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CONTENTS

FOREWORD

LEGAL TALK

ARTICLES

BOOK REVIEW

FOREWORD

Towards Africanisation, community policing and police legitimacy

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The **JUST AFRICA** Journal focuses on academic and professional discourse on crime, the criminological sciences and the applied field of criminal justice.

In recent years we have debated issues such as the decolonisation (Govender, 2018; Kessia, Marks & Ramugondo, 2020) and Africanisation (Pratton, 2017; Beek, Göpfert, Owen & Steinberg, 2017) of policing and criminal justice systems. Much of the search for unique solutions to unique challenges involves a move away from dominant Western views (Dyck, 2022; Smit, Alemika, Botha, Ngantweni & Van Mollendorf, 2023). This is discussed in this issue in a review of **Policing in Africa: Towards an African epistemology**.

The desire to break the strong Western influence on African countries was expressed by prominent politicians in South Africa and the region when they indicated that they might resign from the International Criminal Court and move to establish an African Criminal Court (Uwazuruike, 2021). Given this scenario, several discourses on African countries' law enforcement agencies have re-emerged. The first is which policing philosophies or methods are most suited for, or accepted in, African contexts; the short answer is community policing. Even though in many cases community policing does not work, involving the community in identifying and solving problems driven by unique international, regional and local forces seems to be the best approach for law enforcers (Dyck, 2022). These forces, whether economic, political or even technological, prompt police agencies to adapt new ways of thinking and develop new approaches to policing.

In African countries, where citizens are often exposed to military conflict, an appropriate policing approach is critical for effective functioning of the criminal justice system. However, regardless of the policing model applied, police actions should demonstrate and strengthen police legitimacy. It should be clear to communities that they can rely on the police and trust them. When victims of crime or communities close to the victims experience poor police responses and disappointing investigative outcomes, they internalise these police failures as procedural unfairness, a stigma that law enforcement agencies will carry for years to come. To this end, this issue of **JUST AFRICA** publishes a discussion by Demelash Kassaye on building trust between police and the community in Ethiopia. The author discusses the implementation of community policing and its impact on public confidence and the lack of trust between the police and communities.

While police agencies aim to secure safety and security using all possible means, they are scrutinised by civil society. Communities want to feel safe where they live and work and be able to trust the police to respect their rights and dignity. Signs of police brutality place pressure on policymakers to develop measures to de-escalate police violence. If this is not done, police legitimacy is weakened. Given the rapid evolution of crime and the scarcity of resources globally and specifically in Africa, policing must expand to protect natural resources such as water and minerals.

Police policymakers will not only be confronted by changes in thought patterns and behaviour in communities or their own human capital; they will also have to consider technological changes, which provide a myriad of applications used by criminals to exploit the vulnerable. Police training methods must keep up with the new skills sets needed, despite decreasing budgets for law enforcement. Policymakers in Africa, where police mandates often also include the protection of fauna and flora, must understand the complex operational requirements affecting law enforcement agencies' ability to implement crime prevention strategies. In this regard, David Koopman and Phillip Vuma discuss the crime prevention strategies of the South African Police Service and the Federal Police of Brazil.

In practical terms, police leaders need to realign their management focus to address factors that affect the Criminal Justice System (CJS). Critical management roles in the CJS include human relations management, scientific management and system management. These roles and other challenges such as corruption, a lack of resources, inadequate use of technology and poor performance by officials, are explored by Lufuno Rasivhaga and Alice Maree.

Decolonising or Africanising policing depends, as in Western or Asian countries, on community approval and trust. To this end, community policing is a useful vehicle as it takes account of the influence of cultures and traditional leadership. Understanding the traditions of indigenous communities should be an important consideration for police agencies when formulating policies and strategies that affect local communities. Such strategies, even when informed by globally accepted approaches, should be tailored to the needs of the community to ensure procedural fairness in the criminal justice system and police legitimacy.

It is hoped that this issue of JUST AFRICA not only serves as a reference source for students but prompts academics and professionals in policing and law enforcement to join the discourse and share work done in the fields of policing and criminal justice.

