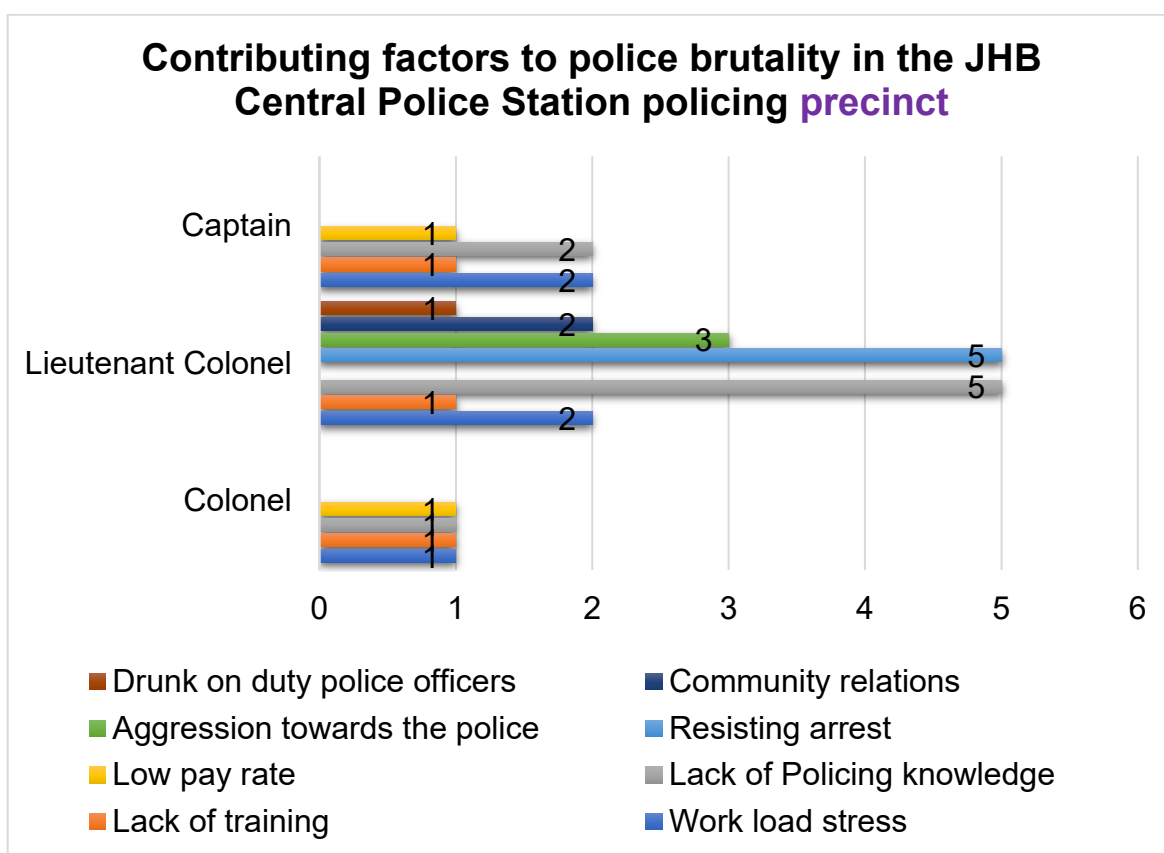
Above bar chart designed by the researcher

The researcher argues that the disclosure of the above violations suggest that SAPS members are not ignorant and are eager to point out some of the occurrences the Johannesburg Central Police Station is faced with.

3.3.6.5 Contributing factors to police brutality in the Johannesburg Central Police Station policing precinct

Some of the recorded factors are negligent police management, poor training, non-compliance to law and order, criminal members with SAPS ranks and blatant disregard for internal disciplinary procedures (Van Tonder, 2013:31). In addition, the researcher wanted to establish contributing factors to police brutality in the Johannesburg Central Police Station policing area. Data collected through interviews, on the contributing factors to police brutality, question 6 investigated “*What are contributing factors to police brutally within the Johannesburg Central Policing precinct?*” The researcher was able to extract views and opinions from the participants in line with this sub-research question. The Microsoft (MS) Word Bar Chart 3.2 reflects the opinions of the participants to the posed question.

Bar Chart 3.2 Contributing factors to Johannesburg Central Police Station policing precinct



Above bar chart designed by the researcher

The above bar chart suggests that participants have various reasons which comes to mind, based on their experiences, which assist in determining the factors contributing to police brutality in the Johannesburg Central Police Station policing precinct. Participant 8 did not answer this question. Other mentioned factors were rather different from what one would usually suspect.

The following participants added the following comments:

- Participant 1 was opinion that “*Illegal protests and trigger-happy police officers*” (Participant 1, 2019).
- Participant 2 was opinion that “*Undocumented foreigners and prostitution*” (Participant 2, 2019).
- Participant 3 was opinion that “*Service delivery protests*” (Participant 3, 2019).
- Participant 4 was opinion that “*Suspects who question how they are being treated or dealt with*” (Participant 4, 2019).
- Participant 5 was of the opinion that “*there is an assortment of causes, and one of them is the subculture of policing which can negatively affect the framework. The second includes the phenomenon of undocumented foreigners attacking the police in the City of Johannesburg, and police become more violent even when they are dealing document foreigners, notwithstanding, the suspects are severely beaten notwithstanding when they were not opposing capture and the degree of power utilised by the police had all the earmarks of being disproportional to the conditions wherein suspects must be controlled*” (Participant 5, 2019).
- Participant 6 was opinion that there is “*Misuse of power, over reaching in the exercise of their duty, domestic problems*” (Participant 6, 2019).
- Participant 7 believed that “*Thoughts uppermost when police are in hot pursuit or rushing to a crime scene, The Nature of policing- , as pointed out, is intimately involved with the use of force Thus brutality is in some ways an inevitable by-product of policing, the special powers accorded to members of police services, and the arming of police service members, will inevitably proliferate unless concerted steps are taken to discourage it; High levels of violent crimes in the Policing Area which is often of a particularly violent nature, is itself a major contributing factor to brutality and historical factors – the South African Police Service was formed by integrating the South African Police Service and 10 other police organisations all of which had a reputation for brutality. Johannesburg Central is describe as a torture chamber before the*

dawn of freedom and the stigma is still attached to the police station and others which falls within the cluster” (Participant 7, 2019).

- Participant 9 was of the view that *“lack of training in the handling of suspect, crowd controlling and overwhelming crime rate and lack of consequences management towards the police officers”*.
- Participant 11 added that *“The culture of brutality in Johannesburg Central Police, a lack of willingness by police officers to investigate fellow officers; The failure to investigate, prosecute and punish police officers who commit acts of brutality creates a climate of impunity and the perception that such crimes remain unpunished; Acting out of arrogance without fear of any consequence, the lack of training of police officers perpetuates the practice of police brutality”* (Participant 11, 2019).

The participants' views suggest that SAPS members themselves have more issues which are beyond the organisational structures. The above responses suggest that there are other departments which must be involved to reduce the policing issues and contributing to policing resources being used to focus on other departmental problems than SAPS itself. Issues highlighted such as of illegal immigrants are not only supposed to be dealt with by SAPS. However, the Department of Home affairs has immigration officers, who are supposed to be dealing with this side of the problem. Protests are supposed to be applied and approved by the relevant parties such as the Johannesburg Municipal Police Department (JMPD) approval as well.

The municipality also has the municipal police, who are supposed to manage problems on the roads. In most protests, municipal police are usually not visible to police road traffic during protests, depending on the location. Issues of police officials being trigger happy, low pay rate and have domestic issues are also linked to the character of the police official and how they handle situations under stress. These issues suggest that police officials are silently crying for help, which could be the major contributing issue to police brutality during policing. The historical factor could also be reflecting because the police officials are stressed enough to get into

the mood of “it’s always been like that in the apartheid era”. Management of police behaviour is the most problematic issue as it means that there could be prevention to police brutality, and nothing is being done about it.

3.3.6.6 The use of force during policing

According to Van der Walt (2011:138), in South Africa, the use of force during arrest is lawfully governed by section 49 of the Criminal Procedure Act, which is applicable not only to police officials but also allows civilians authorised by the Criminal Procedure Act to use force during arrest. Furthermore, this provision and the ones that came before it has been part of South African law for more than 170 years. It is very difficult to comprehend that there can be referrals on laws prior the democratic era, which the people of South Africa had problems with apartheid regime. It is very possible that people with knowledge that such laws existed and still does to date but articulated differently, it will not serve as important to affect but living a life of torture under the apartheid laws in the democratic era.

According to Zondi, and Ukpere (2014:574), historically the use of force in South Africa has always been meant to provide service to the public at large in conjunction with Batho Pele principles as initiated by the South African government as initiative to improve public service. Recently, SAPS police brutality was compared to that of the American cops in the article published by the Mail and Guardian newspaper. According to GroupndUp Staff (2015), it was said that there have been 17 068 murders in South Africa compared with 16 121 in the USA during the year 2013. This has been seen ineffective as policing within the communities is conducted by human police officials, who have families, problems and the capacity to get educated and expected to apply that knowledge during policing, despite their personal problems. The immediate action during policing is unpredictable, hence, if not extensively trained, it will be challenging to do it practically on the streets during policing.

3.3.6.7 Reporting of police brutality

IPID Act 1 of 2011, Section 29 of the Act mandates members of the South African Police Service (SAPS) and Municipal Police Service (MPS) to report all matters

referred to in Section 28 (1) (a) to (g) to IPID. This should be done immediately upon becoming aware of such a matter and within 24 hours, forward the said report in writing to the (IPID, 2016:9). The mentioned Act gives provision for reporting instances of police brutality to IPID within a day. This suggests that even senior members of the SAPS in command of those accused of such matters are obligated to report for further investigation. This is because, if the police official is the one accused of such act, he or she will not be able to report him/herself.

3.3.6.8 Management leadership

Evidently, all SAPS members are employees, meaning that for them to be members requires that the recruitment process must be initiated and implemented. Lucas (2018:3) advises us that vetting investigation is used to establish the security capabilities of personnel, interviewees and services provided in structures of the state. SAPS usually handles such vetting investigations as directed by government for employment opportunities, under employment or within institutions. However, the media have been reporting that there is a challenge that SAPS officials are not keen on being vetted.

According to Dolley (2017), from News24, during August 2017, SAPS manager reported that top cops are flouting vetting processes. In addition, Maqhina (2017), from the Cape Times reported that more than half of SA's top cops have no security clearance. A briefing by the Portfolio Committee followed this report on police, that "out of 941 top police managers, 281 were still waiting to be vetted, while 224 had not submitted their applications". On 15 November 2017, the Portfolio Committee on Police urged the fast-tracking of vetting process of senior manager within SAPS (South Africa. Parliament of the Republic of South Africa, 2017). However, during December 2017, Ndenze (2017), from the Times Live, reported that the State Security Agency (SSA) said that the state employees were refusing to be vetted.

