

Community Policing and Accountability at Station Level

by

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Executive Summary

With the birth of South Africa as a democracy in 1994, a substantial police accountability framework has been established. However, one of the central challenges that continues to confront South Africa is the need to ensure effective police accountability at the local level. The objective of this report is to promote a better understanding of enhancing police accountability in democracies and to stimulate debate as to the role that Community Police Forums (CPF's) could play in this regard.

This report starts by providing a brief overview of some of the literature on police accountability in democracies. In particular it highlights the importance of accountability being concerned with both police performance (i.e. service delivery) and conduct (i.e. behaviour and discipline). Moreover, it presents the argument that in democracies police accountability needs to be exercised by a variety of structures that exist in three key areas. These include structures that will be established within the police agency so as to immediately respond to shortcomings of poor service delivery or misuse of police powers. Independent civilian run structures need to exist within the state to ensure democratic political oversight of the police agency and if necessary to investigate allegations against the police independently. As is important in a democracy, there need to be structures established at local level throughout broader society to ensure adequate police responsiveness to community concerns.

South Africa has established a range of formal structures for police accountability within the police (i.e. the disciplinary system), at state level (executive, parliament and judiciary structures) and within broader society (i.e. community policing forums).

The following section of the report explores the philosophy of 'community policing' as a new approach to policing in South Africa. In particular it explores how community policing forums were initially established so as to enhance local level police accountability. However, over time the primary objectives of CPF's have changed towards mobilising community based resources towards local level partnerships with the police to tackle crime problems. More recently 'sector policing' has emerged as a new expression of community policing which builds on some of the lessons learned from shortcomings of CPF's.

The report then presents the findings of three brief case studies of police stations and their CPF's at three cities in Johannesburg. These sites were chosen as they have well functioning

CPFs in three different policing contexts and include the stations of Parkview (located in a wealthy low crime suburb), Alexandra (located in a poor high crime township) and Brixton (located in a mixed medium level crime suburb). Police commanders and CPF representatives were interviewed at each of these locations to establish their understanding of police accountability, CPF monitoring of police and other activities and limitations.

An analysis of the findings of each of the case studies found that CPFs understanding of accountability is premised primarily on communication about decision making and resource utilisation of the police station. Typically, CPFs engage in a wide range of activities which include inter alia fund raising, support for victim empowerment, and undertaking crime awareness programmes, etc. Nevertheless, there was indication that CPFs were also involved in a few traditional oversight type activities such as visiting police cells and referring community complaints against the police to police management for action.

It is argued in this report that there is scope to enhance local level police accountability through the CPFs. However, it is recognised that CPFs lack capacity and that any such initiative should not require much additional resources or work from the side of CPFs. Bearing this in mind, a number of tentative recommendations are presented which include:

- Clearly establishing that CPFs could play a role in enhancing local level police accountability;
- Capacitating CPFs to play this role through information dissemination;
- Identifying specific and standardised activities that CPFs could undertake to assist with monitoring police service delivery and conduct at local level;
- Linking CPFs to other state oversight structures so as to enhance their capacity to identify and understand local level policing challenges around service delivery and conduct.

1. Introduction

Police accountability is a complex issue and there are many debates as to how it can best be achieved. South Africa has a constitutional framework that promotes accountability of the police in many forms. The most far reaching civilian oversight occurs at a political level. The South African Police Service (SAPS) National Commissioner reports to the Minister of Safety and Security: both then report to the National Assembly's Portfolio Committee on Safety and Security. Similarly, at provincial level there are provincial secretariats and legislatures which are expected to exercise oversight over the police. While the Independent Complaints Directorate (ICD) can investigate specific allegations against police members, this agency does not have the capacity to adequately investigate all the complaints that are laid against police members.¹ This leaves direct accountability for poor service delivery or abuses committed by police officials to internal police structures and systems.

While effective internal systems for ensuring that police officials can be held directly accountable are one of the most important components of police accountability, in democracies there is a further need to ensure that there is effective civilian oversight of the police. In South Africa, civilian oversight largely takes place at a political level through national and provincial executive and parliamentary structures. Consequently, civilian

oversight as a key component of police accountability is far removed from the day-to-day activities of police officials.

This has led to concerns being raised about the extent to which the police at local level are held accountable to the communities they serve. Dr. Shaw (2001, p. 2) states that, 'In my view, this paradox, between citizen input and control over policing, expressed most clearly through the process of devolution of police powers and accountability, remains one of the most fundamental challenges of police reform in South Africa and other transitional societies.' Indeed, trepidation about the state of police oversight and accountability has continued to be expressed some years later.

Shaw (2001, p. 21) argues that the primary reason for continued shortcomings in this regard is that,

In South Africa in my view, increases in crime and high levels of public pressure to combat it, have paradoxically weakened rather than strengthened systems of police accountability. This is because, as in any war (and this is a self-declared "war on crime"), the professionals know best and citizen's opinions are not required. Nothing could be further from the truth. Fighting crime requires first and foremost the support of the citizenry and, since it is their safety at stake, their inputs as to what should be prioritised and how they believe the police perform in the fulfilment of their duties.

A few years later Bruce and Neild, (2005, p. 6) have again argued that despite the impressive 'architecture of police accountability' that has been built since democracy in South Africa 'accountability and oversight have faded on the public agenda as the democratic government's control of the police has consolidated and as rising crime rates have instead come to dominate public and political concerns.'

Nevertheless, early policy around police reform led to the adoption of community policing as a core philosophy of the newly created SAPS. This philosophy was expressed through the creation of community based structures that were to build relationships between the police and community at local level. These structures were called Community Policing Forums (CPFs). According to [Pelser, Schnelzer and Louw](#) (1999) 'the political prerogative informing community policing forums was one of democratic accountability - the police were to be democratised and legitimised by enhancing oversight and accountability...at a local level.'

While a substantial amount of research has been conducted on the establishment and perceptions of CPFs, little work has been undertaken to explore the extent to which they promote local level police accountability. This report seeks to explore the extent to which CPF are or can be appropriate structures for promoting local level police accountability? The key questions this research sought to answer are:

- How CPFs understand the concept of 'accountability' in relation to the police.
- Which police activities do CPFs oversee and monitor.
- What are the challenges experienced by CPFs in holding the police accountable.

The research primarily focused on community policing forums in three Gauteng based police stations during 2003: Alexandra, Parkview and Brixton. These stations fall under area jurisdiction of Johannesburg. They are however situated in three vastly different localities and they themselves are different from each other with respect to their priority crimes, size and composition. The primary reason for choosing these stations was to explore the situational and environmental factors that have an impact on the functioning of CPFs and to what extent do those factors impact on how CPFs hold the police accountable.