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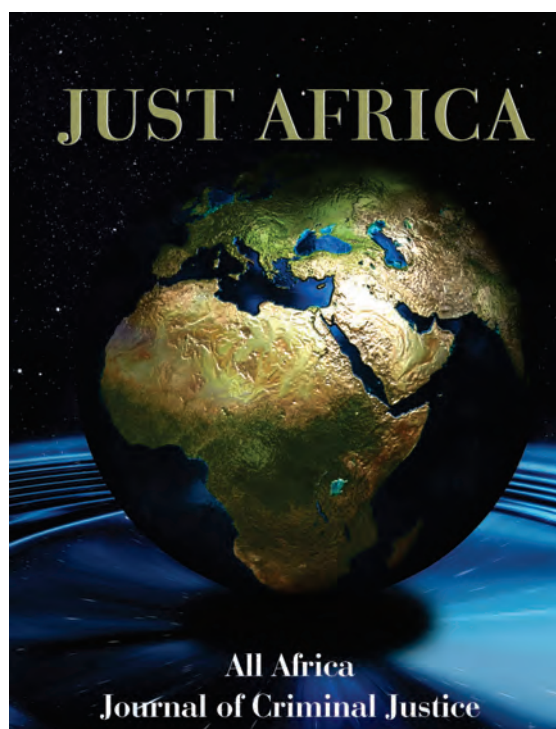
LEGAL TALK

Case Law

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The conduct of police officials is often scrutinised by courts, especially when a plaintiff claims compensation in a civil claim against the South African Police Service (SAPS). During such proceedings, the conduct of police officials is evaluated whereafter courts deliver judgment. This results in many cases where the conduct of police officials is found to be unlawful and where the Minister of Police is held liable for compensating the plaintiff accordingly.

However, there are also instances where courts have held that the conduct of police officials was not unlawful and indeed justifiable in the specific circumstances and that the SAPS is not liable to compensate the plaintiff. The following cases are examples of such instances:

LEHLEHLA V MINISTER OF POLICE

In *Lehlehla v Minister of Police ([2023] 1 All SA 438 (WCC) (17 November 2022))* the plaintiff instituted a civil claim against the SAPS because she was shot in the eye by police officials during a protest action. At the time of the incident, the plaintiff was a first-year student and on her way to the bus stop to travel to the college.

The claim originated from an incident that took place in the Elgin Valley in the Western Cape. Protest action started early one morning resulting in streets being blocked, tyres being burned and the traffic being prevented from flowing freely. About 12 police officials from Grabouw Police Station ("the members") responded to the protest at about 04:00. The protesters, a group of approximately 500, were armed with pangas, knobkieries and stones. While the assistance of the Public Order Policing Unit was requested, they only arrived some three hours later due to logistical reasons.

In the meantime, the members attempted to disperse the gathering and restore order. This was met with violent reactions from the protestors. On several occasions, members audibly requested the protesters to disperse but without success. Over time the number of protesters increased and they became violent. Non-protesting community members were intimidated and assaulted by the protestors and property was damaged.

This resulted in an order issued by the commander to advance towards the protesters. The protesters responded in an angry manner by throwing bottles and stones at the members. The only measure of non-lethal force available to members was to fire rubber bullets. The alternative was to use live ammunition (apart from the obvious danger to the lives of many, this would have been in contravention of internal directives issued by the National Commissioner of the SAPS). Due to the growing number of protesters and the threat that they posed, an instruction was issued to fire rubber bullets into the ground so that they would ricochet. The firing of rubber bullets was repeated multiple times over a period of approximately two hours. It was clear that the members were outnumbered. The plaintiff claimed that one of the rubber bullets ricocheted and caused her eye injury. The plaintiff claimed that there was no need for the members to fire rubber bullets as the circumstances were not chaotic.