The above reports suggest that there is potential that most of the senior managers could not be competent or fit to be in SAPS. Hence, that could be one of the reasons why some of the deployed members to conduct the vetting are prone to be

influenced by highly influential officials within SAPS and other government or private sector.

3.4 SUMMARY

This chapter revealed that police brutality is not only a South African problem but a global problem. Furthermore, it is an inherent problem from the apartheid era. The transformation of SAPS was and still poorly executed. IPID was established to investigate and get the police official accountable for their actions when reported on allegations of police brutality. Having readopted the old SAPF ranks has really affected the image of the organisation which was said to be rejected by many people in the country. This chapter also revealed that the CoJ is a vibrant city with many economic opportunities, however, there is evidence of desperate individuals who are part of the community which SAPS must police within the Johannesburg Central Police Station policing precinct and this comes with many challenges. Hence, the relationship between the police and the community must be mended and built for economic growth purposes and avoid bloodshed over police brutality.

The stress within SAPS is very visible owing to some of the disclosures made in this chapter in a form of views and opinion from participants. This chapter also suggests that SAPS is not adequately supported by their peer governmental departments such as the Johannesburg Municipal Police Department and immigration officers from the Department of Home Affairs, to take control and offload SAPS in the instances of illegal protests, illegal immigrations and service delivery issues witnessed on daily basis via the media platforms. Moreover, SAPS have a management problem, which can be used as a deterrent mechanism for police brutality.

It has revealed that the use of legalised force to police officials always cannot be controlled at all the times. It has revealed that in some places, there were discoveries of lack of education on the approach to complaints, protests and other normal calls to protect and serve. It was discovered that the police are at all the times attending complaints with caution that all suspects are dangerous, while it is not so. Some suspects are mentally ill and some are distorted with grief, and some could be drunk

and so forth. Training to be provided on regular basis was said to have been some measures for remedial action. Strategies to prevent police brutality are known ones and it has been proven to be difficult to follow through in most places around the world.

CHAPTER FOUR

STRATEGIES USED TO PREVENT POLICE BRUTALITY

4.1 Introduction

This chapter deals with the strategies used to prevent police brutality. Lessons learned are briefly outlined, the application of the policing legislation in the new South Africa, transformation of the organisation, human character, which involves the issues prior recruitment and initial training, arising issues during employment. Addressing stereotypes in policing is also addressed, corruption and issues of leadership. Every profession comes with responsibilities and accountability.

Policing has its own legislations depending on a country. However, in South Africa, the Constitution along with human rights will remain supreme law which cannot be violated unless under specified circumstances to protect other human beings. Police professionals are disliked by everybody and that also contributes to unjustified attack on the police. Some police professionals are also not in compliance with standing order on no violation to human rights and that is where both ways brutality derives.

However, not all situations are caused by both situations, liking and just being disrespectful to human rights. There are some circumstances which lead or contribute to police brutality. Moreover, other actions which occurs during policing and result in to police brutality in the end. Law enforcement legislatures have developed many remedies to help society by educating them to have freedom to report and hold the responsible individuals accountable. This chapter looks at the individual strategies, which are used to prevent police brutality at a local and international level.

4.2 Lessons learned from history

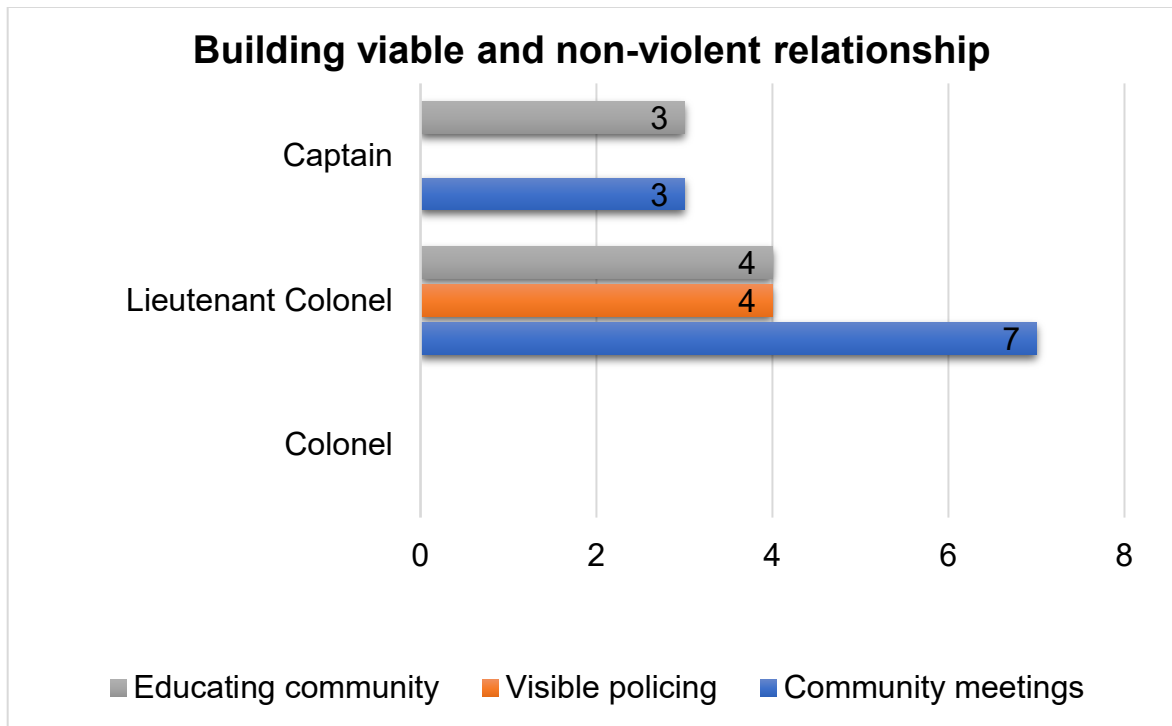
According Brown (2016:39), communities in the townships have had a notoriously bad history with the community, forceful removals such as in Masiphumelele, which stopped after 1990. Van Tonder (2013:4) states that, in 1960, 300 demonstrators of South African natives were shot by the SAPF in Sharpeville.

In 1976, student protesters were teargassed and shot in Soweto. Along with the well-known saying that history repeats itself, which is why it is vital to learn from it so that mistakes are not repeated in the future. It is not a secret that law enforcement existed to primarily protect the needs of the political order and special interests (Johnson, Forman & Bliss, 2012:7). Historically, acts of corruption by people in power has long shaken the trust of the people to the government, but the acts of loss of faith acutest mostly when the act involve the police, because the public relies on them to uphold the law, protect and assist society on the time of need (Williams, 2002: 85).

According to Mistry, Minnaar, Redpath and Dhlamini (2001:31), "Files of 186 police members were perused and it was discovered that there is information on 859 use of force incidents being recorded. Fifty-nine (32%) police members were involved in one incident each while 30 (16%) were involved in two incidents each. Twenty-two (12%) police members were involved in seven incidents. A further twenty-two (12%) were involved in nine incidents. Four police members (2%) stand out in the present study and have been classified as problem cases. This is because of the kind of incidents as well as the number of incidents in which they have been involved".

SAPS has clearly acknowledged that there are past challenges and the organisation is continuing to rectify and introduce new mitigations to the problem. The researcher wanted to establish the measures which can assist SAPS to build a good relationship with the community they are policing. Question 7 investigated "*How to build a viable non-violent relationship with the community in your policing area?*" from the participants and their opinions are outlined in the Microsoft (MS) bar chart 4.1.

Bar Chart 4.1 Building viable and non-violent relationship



Above chart was designed by the researcher

The participants had several ideas on how to build the relationship between the communities within their Johannesburg Central Police Station policing precinct. Respondent 1 did not answer this question, however, made some suggestions listed below. Other than the ideas provided in the bar chart, the participants wanted the following to also be applicable.

- Respondent 1 suggested that *“To start with moral regeneration and cultural values observations, Creation of life opportunities in terms of basic services and jobs eliminate poverty and strengthen better life”* (Respondent 1, 2019).
- Respondent 2 highlighted the issues of educating the community, visible policing, and suggested read as follow *“Form regular interactions between Police and members of the community; Increased visibility of the police officials within the community so that members of the public can see the police as their protectors, police to conduct presentation with members of the community on how to protect themselves, identify potential threats and / potential criminal activities”* (Respondent 2, 2019).

- Participant 1 suggested that there must be initiatives involving the community such as *“Initiate programmes that involves the community on how to deal with crime and how to cooperate with the police and Effective sector policing”* (Participant 1, 2019).
- Participant 2 suggested that *“Police need to engage with the community on regular basis to discuss about crime affecting the community supporting community policing forum educating the community on how to cooperate and assist the police in combating crime”* (Participant 2, 2019).
- Participant 3 suggested that *“Police need to engage with the community on regular basis to discuss about crime affecting the community involvement of community in combating crime, Introducing a friendly sector policing unit. Educate the community about police brutality”* (Participant 3, 2019).
- Participant 4 suggested that *“The more transparency and efficiency we receive from SAPS, the more whistle-blowers, witnesses and non-violent co-operation will be reciprocated. If there is respect between SAPS and the community, any community member called in for questioning or that is being arrested they will comply. Sometimes SAPS officials are provoked, and we rather have assault as self-defence than means of arrest”* (Participant 4, 2019).
- Participant 4 suggested that *“Conduct awareness programs: It is significant for the community to document complaints against the police on the grounds that complaints may help with distinguishing the maverick officials to guarantee that they are considered responsible for their unlawful conduct towards people in general. So as to guarantee that individuals from the open record complaints against the police, the accompanying should be considered: Advise the community about the role and capacity of IPID as an oversight body that is in charge of researching claims of police mercilessness. This will guarantee that numerous cases are accounted for and examined. Conduct awareness campaigns with community members to educate them on the best way to stop an objection and the essential records to give when cabin a protest, for example, a medicinal report (J88) if an unfortunate*

casualty has been seriously beaten and to observe the significant data of the suspect (police officer) that ruthlessly beat the person in question. Such campaigns may help with guaranteeing that the complainant has enough proof when announcing the case and, in that way, guaranteeing that the suspect (police officer) represents his/her demonstrations of savagery towards the complainant” (Participant 5, 2019).