Due to the exploratory nature of this research a qualitative methodology was selected that facilitates in-depth exploration of the issues. Data was collected through the use of in-depth semi-structured interviews with CPF members in the above-mentioned police stations. Interviews were also conducted with the station commissioners in three stations during 2003 and some senior police managers. In all, a total of 14 interviews were conducted with the following representatives:

- Two station commissioners.
- Four sector managers.
- Two heads of crime prevention units.
- Six CPF representatives.

The sector managers, station commissioners and the heads of crime prevention units were interviewed because they closely work with the CPFs in their respective stations.

The findings are presented in a case study format, with the intention of highlighting the differences and similarities between the three stations. Given the substantial differences between and CPFs in South Africa, the findings cannot be generalised to the SAPS or to CPFs as a whole. Rather, the aim of this report is to stimulate debate as to role of CPFs for enhancing local level accountability by exploring this issue more in-depth at three stations.

The first section of the report presents a literature review. The second section of the report presents the findings of the research in the form of a brief case study for each station. Each case study explores the way in which the specific CPFs understand and approach the notion of accountability to their local police stations. This section ends by highlighting a number of strengths and challenges to the use of CPFs as local level police accountability structures.

Finally, a number of recommendations are presented as to how CPFs and other local level community based structures could potentially enhance local level police accountability in an effort to improve service delivery and minimise misconduct and abuses of power.

2. Towards Police Accountability in Democracies

The public is demanding the accountability of the police...the public has conferred upon the police powers which are not conferred upon ordinary citizens...in any democratic society based on the rule of law and responsible government, it is fundamental that the police independence be balanced with accountability. (Opal report 1994:xvix).

Police accountability is a fundamental aspect of any democracy. However, ensuring effective accountability of the police involves particular challenges as compared to ensuring accountability of other state institutions. These challenges are directly linked to the particular powers that the police have and the nature of policing as an occupation.

Firstly, the police are granted certain powers by the state and society to carry out their activities of enforcing the law and preventing disorder. These powers intrude on the constitutional rights of citizens and can have serious consequences if they are abused or misused. Analysts have noted that it is the power to use force legitimately that ultimately underscores much of what the police do (Bittner, 1975). Police officials are issued with firearms, which give them the power to use lethal force to effect arrests. If this power is used improperly or abused it could result in the death of a person. Since not even our courts can impose the death sentence on convicted criminals, it is particularly important that the police are able to use this power only when absolutely necessary and within strict parameters. Apart from the power to use force, police also have powers to infringe on people's constitutional rights and freedoms. They have the power to arrest and detain people that they reasonably suspect have committed a crime.

Secondly, there are certain policing characteristics that present key challenges to the accountability of the police. [Rauch and Simpson](#) (1993) noted that it is imperative to hold police accountable because policing is a discretionary activity. Individual police members are often in a position to decide when and how to enforce the law. Other analysis have pointed out that typically there are low levels of direct supervision over individual police officers as most commanders are not out in the streets watching every move of their subordinates, and generally many policing activities are hidden from public view (Bayley, 1994). These characteristics can contribute to challenges of poor service delivery and abuses by police officials, as the problematic actions of some officers out in the street may not be picked up by managers.

According to Chan (1999, p. 251), accountability is a term that has two competing meanings within the context of policing. On the one hand, it can be seen as 'control over the police', and on the other hand it can be seen as a 'requirement to give account'. In democracies, overall control over the police is typically exercised through the institutions of government and the courts. Elected members of parliament sit on a portfolio committee that can draft laws regulating police activities. The courts can then be used to ensure that the police executive can be held accountable for policy or administrative decisions that may infringe on certain rights, or that an individual police official can be held accountable if they break the law.

Nevertheless, these institutions operate at a policy and legal level and seldom have direct impact on police officials who fail to follow the police agency's policies and regulations in their daily work. For this reason there needs to be effective internal police control systems in place. Neither the external civilian oversight structures nor the courts can take action if individual police officials fail in their duties. It has to be the responsibility of the police agency to ensure that it can take immediate action in a fair manner where police officials are acting outside of the organisation's rules and regulations.

This highlights the importance of the second definition of police accountability, which is the requirement of the police organisation to give account, or an explanation concerning

their performance and conduct (Chan, 1999, p. 251). Police leadership would be expected to demonstrate how they are achieving their objectives with the resources that have been allocated to them by parliament. This means that there has to be transparency in the way the police organisation is managed.

While it appears straightforward, the issue of police accountability is a complex one that scholars and practitioners are still grappling with. Dixon (2000) devised a conceptual model for understanding police accountability by highlighting that it should comprise of four interlocking dimensions: content, direction, mode and mechanism. These various dimensions are considered in more detail below.

Content: What should the police be accountable for?

The police need to be held accountable for the way in which they exercise their powers to use force and impinge on people's constitutional rights. However, most of the time most police officials are not using force, nor are they necessarily arresting people. It also does not help to wait until there are serious abuses of police power before holding them to account. By the time this happens abuses could be widespread and systemic. It is therefore strategic and desirable to hold the police accountable on a regular basis so as to create an environment of accountability that promotes police effectiveness. In democracies, there are two broad concerns, which the police need to be held accountable for. International policing analyst David Bayley (1994) argues that the police should be held accountable both for their performance in relation to service delivery (what they do) and their conduct (how they do it.)

Service delivery: According to [Newham and Bruce](#) (2004, p. 6) this concerns whether policing services are being provided effectively to members of the public through efficient use of police resources. In South Africa policing services include a wide range of activities, such as: responding to complaints; opening cases; certifying documents; conducting crime prevention activities such as roadblock or search and seizure operations; taking statements from witnesses; investigating dockets; arresting suspects; and giving complainants feedback about their cases and when to appear in court (Ibid).

Police conduct: This refers to how police officials behave while carrying out their duties. The police are the custodians of our Constitution and the law grants them certain powers such as the right to carry a firearm and making of arrests. According to [Newham and Bruce](#) (2004, p. 7) police conduct is important to all the people who come into contact with the police, but particularly in respect of the most vulnerable, such as the homeless and the poor. Accountability in this regard is not only about whether the police act within the law, but also the extent to which they treat people with dignity and respect.

Direction: To whom should the police account?

According to Dixon (2000, p. 73), the direction of police accountability must be distinguished between the 'ultimate source of police authority and the general direction in which their accountability for its use must flow and, on the other hand, the more immediate relations of accountability in which the police are involved.' In essence, the police in a democracy are accountable to the people over whom they are fairly and equitably supposed to exercise their powers. In the broad sense, the police agency would be accountable

through its commissioner to the elected representatives of the people. In South Africa the constitutional framework provides for a cabinet member at national and provincial levels to oversee the effectiveness and efficiency of the police. Dixon (2000) further points out that whether one looks at broad or immediate relations of accountability, in each case the interest for this must be the people of the country as a whole (as opposed to specific groups or interests).