While the court accepted that the plaintiff was in all probability struck by a rubber bullet fired by a police official, it held that it was impossible that the plaintiff was unaware of the protest action and that shots had been fired by police officials. She was in the vicinity while the police officials were communicating with the protestors. The court held that she voluntarily assumed risk by walking in the area where the members and protesters were engaging.

The plaintiff had limited her plea and only blamed the members for her injury. The claim could also have been extended to the action, and specifically inaction, of the Public Order Policing Unit to respond effectively to the protest action, but she chose not to include their conduct in the claim. This severely limited the likelihood of success of her claim.

The court held that the conduct of the members was justified in the circumstances, by necessity. The members were overwhelmingly outnumbered by the growing group of angry protesters. The court explained that necessity, as a ground of justification, does not require that the victim must be part of the attacking crowd. The conduct of the members was lawful despite the fact that it was directed at an innocent person (the plaintiff) in order to protect an interest of the members or a

third party (such as the non-protesting community members) in a dangerous situation. The court emphasised that the test for necessity is objective (in other words, the test of the reasonable person). The court therefore considered how a reasonable member (with the same training and experience as the members at the scene) would have acted in the same circumstances, considering the small number of members, armed only with rubber bullets, facing an overwhelming and ever-increasing crowd of angry protesters who were threatening the safety of the members, the public and their property. The court held that the members had no other reasonable means to avert the danger posed by the protesters than to fire rubber bullets. This was further supported by the fact that no shots were fired directly at or into the crowd. The instruction was clear that the rubber bullets had to be fired into the ground. This limited the risk of injury. The firing of rubber bullets was therefore not excessive and, subsequently, justified.

NGWAZI V MINISTER OF POLICE

Police officials are often confronted by violent criminals who are attempting to flee from a crime scene. This may result in a violent confrontation between police officials and the perpetrators. While the police officials are attempting to secure arrests, the criminals will use any means to prevent their arrest. As a result, innocent members of the public are sometimes caught in the crossfire, sustaining injuries or may even die during such a confrontation.

Ngwazi v Minister of Police ((7990/2016) [2022] ZAKZDHC 53 (2 December 2022)) is such a case. The plaintiff claimed damages from the SAPS after the alleged wrongful and unlawful shooting by a police official which resulted in a gunshot wound to the plaintiff's left forearm.

The incident took place after a robbery had been committed at a shop. This led to a shootout between the suspects and police officials in a public space as the robbers were attempting their getaway, while there were members of the public in the vicinity. The plaintiff was sitting alone in a taxi parked at a taxi rank during the shootout. A stray bullet entered the taxi through the open window on the driver's side from a distance of approximately 250 m away and hit the plaintiff.

The court held that there was no direct evidence that the plaintiff's injury was caused by a bullet fired by police officials. No evidence to this effect had been presented by the plaintiff. The members fired in the general direction of the taxi rank where the plaintiff was sitting in a taxi. However, the court acknowledged the probability that a stray bullet fired by the police may have caused the plaintiff's injury.

The court considered that the police officials would have foreseen that the armed suspects might escape and, while fleeing, they threatened the safety of the members and broader public. In line with their duty to protect the public and to apprehend the suspects, the members were required to act. If they had just stood by and done nothing that would have been a dereliction of their duties.

The court furthermore referred to the constitutional mandate of the SAPS that requires members to prevent, investigate and combat crime, to maintain law and public order and to ensure the protection and security of inhabitants of the country.

The court reiterated that the circumstances in every case must be considered in the application of section 49 of the Criminal Procedure Act 51 of 1977, which authorises the use of force in effecting arrest. The suspects were fleeing the scene after having committed a robbery and were firing shots at police officials. According to section 49, the police officials were authorised to use deadly force to overcome the resistance and the attempt of the robbers to flee from the scene.

The court explained that the Constitution of the Republic of South Africa, 1996 furthermore provides that the principle of proportionality must be considered. This requires that consideration must be given to the nature and degree of the force used and the threat posed by the suspect to the safety and security of the police officials, other individuals and society as a whole.