- Participant 6 suggested *“community policing with regular meetings with the communities giving feedback on crime stats” (Participant 6, 2019).*
- Participant 7 added that *“There is no doubt that the relationship between police and significant certain sectors of the community is characterised by mistrust and even hostility. However, the Johannesburg policing area strives to have a concerted effort to continuously engage with the community members, make them to understand our role as police officers. This also making them aware when they as the community come across a challenge of violence displayed by SAPS members, the procedure to follow where to report the actions of the police” (Participant 7, 2019).*
- Participant 8 suggested that *“the community be encouraged to attend a meeting in the Community Police Forums, be involved in forming block structures and also encourage them to be police eyes and ears” (informants) (Participant 8, 2019).*
- Participant 9 suggested that *“there be formulation of community police forum, educating communities on the importance of policing in their communities and police visibility” (Participant 9, 2019).*

Information provided below suggests that the participants know the community needs than any other SAPS members outside the Johannesburg Central Police Station policing precinct. It suggests that the participants want to work in a conducive environment and have already identified the needs for remedial actions.

4.3 Application of the policing legislation

The Constitution requires that the public should be protected by SAPS. However, it does not give leeway to human rights violations at the same time. The reality is, it is

happening so, human rights do get violated during policing. It is also evident that SAPS has gears or equipment which they get armed with on daily basis as means of getting ready for danger. It is according to the law that they wear bullet proof, carry pepper spray, tong-fa/baton and a firearm, depending on the competency or training acquired. According to Kuhns and Knutsson (2010:178), officers have a legal authority to use force. In addition, the South African Criminal Procedure Act 51 of 1977, section 49 allows the officers to use force only if the danger is imminent. This suggests that the use of force is legitimised, hence, police are obligated to do what they are trained for and act like a reasonable person would. According to Policy Link (2014:11), policies to minimize use of force are made to set clear values and standards, establish clear reporting and accountability and address the “code of silence”.

SAPS members who are conducting sector policing are posted with marked inspected vehicles, functional radios, name tagged officials and always with pocket books on their position and expected to record the occurrences while on duty. This assists both the police on duty and the victims of police brutality to be able to identify the vehicle which was responsible for the wrong doing and the people in the vehicle. SAPS is divided into sections and competencies and are mandated to be visible to the community at large and respond to calls when needed. However, SAPS does not have all the equipment and resources such as mentioned above during policing. Some of the resources can be able to be used to limit police brutality or record some of the incidents and provide untarnished evidence for court proceedings.

Resources needed are explained by Policy Link (2014:13-16), that, training practices, procedural justice training, consistent scenario-based training on use of force, training on adolescent brain development and crisis intervention training are vital in the police. In addition, there are other methods which the organisation can use such as systems, ways of discipline and accountability. The use-of-force incident reporting and investigation procedures, body-worn camera technology, early warning systems, data collection and transparency, citizen complaint processes and community oversight should be established (Policy Link, 2014:13-16). However, the

human rights are not supposed to be violated at any cost. According to Hornberger (2011:12), the formal international practice of singing the human rights charter, which confirms the absolute primacy of international standards, makes a little compelling impression on officers in South Africa. However, it cannot be denied that the use of force on duty breaches the basic civil rights and liberties that citizens are guaranteed by the Constitution (Kuhns & Knutsson, 2010:16).

4.4 Transformation of the organisation

One of the steps taken after democracy was to change the SAPF to SAPS. However, during the course of the years, SAPS decided to change the ranks to that of the apartheid era. This serves as a reminder to society that the apartheid era ways are more suitable than post-democratic ways of policing. The ranks were and are still used to scare society to fear the police. This suggests a confusion as the policing landscape has since transformed scientifically since the early police culture studies (Loftus, 2009:21).

Society is under the impression that it is in a democratic era and human rights are recognised during policing. However, the changes which keeps referring to the era of torture and condemned by everyone are not acceptable. For example, in other countries such as the Dominican Republic, there are other cases which represents a more global effort at police reform to transform a police force characterised by high degrees of abuse and corruption as well as severe problems in training, professional development, democratic values, a lack of equipment, and scarce coverage in outlying geographic areas (Frühling, 2011: 83).

Looking into South Africa, Van Tonder (2013:10) illuminates that the SAPF was a racist organisation that enforced discriminatory laws of apartheid. Racialised police violence is a recurring issue. Recent social movements have re-centred police violence as a subject of public discourse, yet there has been little progress in reducing the number of people killed by police (Obasogie & Newman, 2017:279). Current research suggests that black children, particularly black boys, are often perceived as older, less innocent, and therefore more responsible for their actions than their white peers (USA. Missouri Advisory Committee, 2016:10).

In America, Africans interact with the police more often than do their counterparts in other racial or ethnic groups, in part because of greater police presence or activity in low-income urban neighbourhoods, disproportionately inhabited by African Americans (Kennedy, 2016:23). African Americans are a minority in North America, unlike in South Africa, African natives are the majority in the country. In addition, similar to Mumbai police, Los Angeles Police Department (LAPD), has interacted with minority civilians, targeted them and no accountability was taken (Belur, 2010:10). However, in Mumbai, it was found to be difficult to distinguish from racial issues but religious and social status.

4.5 HUMAN CHARACTER ISSUES

Firstly, a police professional in this context is firstly a human being. According to Workman-Stark, (2017:19), police culture is to a group as personality and character are to an individual. This is observed on results as the outcome is not clearly understood what the individual could be going through below the surface. There is a deployment of mental health provided to the police officials so that they remain stagnant to performing their duties during without having to mentally and emotionally breakdown.

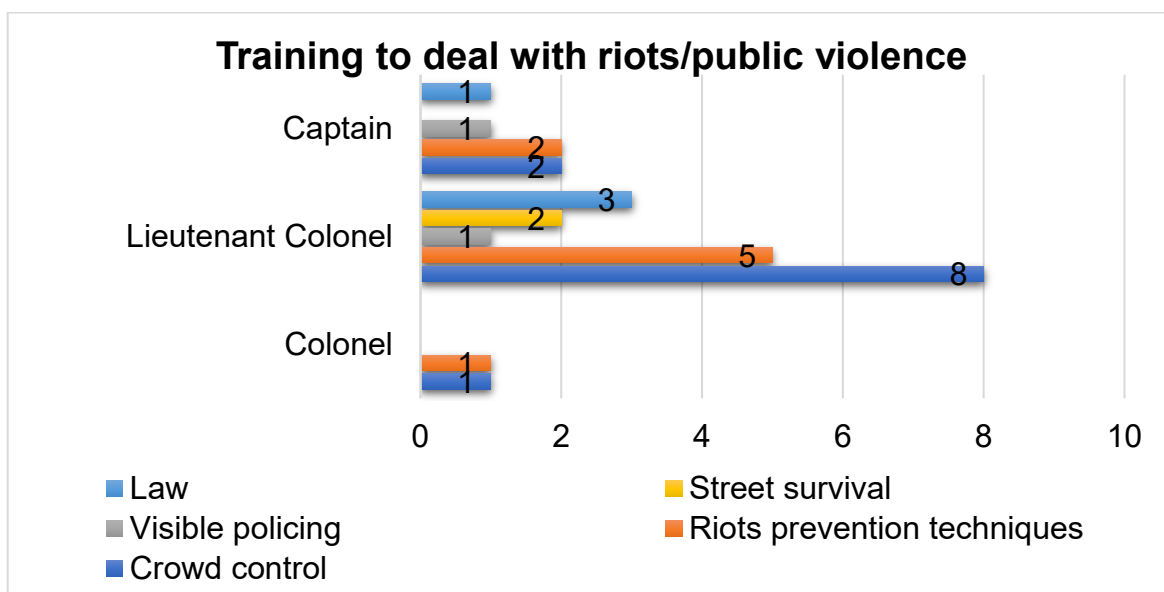
There are also do's and don'ts in the police administration, such as conduct of unbecoming behaviour from an officer, which might place the officer in danger while on duty. Some of the unwanted conduct is the abuse of alcohol, misuse of firearm, bribery, negligent of duty and free speech are some of the things they were subjected to comply with in the olden days (William, 1975:3). Even in today's policing, there are standing orders which police officials are supposed to abide by. If not, they will face disciplinary action, one way or the other. Therefore, this suggests that freedom is not exercised. Marikana massacre was said to have been ordered to use live ammunition and it was done so. Evidently police officials knew that live ammunition does not save a life but takes when used at targeted or not targeted human beings upon usage.

4.5.1 Addressing human character prior recruitment and initial training

It is critically important for training officers to de-escalate encounters and minimise the use of force. Moreover, police officials at Police Executive Research Forum (PERF) conference said it is also important to recruit officers who have a realistic understanding of what policing is about. On a day-to-day level, they said, most officers spend most of their time providing services to the community (Police Executive Research Forum, 2015: 28).

Other measures taken to prevent police brutality are observations and examinations of human character prior recruitment. These include weeding out of candidates who think policing is all about weapons, recruiting those suitable for mission of policing, curb the resignations of officers and evaluate officers on what they want to contribute in policing, which is proper placement (ibid). Research on the police recruitment and hiring practices, as well as officer training procedures reflect the social learning theory explanation of police misconduct (Bonanno, 2015:9). Participants opinions and views suggested that there a need for training to adapt to the arising policing challenges. Question 10 investigated “*What type of training is provided to deal with riots/public violence?*”. The below Microsoft (MS) bar chart reflected the following opinions and views.