Mode: What kind of account do police have to give?

Dixon (2000, p. 74) explains that the mode refers to the, 'kind of account that the police must provide and what it suggests about the nature of the relationship between the police and those to whom it must be provided.' Dixon (ibid) differentiates between two types of accountability relationships. Firstly, those characterised as 'directive' relationships - where the police have a formal duty to report to a higher authority to which they are subordinate on decisions and actions that they take. An example of this is where the national Minister has the constitutional authority to determine national policing policy in accordance with which the national Commissioner must manage the SAPS.

The second type of relationship is described as a 'steward' mode of accountability whereby the police remain under a duty to report on their decisions and actions. However, the criteria against which this is undertaken are developed between the police and the other party in which there is a non-hierarchical relationship. An example of this is where provincial MECs and legislatures may summons a provincial commissioner to answer questions but have no direct authority over him or her. The extent to which the provincial government structures can wield influence over the provincial commissioners is determined by powers of persuasion, either over the provincial commissioner or through the national Minister to take directive action on their behalf.

Mechanisms for holding the police accountable

Dixon (2000, p. 75) explains the mechanisms as 'the nuts and bolts of police accountability – the institutional structures that exist for holding the police accountable for their actions and decisions.' As mentioned previously, in modern democracies the police are accountable to multiple structures at different levels. Stone and Wards (2000) identify three levels of police accountability that are useful for locating the various mechanisms in South Africa.

Internal or departmental control: The South African Police Service has formal policies and regulations in place to hold its members directly accountable for performance and misconduct. There are systems that reflect the performance of police stations and individual performance appraisal processes. However, to date, these systems are relatively new and are still developing.

New disciplinary regulations came into effect at the very end of 1997. Station-based managers can take disciplinary action limited to verbal and written warnings. For more serious sanction, decisions are taken at a higher level (provincial area) following a formal hearing. Typically station-based police managers complain that the system takes too long and too often results in light sanctions. Indeed, research has demonstrated that only 18% of police members think that an officer caught taking a bribe will face dismissal as the disciplinary sanction (Newham, 2004).

There are also no specially trained and resourced internal units that are dedicated and equipped to solely investigate allegations of misconduct or criminality against police members on an ongoing basis. While there were station level internal investigation units in the past, these were disbanded due to general poor performance which was the result of working in a hostile climate with no extra support. Further, the internal Anti-Corruption Units were closed down during 2001 with the official reason being that it was in line with the restructuring of investigative units. However, one of the consequences is that ordinary citizens are generally unaware of how to lay a complaint with the SAPS (particularly if their complaint is against a police member) and what to expect thereafter.

State or government control: In South Africa, accountability structures (which could be classified under this category), includes:

- The national and provincial ministers of Safety of Security.
- The national and provincial secretariats for Safety and Security.
- National and Provincial parliamentary portfolio committees.
- Chapter 9 and Chapter 10 institutions of the Constitution (i.e. the Public Protector, the Human Rights Commission, the Commission for Gender Equality, the Auditor-General and the Public Services Commission).
- The Independent Complaints Directorate (ICD).

While this array of organisations that have some authority to hold the police accountable is quite impressive on paper, it is unclear that these institutions have had enough of an impact over poor service delivery or abuses of power in the SAPS. In general the reasons for this are similar to the challenges facing similar institutions in other democracies. Members of the executive structures are generally unaware of the realities and challenges facing policing agencies on the ground and are often unable to identify the most important issues that have to be addressed (Walker, 2001). As most of these structures engage at a policy or political level, they have little impact on the day-to-day activities of the local level officials who perform the actual policing.

In South Africa, the primary police accountability structure with regards to direct accountability for abuse of powers is the Independent Complaints Directorate (ICD). This structure is seen internationally as a good model as it is a civilian run agency that can independently investigate cases against particular police officials after receiving complaints from members of the public (Prenzler and Ronken, 2001). However, the capacity of the ICD is limited (approximately 250 members) given the size of the SAPS (approximately 133 000 at the time of writing). The ICD also receives only a small proportion of the total number of complaints lodged by members of the public against police officials (Masuko, 2001).² Furthermore, recent figures released by the ICD show that both police shooting and custody related deaths and complaints of misconduct and criminality against the SAPS have been increasing consistently since the establishment of the body. While further research analysis would have to be undertaken to better understand what the reason for this is, clearly this body alone is insufficient for preventing poor service delivery and police abuses.

Social or civil control: These are mechanisms that occur throughout society that can assist in holding the police accountable. Such institutions include:

- Non governmental organisations (NGOs) (which may assist victims of police abuses or assist victims of crime to lay charges with the police.)
- Academic and research institutions (which may explore policy development and implementation relating to policing. They may also conduct opinion surveys that can highlight the public's perception of police performance).
- The media (which may educate the public about what the police do and highlight instances of poor service or abuses of power).
- Community based organisations (which may assist their members in accessing services from police stations).

The existence of a wide range of accountability structures is a positive feature of democratic governance. However, the mere existence of these various structures is not a guarantee that the police at local level will be held accountable for service delivery or abuses. As Stone and Ward (2000) argue, for accountability of the police to be truly effective there is a need for better coordination and cooperation between the various mechanisms at each of the levels identified. In particular there needs to be closer coordination between the internal systems that directly affect individual officer accountability and the external structures tasked with police accountability. Indeed, it has more recently been argued that, 'It is clear that [external mechanisms of police accountability] can only be effective if they complement well developed internal forms of control' (Jones, 2003: 603).

3. Community Policing and Accountability

The concept of 'community policing' came to be widely accepted as the answer to improving the acceptability and effectiveness of the police in Britain and the US in the 1980s (Weatheritt, 1993, p. 125). By the end of the 1990s, the term 'community policing' had become so pervasive that it had 'become a household phrase' (Maguire and Mastrofski, 2000, p. 4). The community policing model contrasts with traditional policing which is characterised by centralisation of power and police resources with little involvement from the community. In essence, the philosophy of community policing requires the police to work with the communities they serve through formally established consultative forums. However, as Maguire and Mastrofski (2000, p. 5) point out, 'Since the earliest days of the community policing movement, analysts have expressed concern about the problems of defining community policing.'

For instance Bayley (date unknown) conducted research into how 'community policing' is understood in five countries and identified four essential and common elements contained in the acronym CAMPS:

- Consultation with communities about their security needs and the police assistance required to meet them;
- Adaptation of organisational structures to allow local operational commanders greater decision making powers;
- Mobilisation of public and private non police agencies and individuals;
- Problem solving with a view to addressing conditions generating crime and insecurity.