In view of the circumstances of the case, the court held that the plaintiff failed to discharge his onus and establish that he was injured because of an unlawful and wrongful shooting by the police. The court accordingly held that no compensation was payable by the SAPS.

LEGAL TALK

Legislative Developments

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CRIMINAL LAW (FORENSIC PROCEDURES) AMENDMENT ACT 8 OF 2022

The value of DNA evidence in criminal cases is well-documented. The discovery of DNA at a crime scene and the subsequent linking thereof to a person have contributed to solving multiple cases. DNA offers very important evidence that provides an investigating officer with a good lead that may be followed up during the investigation to secure other evidence to advance the case against an accused. This frequently results in a situation where the accused is required to explain the presence of his or her DNA at the crime scene and cannot provide any plausible explanation.

The DNA of the perpetrator is left at most crime scenes; it is found in sweat, saliva, hair, skin or semen. Since DNA is unique to an individual, not two people have the same DNA except identical twins. Even though DNA is not visible to the naked eye, it may be extracted from various surfaces or items. It can then be analysed and subjected to a comparative search to determine whether it can be linked to a specific person. Once a DNA sample found at a crime scene is linked ("matched") to a person, it is very difficult for the person to deny that he or she was at the crime scene. For this reason, DNA evidence is considered highly valuable. The collective weight of the DNA evidence that links the accused to the commission of the crime, together with other credible evidence presented by the prosecution, is often essential to secure a conviction.

The importance of DNA evidence has been strengthened by the Criminal Law (Forensic Procedures) Amendment Act 8 of 2022 ("the 2022 Act") that came into operation on 3 March 2023. The implications of the 2022 Act should be viewed against the background of the Criminal Law (Forensic Procedures) Amendment Act 37 of 2013 ("the 2013 Act"), which came into operation on 31 January 2015.

The 2013 Act empowers "authorised persons" to take buccal samples, which is a sample of cellular material, by using a swab to gather saliva (containing DNA) from inside the mouth of a person. An "authorised person" is "a police official or member of the Independent Police Investigative Directorate, who is not the crime scene examiner in a particular case, but has successfully undergone the training prescribed by the Minister of Health under the National Health Act". The authorised person must be of the same sex as the person from whom the sample is taken and must take the sample with strict regard to decency and order.

The 2013 Act also established the National Forensic DNA Database where the results of DNA samples are stored. The database consists of different indexes, including the crime scene index (where the results of DNA samples found at crime scenes are stored) and the convicted offender index (used to store the DNA analysis of convicted persons). The database enables the South African Police Service (SAPS) to perform comparative searches.

Since its inception, the database has been a valuable tool in the investigation of crime as it enables comparative searches to link a particular suspect with a crime scene. This enables investigating officials to monitor and follow up unresolved forensic investigative leads. In many instances, the evidence has resulted in solving outstanding and so-called "cold" cases. While the database is mainly used to identify persons who might have been involved in the commission of crime, this is not its only purpose. In fact, it may also be used to the benefit of an accused, including proving his or her innocence in court and exonerating someone who has been convicted of an offence.

The 2013 Act contained a transitional provision that authorises the National Commissioner of the SAPS, with the assistance of the National Commissioner of Correctional Services, to take buccal samples from any person serving a sentence of imprisonment in respect of an offence referred to in Schedule 8 of the Criminal Procedure Act 51 of 1977 -

- before the release of the person, if a buccal sample has not already been taken upon his or her arrest; or
- who is released before his or her sentence is completed (either on parole or under correctional supervision by a court).

However, there was a condition attached to this provision: the authority to take such buccal samples was only conferred for a period of two years after the coming into operation of the 2013 Act. The idea behind the provision was to ensure that buccal samples of persons convicted of serious offences (as set out in Schedule 8 of the Criminal Procedure Act) are taken while they are imprisoned. (Schedule 8 offences are serious offences such as murder, culpable homicide, rape, sexual assault, sexual offences against children, robbery, kidnapping, arson and theft.)