Bar Chart 4.2: Training to deal with riots and public violence



Above bar chart was designed by the researcher

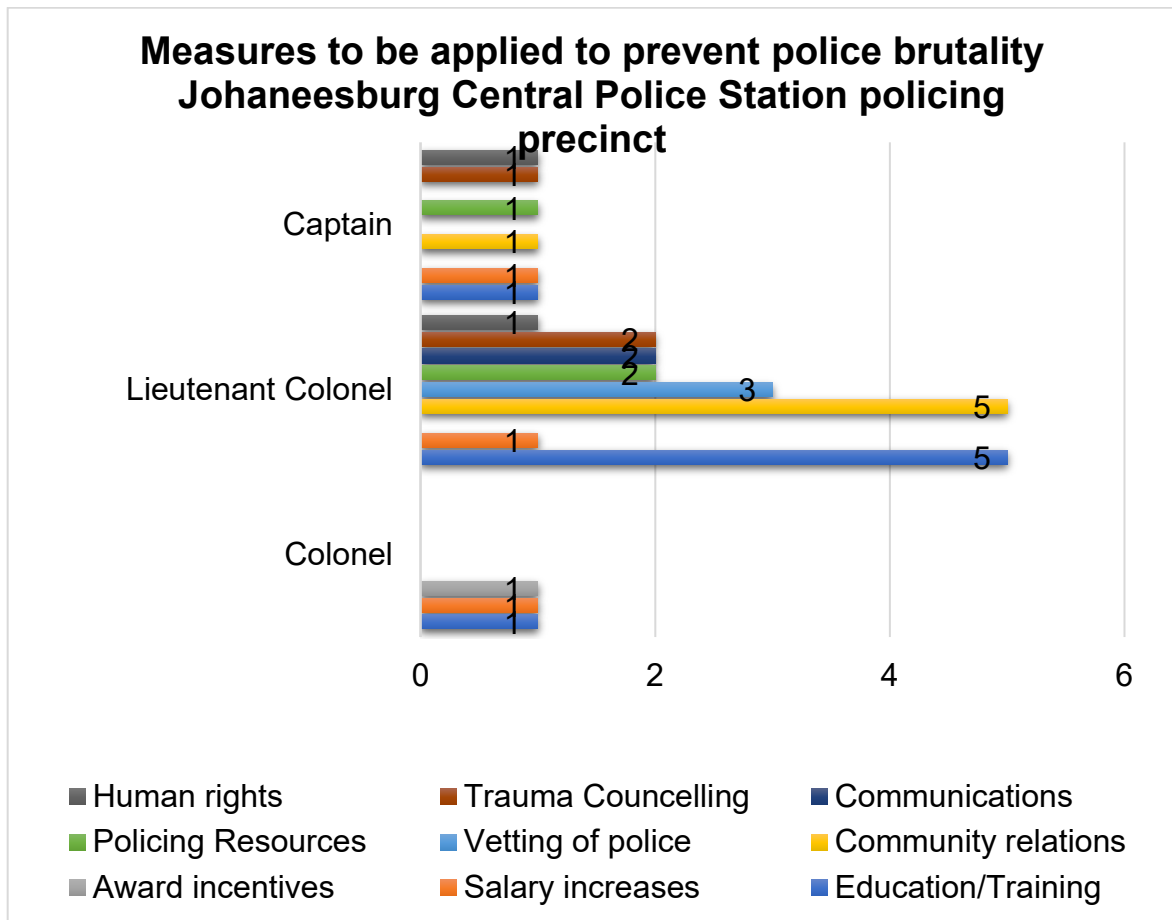
Bar Chart 4.2 suggests that there is a need more for crowd control training. This suggests that it could be because of the public unrests, riots and service delivery protests the country is facing. SAPS found themselves overwhelmed. Furthermore, Participant 11 commented that *“courses/ training in: dealing with crowd management incidents, utilizing crowd management equipment, applying crowd management techniques and conducting crowd management operations”* (Participant 11, 2019). Participant 12 commented that *“necessary precautions must always be issued to members e.g. pepper spray, handcuffs etc.”* (Participant 12, 2019).

4.5.2 Addressing human character during employment

Steyn (2017: 4) mentions three police culture coping strategies used to address the pressure and anxiety from the police occupational environment, and the police organisational environment: solidarity, isolation and cynicism. The new SAPS has the police officers from the former SAPF, which did not recognise human rights at all levels and are used to that type of policing. According to Hornberger (2011:54), some of the police officials were under the impression that African indigenous people within South Africa had rights since the democracy or after 1994.

This suggests that the training during employment within SAPS is of vital importance to remind officers to remember the human rights to avoid brutality on duty and jeopardising the relationship. SAPS members are human beings who have human rights, families, equality and right to proper education. Question 7 investigated *“What are the measures to be applied to prevent police brutality in your community policing area?”* Some of the participants have provided the following opinions displayed in the MS bar Chart below.

Bar Chart 4.3 Measures to be applied to prevent police brutality Johannesburg Central Police Station policing precinct



Above chart was designed by the researcher

MS Bar Chart 4.3 suggests that the measures are broader than expected. This suggests that SAPS has interlinked problems, which must be addressed through financial mitigations and the police officials' state of health, vetting, incentives, remunerations and education should be prioritised for benefit of all society. It suggests that there are more human problems for the actual policing to minimise the violence. Participant 11 commented that *“Sometimes police commit brutality due to pressure from angry and frustrated communities. Members of the public accept or even encourage a certain degree of violence against suspected lawbreakers. This mentality needs to stop. Police need to educate the community in this regard...that there is no quick fix to justice. The police need to be sensitised that in reality, police*

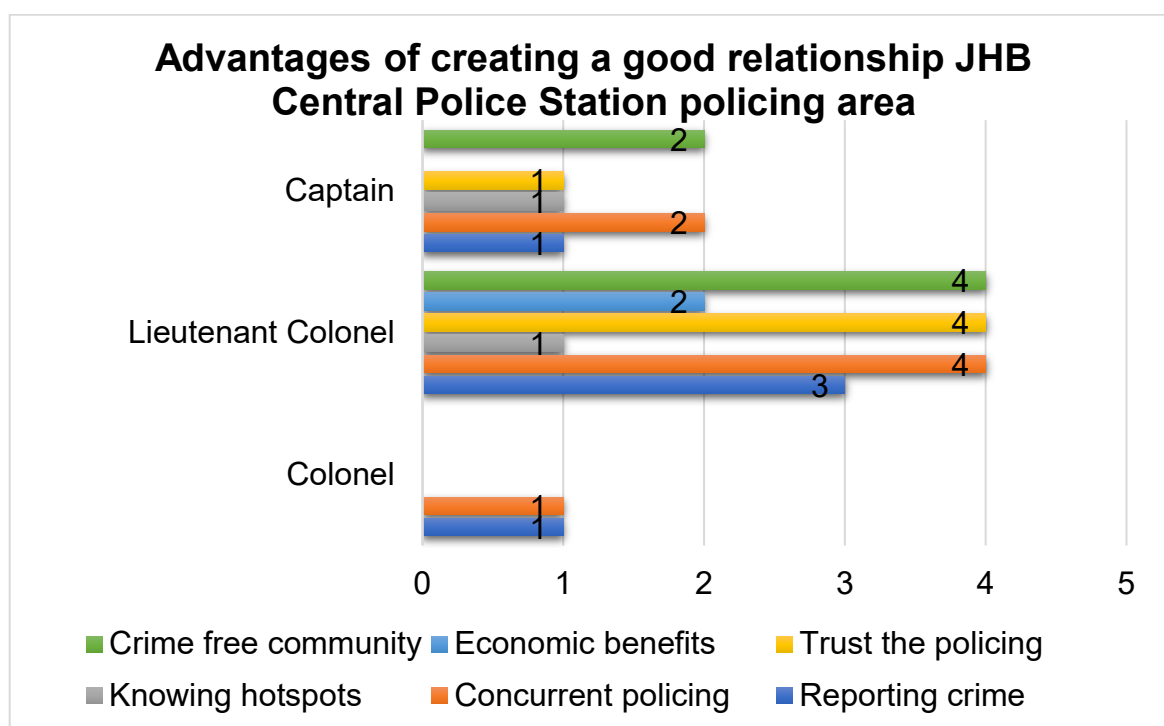
brutality is a human rights violation. SAPS should take lead in spreading this message. Community members should report police brutality and those who commit these crimes should be held accountable in order to minimise this practice” (Participant 11, 2019). Participant 12 mentioned “*community outreach*” (Participant 12, 2019).

4.6 ADDRESSING STEREOTYPES IN POLICING

Police professional has since been knowing to seldom pick the complaints and areas which are not considered problem oriented. Giving an example of cases such as rape, where they are reluctant to take a statement of the victim because they assume that the victim will come and cancel the case. Then they resort into not helping the victim totally. Then there are some community areas where police officials feel that they will not attend complaints because it is either violent or people there are always intoxicated, or they are into prostitution. According to Coquilhat (2008:20), a problem-oriented policing is commonly associated with the crime science triangle where, in order for a crime to occur, there must be an offender, a victim and a location.

Stereotypes can be eliminated when there is a good relationship between the police and the community. The researcher wanted to establish the advantages of creating a good relationship with the community in the Johannesburg Central Police station policing precinct. Question 9 investigated “*What are the advantages of creating a good relationship with the community in your policing area?*” MS bar chart below reflecting opinions and views of the participants.

Bar Chart 4.4 Advantages of creating a good relationship Johannesburg Central Police Station policing precinct



The bar chart suggests that the benefits are much more beneficial to both the police and the community in such a way that both can live in a crime-free community when there is good relationship amongst them. Some of the participants had the following comments made below, as some of the measures to combat crime when the relationship between SAPS Johannesburg Central Police Station members and their community.

- Respondent 1 commented that *“there is effective and efficient incidents reporting, people know each other and community participation within the policing environment”* (Respondent 1, 2019).
- Respondent 2 commented that *“the members can be free to provide information on illegal activities in their community to the police. The police are able to identify the criminal hotspots in the community. Promotes whistleblowing by the community. The community does not see the police as their enemy during protests or riots”* (Respondent 2, 2019).

- Participant 1 commented that “*community will respect and trust the police and investors interest*” (Participant 1, 2019).
- Participant 2 added that “*Safe and crime free community and people are free and comfortable to report criminal activities*” (Participant 2, 2019).
- Participant 3 added that “*crime free community; community trust the police and feel free to report crime without any fear, efficient and effective Community Policing Forum, more tourists visit and investors*” (Participant 3, 2019).
- Participant 4 added that “*A sharp decline in crime. Effective policing with readily available witnesses or private arrests made or active public participation (not vigilantism) but people who report and blow the whistle on crime frequently. We will sharply reduce mob justice (vigilantism). We will have a zero tolerance for crime that is shared by SAPS and the community. People are scared to report some crime because they do not trust SAPS fully and end up tolerating the crime for their own safety*” (Participant 4, 2019).
- Participant 5 did not answer the above in the bar chart, however, made the following comments: “*To educate the community and close gap between the police and the citizens: Common case can be utilised to guarantee that the agony and enduring of a community of Johannesburg that experience exploitation on account of the police are catered for monetarily just as to guarantee that their torment and enduring isn't overlooked or ignored by the State. Cases might be successful in guaranteeing the accompanying: Preventing police officers from utilising excessive force during their stop and search activities; it will ensure individual's privileges to security free from being tormented in any capacity and not to be treated in a barbarous, unhuman or debasing way. It very well may be utilised as a type of remunerating casualties of police brutality for their torment and enduring on account of the State*” (Participant 5, 2019).
- Participant 6 added that “*It makes it easier for police officials to resolve their cases at a very short period of time and community members can easily report the crimes*” (Participant 6, 2019).