Trojanowicz, & Bucqueroux (1990) explore the notion that community policing entails a

partnership between the police and the communities they serve. They highlight that the partnership ought to be one that is based on the principles of:

- Consultation-through the establishment of community-police consultative forums.
- Proactive crime prevention approach.
- Decentralisation of police resources.
- Creation of community policing officers, who act as a direct link between the police and people in the community.
- Development of partnership in crime prevention through multi-agency problem solving and;
- Improved accountability.

Others have explored the strategic and organisational structuring that needs to occur within the police to ensure that they are able to facilitate and implement the philosophical principles of community policing. According to Cordner (1995, p. 464) the organisational strategy of community policing involves aspects such as:

- Decentralisation of authority to community policing officers so that they can act independently and be more proactive;
- Working in teams to maximise visible policing; and
- Restructuring of performance indicators to cater for community policing activities such as foot patrols.

Cordner (1995, p. 464) further states that the organisational strategy includes the specific programmes and practises by which community policing is to be implemented. Such programmes can, for instance, include a geographic focus or a prevention focus.

The geographic focus involves permanently assigning officers to small-demarcated areas where they will be responsible for policing those areas. The objective is to increase the officer's familiarity with the area and build trust with the local communities (Cordner, 1995, p. 456). Dixon & Stanko (1999: 256) have added that the geographical focus also gives community policing officers (CPOs) high discretionary power and more autonomy to make decisions.

The preventative focus, on the other hand, emphasises a proactive and preventative approach to crime prevention (Cordner, 1995, p. 457). In other words, community policing is aimed at preventing crime through consulting with local communities and other stakeholders on issues and factors that may lead to the occurrence of crime. This should lead to policing initiatives that emerge out of combined problem solving such as foot patrols at a certain place and time.

Although community policing has been the subject of much research and writing, arriving at a meaningful and relatively uncontentious definition of 'community policing' has remained elusive. Maguire and Mastrofski (2000, p. 4) found that 'the number of dimensions underlying the community policing movement varies significantly according to the source of data [used to study community policing.]' This is not surprising if one considers that policing scholars in the USA '... needed 31 separate categories to capture activities that are associated with community policing.' ([Steinberg, 2004](#)). That this is the

case in the United States of America where the community policing movement was born suggests that in South Africa community policing will reflect the key policy ideals and shortcomings that will have emerged from and during our democratic transition.

Community Policing Forums in South Africa

The first formal reference to 'community policing' in South Africa is found in the Interim Constitution, Act 2000 of 1993, which provided for the establishment of community police forums to undertake the following functions:

- The promotion of accountability of the service to local level communities and co-operation of communities with the service;
- Monitoring of the effectiveness and efficiency of the service;
- Assessing the service with regard to local policing priorities;
- The evaluation of the provision of visible policing service including:
 - The provision, siting and staffing of police stations
 - The reception and procession of complaints and charges
 - The provision of protective services at gatherings
 - The patrolling of residential and business areas and
 - The prosecution of offenders and
 - Requesting enquires into the policing matters in the locality concerned.

These functions of community policing forums were later removed from the Constitution and enshrined in the SAPS Act 68 of 1995. In 1997 the Department of Safety and Security published its own guidelines entitled, 'The Community Policing Policy Framework and Guidelines.' This document identified and defined the five core elements of community policing as (Department of Safety and Security, 1997, p. 2-3):

- Service orientation: the provision of a professional police service, responsive to community needs and accountable for addressing these needs;
- Partnership: the facilitation of a co-operative, consultative process of problem solving;
- Problem Solving: the joint identification and analysis of the causes of crime and conflict and the development of innovative measure to address these;
- Empowerment: the creation of joint responsibility and capacity for addressing crime; and
- Accountability: the creation of a culture of accountability for addressing the needs and concerns of communities.

Since the adoption of community policing as a key policy of the SAPS, community policing forums (CPFs) have been established at each of the approximately 1200 police station in the country (Pelser, 2001, p. 1). A National Community Policing Desk within the National Crime and Prevention Response Service was established to guide and facilitate the institutionalisation of community policing in South Africa (Pelser, 1999, p. 6). Provincial CPF coordinators were appointed at each of the nine provinces who were then responsible for coordinating projects at area and station level (ibid).

Once CPFs were established at station level they elected chairpersons who then participated in CPF area boards. Area board representatives are then elected to represent provincial

boards which in turn elect representatives to sit on the national Community Policing Consultative Forum (Mottiar and White, 2003, p. 7). Ideally, CPFs should have written constitutions and codes of conduct, hold monthly and annual general meetings, and membership should be open to all (ibid).

Certainly, one of the key the roles of CPFs was to promote police accountability. According to Pelsler (1999, p. 2) 'the political prerogative informing community policing forums was one of democratic accountability - the police were to be democratised and legitimised by enhancing oversight and accountability...at a local level'.

The logic of community-policing forums having a role to play in promoting police accountability at a local level is quite clear.

- CPFs are attached to a specific local police station.
- They consist of members of the local communities; and
- They have a first hand experience of the services offered at local police stations and how the local police members conduct themselves.

Yet, as was asked by Altbeker and Rauch (1998, p. 2), whether 'it [is] reasonable to believe, for instance, that, given the history of conflict between the police and communities, that a structure that was designed both to improve relations and oversee the police would succeed in both functions. Is it plausible that in communities where police were perceived to be oppressors and where the police believe that the most constructive crime prevention is police-led, that many members of the community would willingly give of their time and resources to assist the police in fighting crime?'

Similarly, this question has arisen in international experiences of community policing and its link to police accountability. Bayley's (1994) highlights two common challenges that emerge when expecting community policing structures to hold the police accountable:

- Firstly, most citizens do not know much about police work and how police do their work, yet they are expected to hold them accountable. How do you begin to hold someone accountable for something you yourself know little about?
- Secondly, many police agencies do not recognise community-policing forums as legitimate partnership structure, moreover as an oversight structure.

Both these challenges have been experienced with regards to community policing forums in South Africa. Pelsler (1999) provides a substantial set of challenges that have faced CPFs including:

- Within the SAPS the policy of community policing was seen as synonymous with CPFs. It was therefore seen as an add-on function but did not translate into fundamental changes in the operational approach, training or restructuring of the SAPS.
- A lack of resources or support from government.
- A lack of trust between communities and the police hindered the ability of CPFs to work in partnership with many police stations.
- Differing and contradictory functions and responsibilities.

More recent research on the implementation of community policing in South Africa's priority areas again found that there was no consistent implementation and interpretation of the policy ([Pelser, Schnetler & Louw, 2002](#)). The study also revealed that members of CPF and the SAPS continued to hold different expectations about the core elements and objectives of community policing. This is not too surprising given that the objectives of community policing changed over the past ten years from, 'an initial emphasis on oversight of the police through a focus on relationship-building and the creation of partnerships to help improve police services, towards much greater concentration on community mobilisation for crime prevention' (Ibid, p. 83).