It is generally accepted that a large proportion of those who commit serious offences are repeat offenders and therefore there is a strong possibility that their DNA may also be successfully linked

to other outstanding cases. For example, unsolved cases of rape where samples have been found and stored in the crime scene index of the database may be linked to the DNA of a serial rapist who is already serving a prison sentence.

This authority to take buccal samples from such serving convicted persons lapsed on 30 January 2017. This meant that if a buccal sample of a person who was serving a sentence of imprisonment for a conviction relating to any Schedule 8 offence by that date, had not yet been taken, the SAPS no longer had the authority to take his or her buccal sample in a correctional centre.

This resulted in numerous instances where the buccal samples of such convicted persons were not taken, despite the pressing need to do so. This failure was caused by various practical challenges, including a lack of proper coordination between the SAPS and correctional facilities, administrative difficulties in determining the priority of convicted persons who may be eligible for release, challenges relating to instances where convicted persons refused to submit to the taking of such samples and an inadequate number of police officials authorised to take buccal samples.

The 2022 Act addresses this untenable situation. The Act (once again) empowers taking buccal samples from those convicted of Schedule 8 offences who are currently serving prison sentences. However, the authority to take such samples is no longer restricted to a specific time frame such as the two-year period determined previously.

The 2022 Act empowers taking buccal samples under the same conditions as the 2013 Act, namely before the release of the person, if the buccal sample had not been taken upon his or her arrest or if the person has been released before his or her sentence is completed, either on parole or under correctional supervision.

Provision is also made for coordination between the SAPS and the Department of Correctional Services. The National Commissioner of Correctional Services is required to regularly report to the National Commissioner of the SAPS on persons whose buccal samples have not yet been taken, but who may be released on parole or correctional supervision, at least three months prior to the planned release date of such persons. The provision aims to ensure adequate coordination between the respective departments to avoid the practical challenges that had previously hampered the taking of such samples. The Minister of Police is required to issue regulations on the specific information to be provided by Correctional Services, but no regulations have yet been issued in this regard.

The 2022 Act furthermore provides for measures if a convicted person refuses to give a buccal sample. If a convicted person does not consent to the taking of a buccal sample, an application must be made to a judge or a magistrate for a warrant that authorises the taking of the buccal sample.

According to the Regulations issued in terms of the South African Police Service Act 68 of 1995, a person may take his or her own buccal sample in the presence of an authorised person and a witness. If the person still refuses, a warrant must be obtained by the SAPS to take such sample by force as a last resort.

Correctional officials are authorised by the 2022 Act to assist an authorised person to use minimum force against a person who refuses to submit to the taking of a buccal sample under authority of a warrant obtained from a judge or magistrate. To give effect to this provision, the National Commissioner of the SAPS is required, in consultation with the National Commissioner of Correctional Services, to issue and publish in the Gazette national instructions regarding the use of minimum force during the taking of a buccal sample. If force is used in the process of obtaining a buccal sample, the person must undergo an immediate medical examination and receive the treatment determined by the correctional medical practitioner. In addition, all instances where force has been used must immediately be reported to the Inspecting Judge, who is responsible for overseeing the treatment of inmates in correctional centres and for conditions in correctional centres.

It is envisaged that taking buccal samples from offenders convicted of Schedule 8 offences who are imprisoned will help to solve outstanding cases. This is an important development in the fight against crime. In addition, the legislation will also ensure that victims of serious crimes will find justice once the alleged perpetrators are tried, and ultimately ensure that justice is served.

ARTICLE

A comparison between the crime prevention strategies of the South African Police Service and the Federal Police of Brazil

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ABSTRACT

This article compares the crime prevention strategies of the South African Police Service and the Federal Police of Brazil using a qualitative approach with interviews. South Africa and Brazil have diverse techniques for crime prevention. Challenges such as violence and corruption are entrenched in both countries' police services. Policymakers must discern the complexity of operational requirements affecting the government's ability to implement crime prevention strategies.