- Participant 7 added that *“Good relationship with the community brings police and citizens together to prevent crime and solve neighbourhood problems. The advantage could also stem from the stopping of crime before it happens, not responding to calls for service after the crime occurs. The good relations with community in the policing area give citizens more control over the quality of life in the community. The area makes the community part of the neighbourhood”* (Participant 7, 2019).
- Participant 8 added that *“It helps the police to solve more crimes because the community is working with the police and not against us, by becoming informers”* (Participant 8, 2019).
- Participant 9 commented that *“Trust will be built and respect for the police will be restored”* (Participant 9, 2019).
- Participant 11 commented that *“Strong relationship of mutual trust between police agencies and the communities. Better maintenance of public safety and effective policing. Cooperation of community members to provide information about crime in their neighbourhoods and still feel protected by police. Police and the community are able to work together to collectively formulate solutions to their specific crimes affecting their specific community”* (Participant 11,2019).
- Participant 12 commented that *“better understanding of each other. Community may take steps to address issues without expecting SAPS to do it”* (Participant 12, 2019).

These comments suggest that building relations is possible and can benefit the community because of crime free community. It has been observed that crime free communities have since attracted economic activities, which comes with an increase in employment opportunities. When community members are occupied with sustainable employment opportunities, crimes are subjected to become low, as people do not have to steal the buy food but work and buy food.

4.7 Corruption

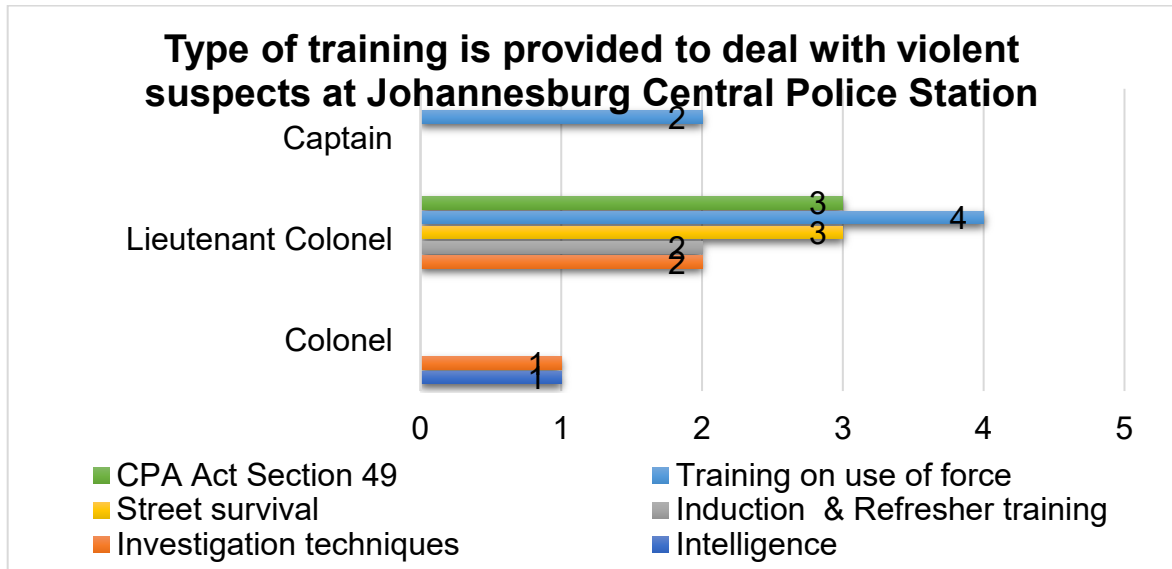
In South Africa, the police were known to protect the interest of the specific people over the majority of the community. The history of the South Africa political order also plays a big role in interference on directives targeted at communities than to serve them. In addition, Steyn (2017:4) indicates that the two most salient components of this environment that police officials are often faced with are the erratic and disciplinary oversight and the ambiguity of the police role.

4.8 Interrogations

Interrogations are a process in which the interrogator must induce the person being interrogated to provide statement against his or her own best interest (Kuhns & Knutsson, 2010:43). According to Light, Prado & Wang, (2015: 217), a survey was conducted, and it was discovered in 21 countries that people feared torture if taken into police custody. In countries such as Brazil, it was 80 per cent, Russia at 48 per cent and China at 25 per cent. It is seldom perceived that the police brutality opportunities only take place on the streets during policing and by police who wear a uniform. However, there are other situations such as interrogations which subject suspects into police brutality.

Respondent 2, 6 and 9 suggested that there is assault during interrogations. Question 11 investigated “*What type of training is provided to deal with violent suspects?*” MS Bar Chart 4.5 illustrated the type of measures needed to mitigate this problem and reflects opinions and views of the participants.

Bar Chart 4.5: Type of training is provided to deal with violent suspects



Above bar chart was designed by the researcher

The bar chart above suggests that there is lack of training in many aspects of SAPS professional police. It suggests that police officials are trained once off and there are no refresher courses on the Criminal Procedure Act, section 49. Participant 8 neither answered nor commented to the posed question. However, four (4) participants had the following comments:

- Participant 4 commented “*I don’t know*” (Participant 4, 2019).
- Participant 5 commented that “*Street survival: Exercising alertness during policing tasks to ensure the safety of police officials and the public through preventative actions. Exercising initiative and tactical preparation during policing tasks. Understand techniques of tactical communication. Use personal equipment safely to ensure safe and lawful performance of policing tasks. Make ‘use of force’ tactical decisions that meet legal and organisational requirements. Apply the principles of the use of force to ensure safe and lawful performance of policing tasks. The use of force is also addressed when firearm and tactical training are presented*” (Participant 5, 2019).

- Participant 6 commented *“That every course that is provided by the South African Police Services, officers are made aware of all types of suspect and how to deal with them. There is no specific module”* (Participant 5, 2019).
- Participant 9 commented that *“handling of suspect, case preparation for successful prosecution and the rights to suspect of detainee”* (Participant 9, 2019).
- Participant 11 commented that *“Police officers should be taught on different approaches to be used when faced with violent suspects. The following steps should be applied: First step – Police using his/her voice of command, Second step – Using techniques like joint locks or pressure points, Third step – Using physical controls like strikes or takedowns, Fourth step – Using intermediate controls, impact weapons, batons, chemical sprays or even Tasers, Fifth step – Applying a deadly force response.”*

4.9 Investigations of death in custody

The deaths of citizens while in custody have been exposed in popular and alternative media accounts, governmental commission reports, coroner’s inquests, autopsy reports, non-governmental reports, and academic research (Ross, 2012:157). According to Makgopa (2014:79), IPID investigators found evidence of potential human rights violations by the police in some of the dockets, which finding related to human rights violations. Recommendations included that police officials be trained on human rights; however, it does not mention deployment of medical staff in stations to conduct such medical observations within stations. There are standing orders which require not just medical practitioners but just mere observations such as cell visits to see the state of health or being of suspects. There are also time frames to observe what is in the cells and state of suspects (Makgopa, 2014: 54).

4.9.1 Lack of medical due care

The use of force has always been an integral aspect of policing (Belur, 2010:1). Any type of force can harm individuals as they are not the same, specifically body parts. Internal injuries do occur and are not visible at the present time in custody. Some of the police stations have no medical examiners dedicated to check for immediate

health problems which can be identified only by the medical person not a police official. It becomes unfair when a police official is expected to notice some of the unnoticeable vital signs which can lead to death.

4.9.2 Accountability

According to the Amnesty International (2015:1), in the USA hundreds of men and women are killed by police each and every year across the United States. No one knows exactly how many because the USA does not count how many lives are lost. In some countries like the USA, Director-Counsel and President wrote a letter to the Department of Justice (DoJ) to:

- Undertake a comprehensive review of police-involved assaults and killings;
- Provide strong incentives for racial bias training and avoiding the use of force in the DoJ grant process;
- Hold police officers accountable to the full extent of the law; and
- Encourage the use of police officer body-worn cameras.

The DoJ has successfully pursued criminal charges against individual police officers for official misconduct (Ifill, 2014:1). According to USA Missouri Advisory Committee (2016:19), a testimony suggested that accountability to the community is undermined by the cultures that develop within police departments, commonly a culture in which protection of fellow officers is valued over protection of the community. Police officers can find themselves in dangerous situations on the job, and they rely on other officers to have their backs. In most countries, the departments responsible for holding police officials are since established and there are reports made by the public. In South Africa, IPID was established to investigate police officials on misconduct. In South Africa, the 2012-13 IPID Annual Report, 706 persons died in police custody or owing to police action during the 12-month period ending March 31. In addition, of that number, nine SAPS members were charged and found guilty (USA Bureau of Democracy, Human Rights and Labor, 2013:2).

4.9.3 Acknowledging police violence as a public health problem

The existing literature provides a helpful starting point in thinking about police violence as a public health problem (Obasogie & Newman, 2017:283). Existing literature has argued that the physical and mental impacts of police violence should lead us to regard it as a public health issue. South Africa is a society with a very painful history of brutality from the police. Hence, there were measures taken for transformation and community police forums. SAPS is subjected to all types of contacts with the society during policing, strikes, public violence, protests and other types of events which negatively affect the image of the organisation. The problem is that police killings have been perceived as being acceptable and unavoidable, often they have elicited controversy and anger (Belur, 2010: v).

4.9.4 Communication within SAPS and community

Communication is one of the vital methods to use during policing with the community. According to Whisenand and Ferguson (2005:104), communication is known to be a mutual understanding, which proves relationships during policing; feedback from the community, either good or bad. On 16 August 2012, SAPS massacre of 34 strikers participating in a peaceful gathering on public land, outside the small town of Marikana in the North West (Alexander, Lekgowa, Mmope, Sinwell & Xezwi, 2012:15). This suggested that there was lack of communication which is why the situation ended the way it did. Police officials do attend workshops on human rights. However, it is not known whether they all attend at some point. A workshop run by police officers for police officers is a relatively controlled environment, but it is in the streets and building of inner-city Johannesburg that human rights policing takes its full contemporary shape (Hornberger, 2011:13).

4.9.5 Leadership

Leaders are human beings with all things which a human being is made from, not disregarding that people do differ in characters. However, a human being is expected to have emotions, sympathy, love, passion etc. Some of those human beings end up in the policing profession and are promoted or appointed into a leadership role. According to Whiseand and Ferguson (2005: 10-11), there are

certain characteristics which a leader must possess, namely, self-awareness, self-management and social awareness. Furthermore, a leader said to supposed to know their purpose in their leadership role, which makes leading simple, provides focus, motivation to those under his or her leadership and knowing such purpose is said to be also rewarding.

SAPS leadership was aware of their role prior 1994 and during the transformation period; hence, the transformation from the South African Police Force (SAPF) to SAPS. However, in the recent years, the ranks in SAPS were revert to those of the apartheid era. This suggests lack of considerations to the South African citizens feelings and warmth from the damage caused by the South African Police Force (SAPF). Guilfoyle (2013: 319) indicates that there is evidence that demonstrate how conventional management practice has been responsible for restricting innovation and generating an organisational environmental management that discourages trust and anatomy.