More recently, a new approach to community policing has been adopted by the SAPS called sector policing. Sector policing requires that station precincts are divided into smaller geographically defined 'sectors' to which one or two police personnel are consistently deployed to undertake community liaison and problem solving work through the establishment of 'sector forums'. However, as [Steinberg \(2004\)](#) points out, 'Sector policing is not a rigid model or a finite set of rules. It is an eclectic composite of open-ended ideas; the practices associated with it are diffuse and myriad.'

However, the notion of accountability is not specified in the national instruction that explains the concept and implementation of sector policing. It may be assumed that through the use of sector forums to develop community-police projects, local level police accountability would be automatically enhanced. However, as has emerged from recent research into sector policing, some sector forums have been used to express and deepen civilian alienation from the SAPS; and increased personalised relationships between police sector managers and local level offenders has led to an escalation of local level conflict ([Steinberg, 2004](#)).

Bearing in mind these challenges the following part of this report presents the findings of the primary research conducted in three stations as to perceptions of CPFs as local level police accountability structures.

4. Case Studies of the Three Stations

4.1 The Parkview Police Station and CPF

Parkview police station, which was opened in 1965, is situated in a predominantly white and wealthy suburb approximately seven kilometres north of the inner-city of Johannesburg. The Parkview policing precinct consists of 17 suburbs within 45 square kilometres and accommodates approximately 120 000 residents living on 8 776 separate stands (<http://www.parkviewpolice.co.za>). Parkview is characterised as a leafy residential suburb with large houses, parks, a shopping and business centre and several schools. The Johannesburg Zoo and the recreational park 'Zoo lake' is situated near the police station where a popular annual free Jazz festival is held.

During 2001 the City of Johannesburg official website has reported that this community is one of the best-policed suburbs in Gauteng (<http://www.joburg.org.za>). Indeed, the crime rate is considered one of the lowest in the Johannesburg policing area. While there are instances of serious crimes such as murder (only two cases for 2003) and armed robbery (about 300 cases for 2003), the most frequently reported crimes consist of property theft

(such as from vehicles and, house burglaries. The police station is staffed by 132 people of which 107 (81%) are operational police members, while the remaining 19% serve an administrative or support function. The Parkview police arrest 4 779 per year of which 4 104 (86%) are for relatively petty offences (e.g. shoplifting, trespassing, and undocumented foreigners, etc).

The initiatives of the SAPS to prevent crime are bolstered by a wealthy community which spends close to R500 000 per month on private security or armed response services.³ Some of the residents of this suburb have also gone out of their way to support the police through building the CPF. The Parkview CPF was established in the early 1990s as a Section 21 (non-profit) company. Given the relative wealth of the residents, it receives donations of up to R12 000 from some households and businesses within the precinct.

The goal of the CPF is 'to assist the Parkview Police precinct in reducing crime and increasing customer service' (<http://www.parkviewpolice.co.za>). The CPF in this community is made of 13 executive committee members, who meet once a month. The committee is divided into portfolios that co-ordinate various aspects and projects of the CPF. Some of their successful projects have included:

- Fundraising for the station;
- Renovation of the station's Client Service Centre (CSC);
- Developing and maintaining the station's website;
- Establishing a cafeteria for the station and the community ;
- Implementing a victim empowerment programme;
- Establishing sub-forums within the CPF such as:
 - Banking forum
 - Domestic workers forum
 - Business forum
 - Security companies forums
 - Towing truck forums
- Setting up a database of the cell phone numbers of all the members of the community. This database is used as a communication tool to warn members of the community of any criminal suspects in the area, or of crime that has or may take place. The database allows the station to send a SMS message from a central mainframe (computer) at the station to all the cell phone numbers in the database. (Personal Interview with sector manger, 9 October 2003).
- Members of the station were actively involved in the drafting of the sector policing national draft (personal Interview with sector manager, 9 October 2003).

Understanding of Accountability

According to its website, the Parkview CPF has four key functions of which the first is to 'Ensure the accountability of the Police Service to our residents' (<http://www.parkviewpolice.co.za>). When asked how 'accountability' was defined, the Chairperson stated that:

Our understanding of police accountability is that the police must inform us as the CPF what they've done, how they have spent their budgets, and if there are any complaints brought [by] us, how they have dealt with those complaints

(Interview with the CPF Chairperson, 15 October 2003).

The police reported that they believe the CPF is no longer as effective as it once was. The police also stated that the CPF does not understand what 'accountability' means. From their point of view, the role of holding the police accountable did not mean that they have to be a 'watch dog'. Rather, it meant that that the CPF has to work with the police to make sure that the community is adequately serviced:

Some in the CPF don't understand what it means [holding police accountable]. They think is about policing the police and acting like the ICD. They are not the ICD. They are a community structure and as a community structure they have to work with the police to make sure that we do our job well. (Interview, Parkview Station Commissioner, 9 October 2003).

CPF Access to Information

The CPF in this station reported that they have a transparent relationship with the station management to the extent that they have access to the budget of the station and the precinct crime statistics. The CPF further mentioned that they assist the station in auditing their financial reports due to skills and expertise of some of their members.

Our relationship with the station is very transparent; the station commissioner fills us in on the latest crime statistics and we help them with balancing their books we have people in our committee who have those expertise. (Interview with the CPF chairperson, 15 October 2003).

Handling of community complaints

The CPF sometimes receives complaints of misconduct or corruption brought by residents against the police. It forwards these complaints to the station management and then monitors whether they are attended to or not. The primary role of the CPF in this regard is to communicate complaints to station management after which its involvement ends. It does not get involved in decisions about whether or not to take disciplinary action against an accused police member. Nevertheless, they expect the station management to inform them of any disciplinary action taken as a result of the complaints brought forward by the community.

You see policing is not easy. I'm not a policeman. I don't know anything about policing so I don't get involved, but I want the station commissioner to tell me [what has been] done about the following individual, because at the next CPF meeting I have to give feedback to the person who laid the complaint. (Interview with the CPF Chairperson, 15 October 2003).

Monitoring Service delivery

It was also mentioned that the CPF monitors the quality of service delivery at the station. The primary focus is on the time it takes the police to respond to complaints. The CPF chairperson highlighted that in the past they did not have a measurement tool to assess whether the community was satisfied with the station's service delivery or not. The CPF

used to rely on the number of community complaints they received from the community relating to service delivery as a measure. If there were no complaints received, that would be interpreted as an indication of the community's satisfaction with the service delivery. However, the CPF recently started conducting annual surveys to assess the community's perception and satisfaction with the station service delivery.

We now send out questionnaires with our newsletters and we ask the community to assess the quality of the service delivery of the station, whether they are happy with it and what can be done to improve it. (Interview with a CPF representative, 15 October 2003).