KEYWORDS AND PHRASES

Crime prevention strategies, influence, Federal Police of Brazil, South African Police Service

INTRODUCTION

Some crimes in South Africa and Brazil, such as robbery at non-residential premises, are decreasing, whereas other crimes are increasing. The challenges experienced in these countries demonstrate that strategic approaches to policing are complex and often influenced by politics. In South Africa, citizens are dissatisfied with the ineffective response to crime. Various challenges, such as a shortage of vehicles and an inadequate ability to attend to complaints, are given as reasons for the unsatisfactory response to reported crimes.

In Brazil, violence and corruption are among the challenges faced by the police force. Caldeira (2002:2) contends that the sources and logic of popular support for violent police coexist with a negative evaluation of the police and high victimisation of working-class individuals. The roots of this paradox lie in a legacy of the state showing disrespect for civil rights and the rights of individuals living in poverty, and a profound mistrust of the fairness of the justice system and its ability to function impartially.

Section 198(a) of the Constitution of the Republic of South Africa, 1996, refers to the government's responsibility to protect its citizens. The security services and police are therefore a priority of the government. The study distinguishes between the following:

a) Security services (in terms of section 199 of the Constitution of the Republic of South Africa, 1996) which refers to the South African Police Service (SAPS), the South African National Defence Force (SANDF) and the State Secret Service (SSA). The intelligence services consist of Crime Intelligence in the SAPS, an intelligence unit in the SANDF and SSA. These are the only departments legally authorised to have an intelligence capability.

b) Other law enforcement agencies such as municipal police services and security services (including security officers duly registered with the Private Security Industry Regulatory Authority). These agencies are not security services as contemplated in section 199 of the Constitution of the Republic of South Africa, 1996, and have no legal authority to gather intelligence.

The Federal Police of Brazil (FPB) has multiple agencies, including eight law enforcement institutions in the Federal Constitution. There are seven formal and one auxiliary police force. The formal institutions are the Federal Police, the Federal Highway Police, the Federal Railway Police, the Federal Penal Police, the State Military Police, the Fire Brigade, the State Civil Police and the State Penal Police (Brazil Federal Constitution, 2007). Article 144 of the Brazil Federal Constitution establishes that guards (who perform police duties) support and complement the police to maintain order and enforce the law.

The aim of this study was to compare strategic crime prevention approaches of the SAPS and the FPB. Goldstein (2007:23) asserts that it is the South African government's constitutional responsibility to render a basic level of protection to its citizens; if they require more, they should pay for such services.

The FPB was chosen for the study because it has similarities with the crime prevention strategies of the SAPS. Brazil is one of a handful of "emerging" but poorly understood economies, with centrality to the United States of America and Japan. Brazil is culturally diverse and tends to combine traditions (local and other) in music, food, religion and science (Collins, 2004; Dent, 2016; Mitchell, 2013; Moehn, 2012; Pardue, 2004). Brazil strongly encourages social practices characterising the dialogue among cultures dating to Brazil's past as a colony of Portugal (Collins, 2015).

THEORETICAL FRAMEWORK

Brazil's population displays a variety of cultures and political associations (Green, Langland & Schwarcz, 2018:24). The predominant language is Portuguese. Brazil has a vast urban society; 85% of the population resides in cities, although the nation's economy depends on extensive agriculture and forest products (Meade, 2014:56). São Paulo, as the largest Brazilian city, is home to more than 20 million people and is the country's economic leader in trade and e-commerce, hosting large businesses (Riccio & Skogan, 2017:20).

Brazil is a mixed-race society and has profound inequality, according to Bailey, Loveman and Muniz (2013:107). According to the National Institute of Geography and Statistics, wealth distribution in this society ranges from 0 (an even distribution of wealth) to 1 (highly concentrated wealth). Brazil was a slave-holding country until 1888, with slaves imported from West Africa (Manning & Akyeampong, 2006:102). Initially, Brazil had a substantial native population (Alves, 2018:76). The clustering of economically and socially unequal people created urban slums - better known as favelas - and lead to an increase in crime (Cano, 2010:35).