Whiseand and Ferguson (2005: 24) state that it is not only up to the leadership to enforce moral and legal behaviour. The values must be instilled in the police officials and the organisations. However, valued-led leadership seeks to maximise its efforts by integrating priced values into many of its daily activities. Hence, the officials are armed when on duty on daily basis, with weapons to kill human offenders. According to Belur (2010:1), police work comes with the dangers, authority and the mandate to use coercive force that is not negotiable.

4.10 SUMMARY

This chapter revealed that the SAP has not yet addressed some of the historical challenges inherited by the current SAPS. Participants' views were collected in this chapter and it was revealed that SAPS needs to build a viable and non-violent relationship with the community in their policing area. The applicability of SAPS legislations should be executed concurrently with considerations of not letting history repeat itself in the new SAPS. This will ensure that transformation is transparent, and communities will tend to yield to want to trust the police as their protector. It was also revealed that the police themselves as human beings should be cared for by

the organisation they work for. This refers to the professional due care on their psyche, prior and during employment time at SAPS. Ignoring police concerns tend to fuel anger which is disrupting to performing their daily duties. Educating society to eliminate stereotypes in policing should be “order of the day”. IPID should assist SAPS members to deal with corrupt members for successful organisation. Considerations of medical facilities within SAPS police stations might assist in reducing death in custody.

CHAPTER FIVE

FINDINGS, RECOMMENDATIONS AND CONCLUSION

5.1 INTRODUCTION

In the beginning of this research, the researcher formulated four research questions to give direction to the study. The questions derived from the topic, which is “*An exploration of police brutality at the Johannesburg Central Police Station*”. From those four research questions, seven (7) sub-research questions were developed for distribution to participant. The reason being that the researcher wanted to extract more information from the participants themselves, who deals with the police brutality cases, reports or witnessing them daily. It was vital that the researcher conducts an exploration of police brutality within the Johannesburg Central Police Station. The CoJ is the hub of the South African economy and attracts all kinds of people with different characters.

All data collected was by means of reviewed literature and interviews conducted. Opinions and views of the participants were incorporated in the dissertation chapters. This chapter has focused on the findings per main research questions outlined in chapter one (1). During the analysis of the data collected, it became apparent what was the nature and contributors to police brutality in Johannesburg Central Police Station. The researcher is of the opinion that the data collected was enough to find the reasons behind the police brutality cases with the Johannesburg Central Police Station policing precinct.

5.2 FINDINGS PER RESEARCH QUESTIONS

The researcher discovered that police brutality within Johannesburg Central Police Station does exist. It was discovered that SAPS members who took part in the study, are not happy about it, they are more concerned for both the members and the community living under the same unfriendly situations. The researcher has discovered that there is a major problem encountered by the police, which contributes to the safety and security of police officials during policing than what the community members experience. It was also discovered that the police not been

and feeling safe during policing, has triggered the most violent self-defence mechanism during policing. Hence, there are still recorded police brutality cases in some parts of South Africa and what the participants has provided during data collection.

5.1.1 Findings on the nature and extent of police brutality in the Johannesburg Central Police Station

It was discovered that there are elements found in the occurrence of police brutality within the Johannesburg Central Police Station. Those elements include the state of mind of the police official, type of duty at that time, the location and the extent of force used towards the victim. The most reported contact crimes are common assault, and assault with grievously bodily harm. This crime takes place during policing, inside or outside of the Johannesburg Central Police Station. The perpetrator is suggested to be police officials and the victims are the members of the community. It was also discovered that members of the community also experience intimidation and sexual offences while at the station to report crimes.

5.1.2 Findings on the underlying causes that contribute to police brutality in the Johannesburg Central Police Station

It was discovered that there are issues related to psychological problems encountered by the police officials. Police officials seem to not feel appreciated for the work done. They require more advanced tools of trade to handle new aggressive atmosphere of protests during public policing. Public humiliations also serves as contributing factor as the public neither respect nor appreciate their work. However, participants were of the view that regular interactions can assist it to gain that respect from the communities they police and maintain a solid relationship. It was also discovered that police officials no longer feel safe and they tend to approach community policing on a self-defence mode due to fear for their lives.

5.1.3 Findings on the factors that contribute to police brutality in the Johannesburg Central Police Station

It was discovered that police officials are personally stressed owing to lack of remuneration, incentives and some of the personal family issue he or she might be

going through. As a result, they tend to get irritable while on duty and seem to take it out of uncooperative suspects during arrest. They demonstrate lack of knowledge of the Bill of Rights outlined in chapter two of the Constitution of the Republic of South Africa Act 108 of 1996, and lack of training to deal with all type of suspects

5.1.4 Findings on how to build a viable non-violent relationship with the community in Johannesburg Central Police Station

It was discovered that there is a need for inclusion of different cultural diversity within SAPS members towards the community. The police must be composed all cultures, ie Whites, Coloureds, Indians, Blacks (Africans). However, it was vital for the Respondent 1. It was also discovered that the participants were pointing out that some of the problems building up within the community, the police are linked to economic issues, which can beloved through job creation and attract investors within crime free communities. It was also discovered that the participants desire to educate the community, the police and wants to interact with them. They are aware that the only way to win the battle against crime is through the community as they are the ones affected most. Moreover, it was discovered that the participants want the community to be given feedback in a form of statistics within their community area.

5.1.5 Findings on how police brutality can be prevented within the Johannesburg police station

It was discovered that there is lack of knowledge within the law of the recruited and deployed police officials. It suggested that most of the police officials who commit police brutality are also not adequately knowledgeable when it comes to the law. It was suggested that if the police officials knew what was on stake, they would not commit these crimes, instead handle according to the law itself. Physical police training on the new trends such as riots and public violence are also a big challenge. The participants were enthusiastic that such advanced training, along with new resources than live ammunition can assist in handling protests or riots.

5.1.6 Findings on the lessons learnt from the best practices that relate to the prevention of police brutality internationally

It was discovered that police officials in other countries such as USA are provided with physical body and vehicle cameras to help prevent the police official committing an offence while on duty as he or she will be on record. The camera located on the dashboard of the vehicle assists the police official with evidence when he or she was attacked while on duty. The other technological resource which works is the machine used to put suspect fingerprint so that their identity is known at once and whether they are a wanted criminal or not. In South Africa, the departments operate in isolation and are not integrated. The DHA is struggling to document foreign nationals, which, if linked to SAPS, can be of assistance in locating suspects or victims when a crime is committed.

5.1.7 Findings on the strategies to prevent police brutality

It was discovered that SAPS as an organisation is failing to build a solid relationship with the community because it has internal issues which required a healthy organisation in the first place to be able to build a relationship with any stakeholder. They discovered there are internal issues in SAPS which affect the members to perform their duties.

Inadequate organisational transformation: Issues such as transformation issues, this involves SAPS to not operate as the former SAPF in the public eyes. There has not been too much investment in arming the organisation with resources to collect enough intelligence to know on what type of policing is required during riots, public protest and service delivery strikes. Intelligence-led policing can provide best results in the approach to policing such events.

Inadequate education on criminal justice wheel. It must be made compulsory for SAPS members to receive education from the importance of introducing the suspects in the criminal justice system when crime is committed. This means the arrest should be done in a legal way which does not sabotage the case. When a suspect is beaten and arrested, or beaten while under police custody, it inevitably subjects the police official to be a perpetrator or criminal in the criminal proceedings.

He or she cannot be a credible or reliable arresting officer to the crime committed by the suspect in custody because of his or her actions of brutalising the suspect. It is very important that the police officials know what is needed in court in order to see through a case on the arrest he or she made while on duty.

Lack of professional due care from the organisational executives. SAPS is inconsiderate when it comes to the needs of police officials as employees. Firstly, they are humans, with families and future aspirations.

- It is vital that their psychological well-being is cared for. The police official state of mind is vital in performing their duties and it does not seem to be happening.
- The issues regarding adequate remunerations, incentives, awards and promotions are also linked to personal appreciation to the police official and self-esteem or morale.
- The issue of corruption also subjects other incorruptible police officials in danger as they would be not being of the team. Arresting the corrupt police officials assists shows that the organisation is serious about crime and it will promote a good image internally and outside of the organisation, such as the public at large.

5.2 RECOMMENDATIONS PER RESEARCH QUESTIONS

Based on the findings in this study, the researcher has the following recommendations based on the research questions:

5.2.1 What is the nature and extent of police brutality in the Johannesburg Central Police Station?

It was discovered that the main underlying contributor is frustration. An unhappy employee will not provide great service on behalf of the organisation. Participants are of the view that police officials who commit police brutality are unhappy owing to work stress, low pay rate, psychological problems from as their own personal family problems.

It is recommended that:

- Employee wellness programmes are vital for SAPS members. This may include compulsory psychological assistance in regular private sessions with professional clinical psychologists posted at the stations,
- Regular, standardised incentives and promotions are executed so that the members can afford to financially provide for their families, they will have increased moral to perform their duties and there will be less corruption in terms of taking bribery,
- Personal development through educational training should be compulsory for all members and in their interest of study to pursue promotional positions with the department,
- Regular law informative in-house trainings on legal proceedings, law of evidence, criminal procedure acts should be enforced to align the new regulations and laws with that of policing so that police officials should be alert at all the times not to contravene other laws during policing.

5.2.2 What are the underlying causes that contribute to police brutality in the Johannesburg Central Police Station?

Unqualified leadership have no innovative solutions to make policing easy for police official and the community.

It is recommended that:

- The appointments of unqualified police officials should be evaluated and new political appointments halted.
- Vetting prior and during employment provides audits into corrupt police officials' lifestyles. This can assist IPID to rid of the corrupt police officials through legal and authentic investigations.
- Investments in the high technological resources within the station, patrol vehicles, body armours with cameras will serve to protect the public and the police officials during interactions. This information can be used during criminal proceedings. This will increase transparency and subject both the police official and the community member to avoid violent interactions while live on camera.

5.2.3 How can police brutality be prevented within the Johannesburg Central Police Station?

It was discovered that high crime rate consists of many elements, which cannot be solely resolved by policing. The relationship with the peer organisations and the community are of vital importance.

It is recommended that:

- Constant regular meeting with community members are attended, minutes are taken with the purpose of providing feedback and legal recordings to profile the community needs during proposals per policing sectors.
- Cases reported from sector should be highlighted in case there are some warnings to educate communities of the new crime trends.
- Regular visible policing to the posted sectors to show commitment to the community. Whenever there are challenges with the resources for visibility, communities should be well informed to avoid suggestion of negligence to the promises kept on visible policing duties.
- Suggestions to inform the police of the bigger events taking place within the community is vital to provide enough visibility to discourage assaults at events.