The CPF then analyses the findings of the survey and reports the results to the station management. If particular problems are identified, the CPF makes recommendations about how these may be resolved. For example, should the survey elicit complaints of police delays in responding to calls, the CPF would discuss this with the station management to try and identify the cause of the problem and agree on what can be done to address the problem.

Station Cell monitoring

This CPF has established a sub forum called the 'cell watch'. According to the sector-manager, this sub-forum was established to oversee the management and conditions of the cells and to ensure that the detainees were being treated according to the law.

The role of the cell watch forum is to ensure that our cell's are in good condition to house inmates. (Interview with a sector manager, 9 October 2004).

Use of resources

The CPF highlighted that they are also involved in fundraising and furnishing the station with resources. The station management decides how the resources are used and the CPF monitors that the resources are used in the manner intended.

The CPF fundraises for the station and they help us to get vehicles and all we have to do is regularly inform them how we use the resources and what additional help we require from them. (Interview with the Station Commissioner, 9 October 2003).

Furthermore, it was mentioned that the use of resources was monitored through an audit also conducted by CPF to determine the extent of shortages being experienced. The audit is usually done on quarterly basis along with the audit of the station's expenditure.

Sector policing activities

In this station it has become a norm for the CPF meetings to be used as a platform for sector managers to give a feedback on the developments of their sectors and the challenges they are encountering.

To ensure that there is coordination and effective implementation of sector

policing, the CPF is used as an umbrella structure where sector managers are required to give feedback on their sectors and whenever necessary the CPF will commit themselves to assist in providing for resources like vehicles and cell phones. (Interview with a sector manager, 9 October 2003).

4.2 The Alexandra Police Station and CPF

Alexandra police station is situated in a north-eastern township of Johannesburg. In many ways, Alexandra township represents the opposite of Parkview. While Parkview is formally a 'whites only' area consisting of wealthy residents, Alexandra was proclaimed a 'native township' in 1912 and was one of the few places in Johannesburg where black people could live as permanent residents after the passing of the infamous Native Land Act of 1913 (Mottiar & White, 2003, pg. 9).

This township, like many townships in South Africa, has experienced decades of political unrest. It was often a site for anti-apartheid struggles, youth movement activities and hostel violence (Mottiar & White, 2003, pg. 9). Due to the legacy of apartheid, Alexandra township was neglected in terms of upkeep by the authorities, and a lack of investment led to a range of socio-economic challenges that continue to persist, despite a decade of democracy in South Africa (ibid). Given the proximity to the city and relatively wealthy suburbs Alexandra experienced a high rate of influx of people moving to the city to find potential jobs. Consequently overcrowding has become a significant problem with approximately 350 000 people living in an estimated 34 000 shacks in an area of about two and half square kilometres (ibid, p. 10). Jobs however are not that plentiful given the number of people who need them and a high rate of unemployment (ibid). This figure hides the gender imbalance where more women (40 percent) are unemployed than men (19 percent), and with most of those employed working as low or semi-skilled labourers.

Given the severe socio-economic problems confronting Alexandra, crime and violence present a serious problem for residents. Serious crimes such as murder (106 cases for 2003), rape, serious assault, armed robbery and housebreaking, pose particular challenges for residents. Given the high crime rate, the Alexandra police station has been identified as a priority station and is one of the country's seven 'Presidential Stations'. As such, it receives preferential treatment in relation to the allocation of resources.

During 2003 the station was staffed by 388 personnel of which 341 (88%) were operational police members and the remaining 12% are civilians working in support services. Of the 8 295 people arrested during 2003, forty four percent (2 934) were for serious crimes.

The first community-policing forum in this township was established in 1996, but in August 2002 the CPF was disbanded following concerns by station management that the CPF committee was overstepping its boundaries and taking over some police duties such as patrolling, making arrests and interrogating suspects (Mottiar & White, 2003, p. 12).

The CPF was re-established towards the end of 2002. Since then, the CPF has been actively involved in various projects within the station such as:

- Fundraising for the station;
- Running the victim empowerment programme;

- Establishing partnerships with various community based organisations such as:
 - Schools;
 - Churches;
 - Business;
 - Metro police and
 - Security companies.

Understanding of Accountability

The Alexander CPF sees police accountability to be about giving of information and feedback on the decisions, actions and/or inactions taken by the police:

It's all about telling us and the community what they are doing as the police.
(Interview with a CPF representative, 27 October 2003).

Nevertheless, there are those in the CPF who see their role as that of a 'watchdog', and they are concerned with ensuring that the police use their resources properly and in ensuring honest conduct (Mottiar and White, 2003, p. 15). However, this role has led to certain police members adopting a negative attitude towards the CPF, with some labelling the forum as 'the Corruption Unit', following concerns raised about police corruption (Ibid, p. 16).

CPF Access to Information

The relationship between the CPF and the station management can be described as one of a healthy working relationship. According to the station management, the CPF has access to the latest crime statistics but they do not have access to the station's budget and financial report. They usually get an overview of how the station has spent the budget allocated but they do not receive any financial reports.

They do get information about crime statistics because we expect them to assist us in combating crime, but they do not have access to our [financial] books.
(Interview with the Station Commissioner, 9 October 2003)

Handling of complaints

According to the Alexander CPF chairperson most of the community complaints to the station are forwarded via the CPF. These complaints are usually about poor service delivery, or delayed response from the police.

When a member of the community lays a complaint we make sure that complaint is attended to. (Interview with a CPF representative, 27 October 2003).

Use of resources

The CPF also oversees the use of resources at the station, especially the use of vehicles. At the CPF meetings the support services gives a report back on the status of the vehicles at the station, how many are in working condition, and how many need to be repaired.

We also monitor how they use police resources, whether they use for the benefit of our people or for personal reasons. For example, you find some officers using state vehicles to go and visit their girlfriends meanwhile someone has called for help. (Interview, CPF Chairperson, 23 October 2003).

Victim Empowerment Centre

The Alexander victim empowerment programme is run mainly by volunteers and the CPF is involved in ensuring that it runs efficiently. The CPF has reported that they oversee and monitor the functioning of the centre through the reports they are given, and the occasional visits they make to the centre.

We go to the [victim empowerment centre] and see how things are, what is needed and where can we help. (Interview, CPF Chairperson, 23 October 2003).

Cell monitoring

The CPF has formed a sub-forum that undertakes cell visitations to assess the condition of the cells and the treatment of those in custody.

We allow the CPF to conduct cell visits so they can assess the state of our cells and how we treat the inmates around here, and that is important because if an inmate dies in our custody we have to tell the ICD why and how come. So if the CPF sees that we are treating them right then they can even give evidence to the investigation of the ICD. (Interview with the Head of Crime Prevention, 27 October 2003).

Service delivery

The CPF has further highlighted that they expect the police to account on the quality of their service delivery, and whether the community is satisfied with the station's service delivery.