It is estimated that 6.4 million underprivileged people of colour live in the favelas; their prevalence and visibility are distinctive features of Brazilian society. Basic services, such as water provision and electricity, are non-existent. The favelas are governed by criminal gangs dominating the territory and not by the formal political system (Salem, 2016:45). According to Macaulay (2017:248), political leaders are concerned about the rising crime rate in Brazil, which ranks among the most violent countries in the world (Khan, 2013).

Riccio and Skogan (2017:120) assert that an essential feature of Brazilian policing is violence. The military police usually patrol with heavy weapons and are quick to use them on civilians. To control gang activities in the favelas they use armoured vehicles and additional military equipment (Riccio, Fraga, Zogahib & Aufiero, 2016:37).

Another feature of the Brazilian police and criminal justice system is ineffectiveness in solving complex cases or those linked to organised crime (Dammert, 2019:260). Most solved cases in Brazil are those where the perpetrator is easily identified, such as cases involving domestic homicide or disputes among rivals (Ceccato & Ceccato, 2017:271).

Coupled with the ineffectiveness of the Brazilian police is corruption, inadequate training and poor pay (Macaulay, 2012:168). Many police members struggle to survive and take on off-duty private security jobs or paid work while on duty (Larkins, 2015:13). Police members routinely extract bribes from ordinary citizens to overlook offences, including traffic infractions (Larkins, 2015:14). These factors create a toxic combination of police violence, corruption and ineffectiveness with public cynicism.

Gaps in crime prevention strategies include the inability of the FPB to police a mixed-race and unequal society (Bailey, Loveman & Muniz, 2013:107). This is also evident in the crime prevention strategy of the SAPS.

The Khoisan people were the first inhabitants of South Africa and one of the earliest distinct groups of Homo sapiens. They endured centuries of gradual dispossession by each new wave of settlers, including the Bantu, whose descendants comprise South Africa's black population (Jack, 2018:67).

During the fourth century migrants from the north settled, joining the indigenous San and Khoikhoi people. In 1488, the Portuguese navigator Bartholomeus Dias was the first European to travel around the southern tip of Africa (Guyer, Pallaver & Spear, 2018:67). Towards the end of 1497, the Portuguese explorer Vasco da Gama rounded the Cape coast. In 1652, Jan van Riebeek (representing the Dutch East India Company) instituted the Cape Colony in Table Bay; the increased European encroachment led to the colonisation and occupation of South Africa (Brotton, 2010:137). The Cape Colony was under Dutch rule until 1795, when the British Crown took over; it reverted to Dutch rule in 1803, and again to British occupation in 1806 (Pavlich, 2011:187). Pre-1994 policing practice was transformed by the newly elected government, which focused on reforming the policing function in South Africa. The inherited authoritative approach of the police was dismantled and it became a more inclusive and democratic citizen-oriented service (Steinberg, 2011:349). In 1995, after a year in office, the country's Parliament passed a statute enshrining a version of community policing into law. Each police station across the country had to establish a civilian-police consultative forum (Republic of South Africa, 1995:18-23).

A year later, in 1996, the South African government introduced a new Constitution that established fundamental human rights principles emphasising the democratic order. This mandated the SAPS to include the prevention of crime as one of its objectives (Republic of South Africa, 1996:205(3)). A plethora of crime prevention legislation was introduced, such as the South African Police Service Act (1995), the National Crime Prevention Strategy (NCPS) of 1996, and the White Paper on Safety and Security of 1998. In terms of section 19(1) of the South African Police Service (SAPS) Act 68 of 1995, a National Commissioner and provincial commissioners in each province strengthen relationships with citizens and ensure functional community police forums at police stations. The government implemented these structures in 1998 to assist the SAPS in formulating local policing priorities and crime prevention initiatives (Republic of South Africa, 2015).

The Constitution stipulates the function of the SAPS regarding crime prevention in section 205(3), delineating its mandate to prevent, combat and investigate crime; to maintain public order; to protect and secure the inhabitants of the Republic and their property; and to uphold and enforce the law. The White Paper on Safety and Security (1998) and the SAPS Strategic Plan of 2014 to 2018 (South African Police Service, 2010) affirm the function of the police in preventing crime, in particular social crime (Republic of South Africa, 2018).