- SAPS ensures that there is a public collaboration with the peer government organisations such as the local municipality, Department of Home Affairs (DHA) and Social Development.

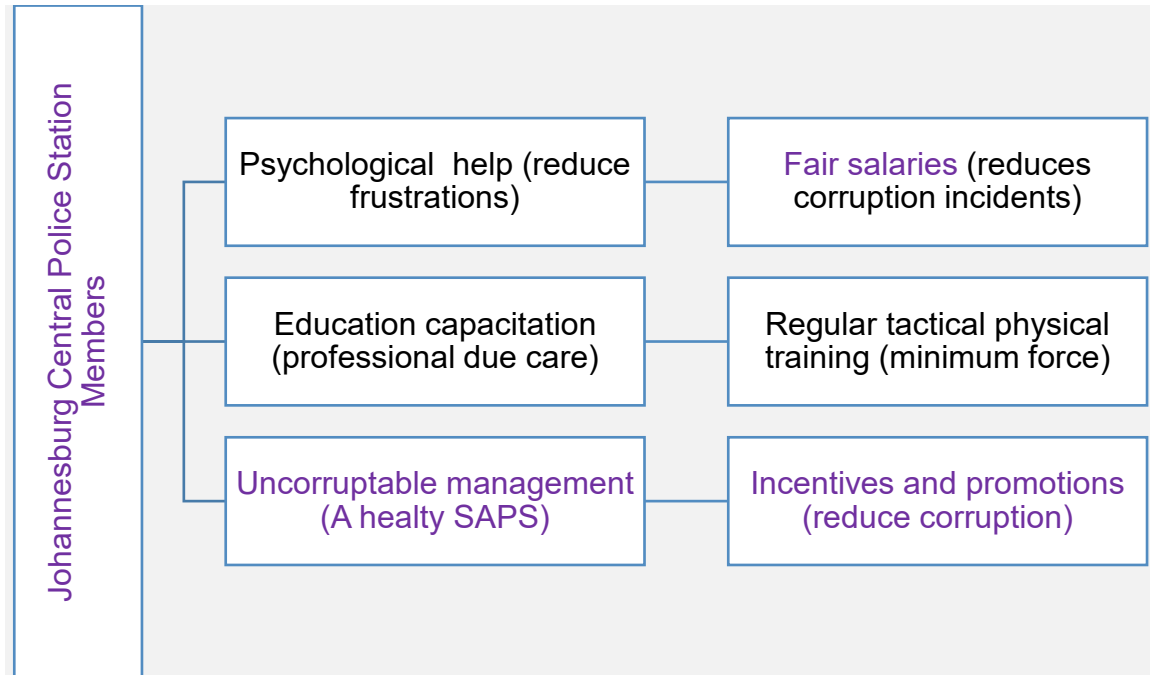
5.2.4 What lessons can be learnt from the best practices that relate to the prevention of police brutality internationally?

SAPS is being struggling with transformation and has not fully put the public first. Instead, there was a sense of intimidation in terms of re-introducing the apartheid ranks, which psychologically serves as a reminder to society that nothing has changed. Hence the stigma of the history of the police is repeating itself through incidents such as the ones mentioned in the media e.g. Marikana massacre and it is recommended that SAPS recognises that the strategy to build a relationship with the community does not require intimidation, brutality but concurrent policing.

5.3 CONCLUSION

It has become clear that the first thing which must be done is to provide a professional due care to the police officials themselves in order to have a healthy functional organisation. The following diagram will show how police brutality can be effectively prevented from a police official perspective.

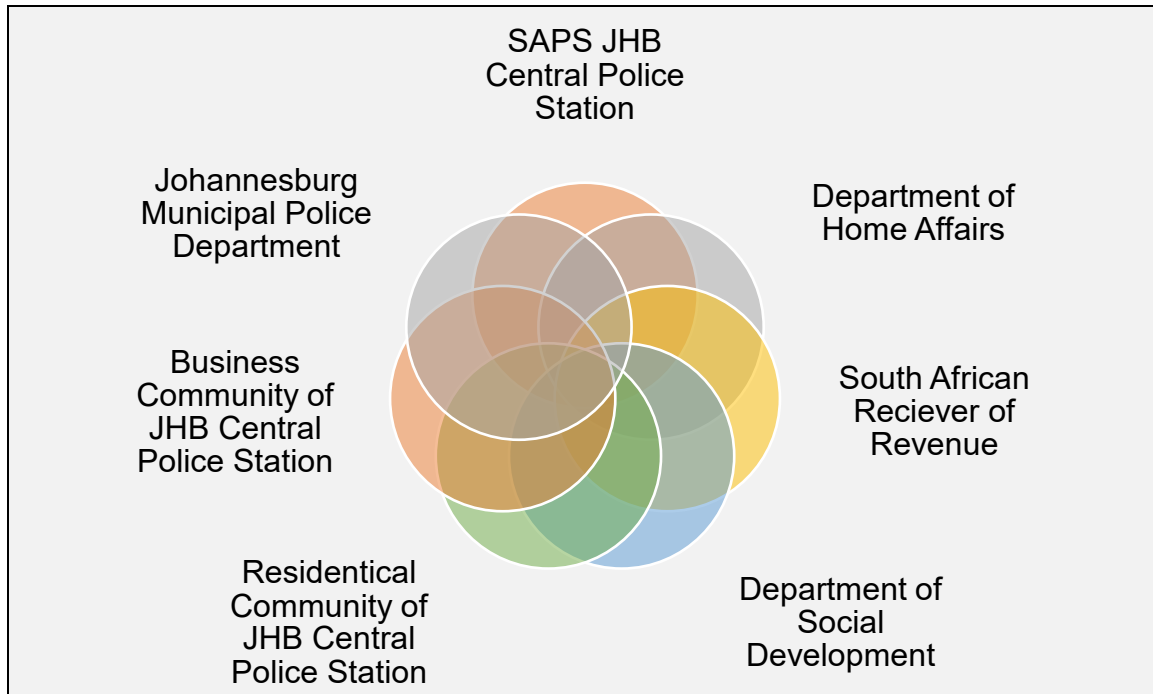
Diagram 5.1: Prevention of police brutality from police official perspective



Above diagram designed by the researcher

The findings suggest that police brutality is done from a whole combination of the above mentioned in the diagram. When employees are happy within the organisation, it cascades into how police officials perform their duties. It has also become clear that SAPS members are aware of what their community needs when it comes to policing. It was highlighted that there is a need to educate the public, show commitment to the specific community on their policing issues. It is also very clear that SAPS cannot do it alone to avoid and prevent police brutality. The diagram below shows the findings on the best practices which can assist the police officials during policing to prevent police brutality.

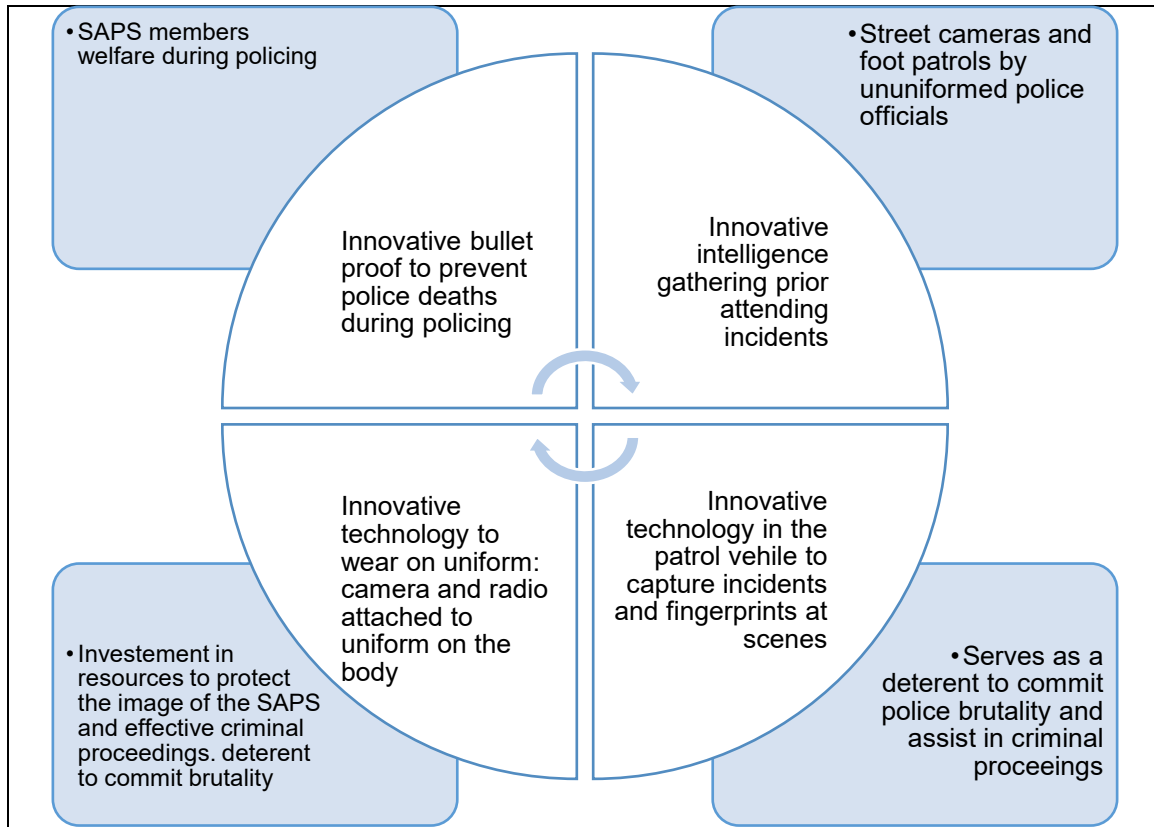
Diagram 5.2: Prevention of police brutality through peer organisations



Above diagram designed by the researcher

It has become apparent that the problems encountered by SAPS are not only directed to policing but somehow eventually affect Johannesburg Central Policing precinct when not managed by other peer organisation which are supposed to do their job. When the peer organisation perform their duties, it has potential to reduce other factors that eventually lead to a challenging policing area. SAPS will not have to deal with the undocumented foreign nationals, the selling of counterfeited goods and unregistered businesses. SAPS member emphasised that they are eager to have a relationship with the community they are policing and be able to provide education and regular meetings to be able to know new crime trends and provide feedback to the community. Lastly, SAPS members being posted to perform policing duties without resources to assist in criminal proceeding is not effective policing. There are resources discovered to have a potential in reducing police brutality. The following diagram illustrates how police brutality can be best prevented through innovative technology.