As the CPF we have to assess whether our station is performing to the best of its ability. Does the community get the service it deserves or not. (Interview with the CPF Chairperson, 23 October 2003)

In ensuring that the service rendered to the community by the police is satisfactory, the CPF mainly relies on the complaints forwarded to them by the community, and the absence of complaints is often interpreted as an indication of the community's satisfaction.

4.3 The Brixton Police Station and CPF

Brixton police station is situated in a historical suburb to the west of the inner-city of Johannesburg. It was a low-income 'white's only' area during apartheid but now it is a racially mixed community characterised by high influx of tertiary students who are living and/or studying at tertiary institutions situated in or near the area. Brixton has a commercial centre with shops, restaurants and night clubs. Brixton also has a relatively high level of unemployment at 30%.

Compared to Alexandra, Brixton has relatively few murders (12 in 2003) with theft, burglary, assault and robbery representing the main crime challenges. During 2003, a total of 2 168 people who were arrested of which 1160 (54%) were for serious crimes while the remaining 1 008 (46%) were for petty crimes. Brixton police station is a mid-sized station in the SAPS Johannesburg policing area and consists of a total of 155 personnel of which 120 (77%) are functional police officers and 35 (23%) are civilian support staff.

The community-policing forum in this station was established in 1993. The station has an active CPF which has been involved in a number of projects. The relationship between the station and the CPF is described as 'good' with the structure having been involved in fundraising for the station and assisting with the implementation of various projects including for example:

- The establishment of victim empowerment programme.
- A school safety programme; and
- A school drug awareness programme.

Understanding of accountability

This CPFs interpretation and understanding of accountability involves a two-way accounting and consultation process where the police informs the CPF of their intentions, decisions and/or actions taken and visa versa.

Police accountability is a two-way process the police communicates with us about their intentions and decision and we communicate with them about our intentions and decisions, as the CPF we are also expected to communicate with the community...(Interview, CPF chairperson, 22 October 2002).

CPF access to information

This CPF has reported that they have a good working relationship with the station and they get informed about what is on a regular basis. While they are granted access to the station's crime statistics they do not have access to the station's financial reports. They are, however, given an overview of the station's expenditure.

Yes, we have access to the latest crime statistics, what we don't have access to is the budget...but we do get an overview of what happening with the finances. (Interview, CPF chairperson, 22 October 2003).

The CPF reported that they are view themselves as an appropriate accountability structure. However they need to be equipped with the necessary skills needed to hold police accountable.

I think we are [an appropriate accountability structure] but we need to be taught how to do it properly. We might think we are doing it but some may disagree. (Interview, Brixton CPF Chairperson, 22 October 2003).

Use of police resources

The CPF has reported that they monitor how the resources are used at the station and they are aware of their responsibility in ensuring that those resources are used to the benefit of the community.

You have to understand one thing. Police are financed by the tax payer's money, and we are elected by the same tax payers to make sure that their money is spent to their benefit. (Interview, CPF chairperson, 22 October 2003).

Management of community complaints

The Brixton CPF oversees whether the complaints brought forward by the member of the community are attended to promptly.

We get a lot of complaints... and as the CPF we have to make sure that those complaints are attended to. (Interview, CPF chairperson, 22 October 2003)

Cell monitoring

The CPF reported that it also conducts cell visitations, but unlike Parkview and Alexandra they do not have a formal sub-forum that deals specifically this responsibility. They often invite members of the community attending the CPF meeting to come and assist them in conducting the cell visits. This has the additional outcome of broadening an interest in and knowledge about cell conditions more widely in the community.

The cell visits take place at an ad hoc basis. The CPF conduct them, but they sometimes invite other members of the community to assist them. (Interview, station commissioner, 07 November 2003).

Sector policing

This CPF has also taken on the monitoring of sector policing activities as one of their functions. The sector managers are expected to give feedback relating to the development and happenings in their sectors at the CPF meetings.

We also oversee sector policing developments, what challenges are the sector managers faced with and how is the community receiving this new policing strategy. (Interview, Station Commissioner, 07 November 2003).

Service delivery

Similar to the CPFs in Parkview and Alexandra, the Brixton CPF reported that they also oversee and monitor the station's service delivery, and are particularly concerned with how well and how fast they respond to complaints. However, they do not monitor these activities according to any set criteria or performance indicators. Instead, they rely on are the complaints and compliments received from the community as an indication of community satisfaction.

The CPF acknowledged that their responsibilities are determined and limited by the extent of information that is provided to them.

What we do is shaped by the information the station gives us. We cannot hold them accountable if we don't know what going on... (Interview, CPF chairperson, 22 October 2003).

The CPF indicated that their capacity to monitor police conduct over time is limited by their members' time, knowledge and skills constraints.

It's hard for us to do that [monitor over time]. Most of the executive members have full time jobs. We cannot keep an eye of what's going on at the station every day. (Interview, Brixton CPF representative, 22 October 2003).

5. Analysis of the Case Studies

5.1 Focus areas of the CPFs

The primary focus areas of the CPFs are related to service delivery with a particular emphasis on the use of resources by the police. The Parkview CPF has taken its focus on service delivery a bit further by conducting surveys of community perceptions and experiences of police service.

All the CPFs reflected in this study appear to undertake activities which would, at face value, suggest more of a directive approach to accountability. However, this was limited to certain activities, such as monitoring police cells. This responsibility was conducted by a specific sub-structure of the CPF, or, as in the case of Brixton, through ad hoc CPF visits accompanied by members of the community. Such an activity suggests that if problems are picked up by CPF members these could be reported to station management to be rectified. Interestingly enough however, from the police point of view, the role of the CPF in this regard was often to provide support to the station in the event of investigations by the ICD which follow in the event that someone dies while in police custody.

The referral of community complaints was another activity that all CPFs in the case studies were involved in. It appears that CPFs often receive complaints about the police from members of the community, as often people feel more comfortable with making complaints to the CPF, or believe that action is more likely to follow. However, the CPFs' role in this regard is primarily one of referral and feedback. It is not the responsibility of the CPF to become involved in establishing the merits of the complaints, nor do they monitor first hand the disciplinary steps taking against the police officials who are the subject of the complaints. The CPFs were clearly of the view that such actions were the prerogative of police management and did not wish to interfere.

5.2 Nature of accountability and CPFs

The most common form of accountability manifested in the CPFs studied was the 'steward mode' whereby the police were expected to explain their activities and plans relating to the policing of the station precinct. As CPFs have no authority over the police station management, the accountability is neither directive in nature, nor does it seeks to control

police activities. Overall, the accountability relationship between the local police station and the CPFs is indirect and appears to be dependent on the nature of the relationship between the station's management and the CPFs at a particular time.