Diagram 5.3: Prevention of police brutality through innovative technology



Above diagram designed by the researcher

SAPS has not yet shown innovation on the ground floor. The patrol vehicles are still mounted with old devices which criminals can hack them and be one-step ahead every time; hence they are losing the battle of crime. There is a need to protect their member and the public at the same time to avoid brutality between the two. More happen when police officials are not armed with body cameras, delays in investigations when there is lack of evidence. This can be introduced to parliament on how to install body cameras for the purpose of effective policing to avoid high crime rate without evidence. The introduction to parliament can be discussed to address issues of privacy and constitutional rights during policing, legalise it and then implement it. Many cases are dismissed, or never truthfully procedure since there was lack of evidence. An evaluation of police brutality in the Johannesburg Central Police Station has determined that effective implementation of the above

mentioned could prevent police brutality and reduce crime in general with the Johannesburg Central Police Station.

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TABLES AND CHARTS

Table 2.1: Johannesburg Central Police Station senior members

Table 2.2: Profile of role players

Figure 2.1 Cases reported in 2015 annual report

Figure 2.2 Cases reported in 2018 annual report

Table 3.1a Statistics of the cases reported to IPID between 2012 - 2015

Table 3.1b Statistics of the cases reported to IPID between 2015-2018

Bar Chart 3.1b Most common police brutality cases reported Johannesburg Central Police Station

Bar Chart 3.1a Most common police brutality cases reported Johannesburg Central Police Station

Bar Chart 3.2 Contributing factors to Johannesburg Central Police Station policing precinct

Bar Chart 4.1 Building viable and non-violent relationship

Bar Chart 4.2 Training to deal with riots and public violence

Bar Chart 4.3 Measures to be applied to prevent police brutality Johannesburg Central Police Station policing precinct

Bar Chart 4.4 Advantages of creating a good relationship Johannesburg Central Police Station policing precinct

Bar Chart 4.5 Type of training is provided to deal with violent suspects

Diagram 5.1: Prevention of police brutality from police official perspective

Diagram 5.2: Prevention of police brutality through peer organisations

Diagram 5.3: Prevention of police brutality through peer organisations

ANNEXURE A: UNISA ETHICAL CLEARANCE



UNISA CLAW ETHICS REVIEW COMMITTEE

Date 20190807

Reference: STF 19 of 2019

Applicant: TB Moyana

Dear TB Moyana

Decision: ETHICS APPROVAL

FROM 01 August 2019

TO 01 August 2022

Researcher: Tshilidzi Ben Moyana

Supervisor: Dr B Lekubu

An exploration of police brutality at the Johannesburg Central Police Station

Qualification: MA Policing

Thank you for the application for research ethics clearance by the Unisa CLAW Ethics Review Committee for the above mentioned research. Ethics approval is granted for 3 years.

*The CLAW Ethics Review Committee reviewed the **Low risk application** on 1 August 2019 in compliance with the Unisa Policy on Research Ethics and the Standard Operating Procedure on Research Ethics Risk Assessment. The decision was ratified by the committee.*

The proposed research may now commence with the provisions that:

1. The researcher(s) will ensure that the research project adheres to the values and principles expressed in the UNISA Policy on Research Ethics.
2. Any adverse circumstance arising in the undertaking of the research project that is relevant to the ethicality of the study should be communicated in writing to the CLAW Committee.



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3. The researcher(s) will conduct the study according to the methods and procedures set out in the approved application.
4. Any changes that can affect the study-related risks for the research participants, particularly in terms of assurances made with regards to the protection of participants' privacy and the confidentiality of the data, should be reported to the Committee in writing, accompanied by a progress report.
5. The researcher will ensure that the research project adheres to any applicable national legislation, professional codes of conduct, institutional guidelines and scientific standards relevant to the specific field of study. Adherence to the following South African legislation is important, if applicable: Protection of Personal Information Act, no 4 of 2013; Children's act no 38 of 2005 and the National Health Act, no 61 of 2003.
6. Only de-identified research data may be used for secondary research purposes in future on condition that the research objectives are similar to those of the original research. Secondary use of identifiable human research data require additional ethics clearance.
7. No research activities may continue after the expiry date **1 August 2022**. Submission of a completed research ethics progress report will constitute an application for renewal of Ethics Research Committee approval.

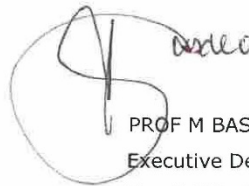
Note:

The reference number ST19 of 2019 should be clearly indicated on all forms of communication with the intended research participants, as well as with the Committee.

Yours sincerely,



PROF T BUDHRAM
Chair of CLAW ERC
E-mail: budhrt@unisa.ac.za
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PROF M BASDEO
Executive Dean : CLAW
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ANNEXURE B: SAPS ETHICAL CLEARANCE

SUID-AFRIKAANSE POLISIEDIENS  SOUTH AFRICAN POLICE SERVICE

Privaatsak/Private Bag X 94

Verwysing/Reference:	3/34/2
Navrae/Enquiries:	Lt Col Joubert AC Thenga
Telefoon/Telephone:	(012) 393 3118

**THE HEAD: RESEARCH
SOUTH AFRICAN POLICE SERVICE
PRETORIA
0001**

- A. The Provincial Commissioner
GAUTENG
- B. The Divisional Commissioner
VISIBLE POLICING

PERMISSION TO CONDUCT RESEARCH IN SAPS: AN EXPLORATION OF POLICE BRUTALITY AT THE JOHANNESBURG POLICE STATION: UNIVERSITY OF SOUTH AFRICA: MASTERS DEGREE: RESEARCHER: TB MOYANA

- A.
 - 1. The above subject matter refers.
 - 2. The researcher, Mr TB Moyana, is conducting a study with the aim *to explore the nature and extent of police brutality at the Johannesburg police station.*
 - 3. The researcher is requesting permission to interview Police Members in Top Management and Middle Management level at Johannesburg Central Police Station on the issue of challenges regarding police brutality in Johannesburg.
 - 4. The proposal was perused according to National Instruction 1 of 2006. This office recommends that permission be granted for the research study, subject to the final approval and further arrangements by the office of the Provincial Commissioner: Gauteng.
 - 5. We hereby request the final approval by your office if you concur with our recommendation. Your office is also at liberty to set terms and conditions to the researcher to ensure that compliance standards are adhered to during the research process and that research has impact to the organisation.
 - 6. If approval granted by your office, this office will obtain a signed undertaking from researcher prior to the commencement of the research

PERMISSION TO CONDUCT RESEARCH IN SAPS: AN EXPLORATION OF POLICE BRUTALITY AT THE JOHANNESBURG POLICE STATION: UNIVERSITY OF SOUTH AFRICA: MASTERS DEGREE: RESEARCHER: TB MOYANA

which will include your terms and conditions if there are any and the following:

- 6.1. The research will be conducted at his/her exclusive cost.
 - 6.2. The researcher will conduct the research without the disruption of the duties of members of the Service and where it is necessary for the research goals, research procedures or research instruments to disrupt the duties of a member, prior arrangements must be made with the commander of such member.
 - 6.3. The researcher should bear in mind that participation in the interviews must be on a voluntary basis.
 - 6.4. The information will at all times be treated as strictly confidential.
 - 6.5. The researcher will provide an annotated copy of the research work to the Service.
 - 6.6. The researcher will ensure that research report / publication complies with all conditions for the approval of research.
 7. If approval granted by your office, for smooth coordination of research process between your office and the researcher, the following information is kindly requested to be forwarded to our office:
 - **Contact person:** Rank, Initials and Surname.
 - **Contact details:** Office telephone number and email address.
 8. A copy of the approval (if granted) and signed undertaking as per paragraph 6 supra to be provided to this office within 21 days after receipt of this letter.
 9. Your cooperation will be highly appreciated.
- B.** 1. Copy for your information.



THE HEAD: RESEARCH
DR PR VUMA

MAJOR GENERAL

DATE: 2019 -01- 2 8

ANNEXURE C: SAPS ETHICAL APPROVAL



Privaatsak Private Bag X94	Pretoria 0001	Faks No. Fax No:	(012) 393 2128
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Your reference/U verwysing:

My reference/My verwysing: **3/34/2**

THE HEAD: RESEARCH
SOUTH AFRICAN POLICE SERVICE
PRETORIA
0001

Enquiries/Navrae: **Lt Col Joubert
AC Thenga
(012) 393 3118**
Tel:
Email: **JoubertG@saps.gov.za**

Mr TB Moyana
UNIVERSITY OF SOUTH AFRICA

RE: PERMISSION TO CONDUCT RESEARCH IN SAPS: AN EXPLORATION OF POLICE BRUTALITY AT THE JOHANNESBURG POLICE STATION: UNIVERSITY OF SOUTH AFRICA: MASTERS DEGREE: RESEARCHER: TB MOYANA

The above subject matter refers.

You are hereby granted approval for your research study on the above mentioned topic in terms of National Instruction 1 of 2006.

Further arrangements regarding the research study may be made with the following office:

The Provincial Commissioner: Gauteng:

- **Contact Person:** Col Peters
- **Contact Details:** (011) 547 9131
- **Email Address :** petersNS@saps.gov.za

- **Contact Person:** Capt Nevumbani
- **Contact Details:** (011) 547 9131
- **Email Address :** nevumbanivi@saps.gov.za

Kindly adhere to paragraph 6 of our attached letter signed on the **2019-01-28** with the same above reference number.


MAJOR GENERAL
THE HEAD: RESEARCH
DR PR VUMA

DATE: 2019 -03- 04

ANNEXURE D: LANGUAGE EDITING CERTIFICATE

EDITING AND PROOFREADING CERTIFICATE

7542 Galangal Street

Lotus Gardens

Pretoria

0008

25 January 2020

TO WHOM IT MAY CONCERN

This certificate serves to confirm that I have edited TB Moyana's dissertation entitled, "AN EXPLORATION OF POLICE BRUTALITY AT THE JOHANNESBURG CENTRAL POLICE STATION".

I found the work easy and intriguing to read. Much of my editing basically dealt with obstructionist technical aspects of language, which could have otherwise compromised smooth reading as well as the sense of the information being conveyed. I hope that the work will be found to be of an acceptable standard. I am a member of Professional Editors' Guild.

Hereunder are my contact details:



Jack Chokwe (Mr)

Contact numbers: 072 214 5489

jackchokwe@gmail.com

Professional
EDITORS
Guild

Jack Chokwe
Associate Member

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Membership year: March 2019 to February 2020

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