In general, it appears as if the relationship between the CPFs and the police station management in each of these cases was relatively positive. The CPFs were involved in projects that assisted the police; such as fund raising, assisting with the running of victim empowerment centres and mobilising communities to attend various sub-forums. A common dynamic appears to be that as long as CPFs are working in relatively close partnerships with the police stations, there is a relative free flow of information from police management to the CPFs.

Relationships tend to breakdown when members of the CPFs become overly critical or start to play what is perceived to be too much of a watchdog role. In Alexander, a former CPF had collapsed when perceptions of police corruption soured relationships. According to the police, the CPF had overstepped their mandate and become too involved in police work. It would appear then that the police management perceives the role of the CPF primarily to be to work with the police and support them in their activities, and to ensure that they 'do their job properly'.

5.3 Limitations to CPFs as police accountability structures

There are a number of structural limitations to CPFs playing a role in ensuring local level accountability. Typically, CPFs appear to work best when they are operating in close partnerships with the police around specific projects, and where they are primarily used as communication structures. When CPFs are working in close partnership and are deeply aware of the challenges facing police officials, they may find that they become quite sympathetic to 'their police station.' As such, there is a risk that they end up representing the needs of the police station to the community (for instance to raise funds) rather than representing the needs of the community to the police.

Some of the particular limitations that emerged during this research included the lack of guidelines or protocols as to how CPFs should hold the police accountable. Consequently, there was not always consensus among CPF members on whether they were actually holding the police accountable. There were also practical limitations in holding the police accountable through CPFs, such as the capacity constraints on members, and the fact that they have limited interaction with the station and limited knowledge of its activities. As a result, CPFs were mostly dependent on the information that they received from the police and were not in a position to independently assess police performance.

5.4 The future of CPFs as a structure of police accountability

Community policing in South Africa has experienced many of the challenges that this approach confronted in other parts of the world. Nevertheless, CPFs continue to exist and questions remain as to their worth and impact on policing and police reform after a decade of democracy. While the official objectives of these structures have changed over this period, one of the first reasons for their establishment was to ensure greater police accountability at local levels. This objective is still seen by some CPF members as a key reason for their existence and is reflected in some of the activities carried out by CPFs.

There is no reason why the objective of 'promoting police accountability at local level' could not remain as one of the key functions of CPFs.

Indeed, strong arguments have been made in the literature on the need for a multi-dimensional approach to ensure effective police accountability in democracies. Essentially, this argument highlights that police accountability is not only up to a few specific structures but that it should occur through a range of levels. The need for local level community based accountability is an important component as this is where most policing takes place. However, as has been pointed out, there are inherent challenges and contradictions to community based structures practicing oversight over the police. Apart from the amorphous notion of 'the community', the police are less than willing to have outsiders (who are seen to lack knowledge of the craft of policing) overseeing their activities.

Nevertheless, it could be possible for CPFs to play more of a formal role in enhancing police accountability without necessarily giving them powers over the police, or leeway to interfere in policing activities and management decisions.

6. Recommendations

6.1 Clarify the role of CPFs in local level police accountability

Given the mixed success of CPFs over the past decade, there is a need to revisit the roles and functions of these structures. Clearly, this exercise needs to be taken by the National Ministry for Safety and Security which is responsible for the legislation and regulations guiding the activities of CPFs. Recent indications are that a review of the current SAPS Act of 1998 is underway and that potentially the role of CPFs will be revisited as part of this process. Part of this review should be informed by the potential that CPFs have to enhance local level police accountability.

Accountability need not be the primary objective of CPFs, but it should be recognised as a formal role, and specific responsibilities and activities should be delineated.

6.2 Capacitate CPFs to enhance local level accountability

CPF's would need to be capacitated so that they can play an active role in enhancing police accountability. This does not necessarily require substantial resources. They should be given clear service delivery and conduct standards against which they can assess local policing. Written materials should be developed and distributed to CPFs that explain and describe the standards of service that they could expect from police members serving in the different functions of a police station (i.e. the station commissioner, the Client Service Centre, detectives, crime prevention, sector managers, etc).

CPF's should also receive information on the standards expected for officer conduct. This could include the SAPS disciplinary regulations (written in plain language) and the SAPS code of conduct. These would provide the CPFs with a basis against which to enter discussions and agreements with their local police about service delivery and conduct related problems.

CPF's should also receive details about how internal management systems and procedures

work. This would include information on the SAPS internal line of command and levels of decision making authority; how to report poor service or misconduct; and what to expect following a formal report. CPFs should know how the SAPS internal disciplinary system operates, how to report misconduct and what process then follows. This would assist CPF members in following up complaints of misconduct and to be able to properly assess their local police commander's response to disciplinary problems at the station.

6.3 Identify specific accountability related activities

While capacitating CPFs through information is the first step to enhancing local level police accountability, it is not sufficient. CPFs should also monitor and document any shortcomings regarding service delivery and conduct. A simple template could be developed for this purpose. For example, when conducting cell visits, a brief checklist could be completed that reflects the state of the cells, numbers of prisoners, description of food served and any cases where suspects have been kept longer than 48 hours, etc. Similarly, a simple template could be used to document complaints, steps taken, and outcomes of complaints against police officials received by the CPF.

Through keeping records of their observations and interactions with the station management, the CPF can keep track of repeated problems and their efforts taken to address them. Then, their engagement with local police commanders will be informed by facts rather than perceptions, and will provide a more likely basis for discussions and problem solving discussions. If mutual solutions cannot be reached between the CPF and station commanders then details of the problem and steps taken will be available for other structures to assist if necessary (i.e. SAPS Area offices, CPF Area Boards).

6.4 Link CPFs to other civilian oversight structures

As was highlighted in the literature section of this report, police accountability requires not only strengthening various oversight structures but also coordinating their activities. Currently, the police civilian oversight architecture operates largely at the national and provincial levels. This occurs through the national and provincial secretariats, parliamentary structures and the ICD. Overall police accountability would be strengthened if the CPFs were better linked to these structures. At the very least, all CPFs should be clearly aware of the mandates and contact details of these structures.

Moreover, if CPFs were compiling reports on specific accountability related activities, these could be compiled into regular brief reports (i.e. bi-annually or quarterly) and forwarded to the provincial secretariats. This would further enhance the capacity of the Secretariat's monitoring of service delivery at police stations through the CPFs.

Notes:

¹ While the ICD Annual Report for 2004 reveals that a total of 5 903 cases were received for the investigation of police officials, the SAPS Annual report for 2004 reveals that the SAPS itself received 21 283 complaints.

² While the SAPS received on average between 15,000 to 17,000 complaints against its

members before 2000, the ICD received less than 3,000 complaints in total.

³ Interview with station commissioner, 9 October 2003. The estimated figure is from the survey conducted by the security forum of the area in 2001.

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