Crime prevention and detection require proactive and responsive steps. Holtmann and Domingo-Swarts (2008:10) assert that the crime statistics of South Africa reflect a blurred picture of the increasing number of reported crimes. Although plans and initiatives are often developed at a national level, crime is encountered - and, therefore, can be overseen - at a local level. Community-oriented crime reduction interventions are based on neighbourhood attitudes and experiences of vulnerability; they offer useful insights into the socio-economic conditions fostering crime (CSIR, 2005:12).

Burger (2007:111) suggests that for the police to be effective in crime prevention, intervention is necessary before a crime is planned. The evidence shows that the absence of planning before a crime occurs is also evident in the crime prevention strategy of the FPB.

In this research, theory and empirical findings contributed to understanding the interplay between policing strategies and crime prevention initiative integration. This study also observed how policing strategies are operationalised in communities in South Africa and Brazil. The study identified the characteristics of a well-implemented strategy, factors hampering implementation, the approach to professional policing and how challenges should be addressed.

Objectives of the study
- Outlining the barriers hampering the implementation of crime prevention strategies in the SAPS and FPB.
- Investigating factors contributing to crime prevention initiatives in communities in South Africa and Brazil.

- Determining the resources that can lead to reduced crime prevention implementation.

Methodology
The applicability of specific research theories and models established in other developed countries to studies in the environment of a developing world was debated owing to the variations in social and cultural settings. The methodology combined and applied concepts concerning the policing methods implemented and employed in South Africa and Brazil, including contextual approaches and crime prevention strategies used in complex communities. The study's application of these concepts could explain how to observe case studies from developing countries such as South Africa and Brazil.

Research design
This study employed a qualitative research method. According to Marriam (2009:13), the main interest of qualitative researchers is understanding how individuals make sense of their world and their experiences. A qualitative research method provides an understanding of the social world in which we live and why things are the way they are (Hancock, Windridge & Ockleford, 2007:9).

The study had a deductive approach. A deductive research method involves exploring a known theory or phenomenon, followed by assessing the validity of the theory in specific circumstances (Merriam & Grenier, 2019:78). Interviews were used to collect information from the FPB and the SAPS. The study employed a comparative approach to the two countries (Collier, 1993:105). Berg-Schlosser (2009:2) states that "the strength of the comparative method lies, therefore, in its critical applications to theory testing and development". Comparison refines the power of describing a phenomenon and is significant in concept formation by merging similarities and contradictions in one case study.

Authors such as Mills (2006:621) assert that comparative analysis is characterised by exploring similarities and variances between two identified cases. Considering the complexity of implementing a crime prevention strategy in South Africa and Brazil, a comparative study could identify unique aspects not detected through quantitative research.

Research setting
The research setting was South Africa and Brazil. Each country has unique cultures and crime prevention strategies. In South Africa, safety is a national priority; the Constitution stipulates how provisions for safety should be implemented, including the function and responsibilities of police as provided for in section 205(3) of the Constitution of the Republic of South Africa, 1996. The NCPS was launched in 1996 to manage concerns about crime in South Africa.

In the Brazilian context, the Federal Constitution lays the foundation for law enforcement agencies, from strategy to operational levels in communities. Law enforcement primarily focuses on crime prevention and investigating criminal cases. The state military forces only have to protect the state's interest, whereas civil policing is solely responsible for criminal investigations.

Entrée and establishing the researcher's roles

Permission to conduct the research was obtained from the South African Police Service and in Brazil through the Brazilian embassy in Pretoria. Five senior SAPS members from the rank of colonel to brigadier in the Western Cape province were interviewed using an open-ended interview schedule. Three representatives of the Brazilian police at the embassy of Brazil in South Africa were interviewed telephonically. The information was screened and explained, including the confidentiality of the research setting.

Sampling

The study employed qualitative sampling procedures, indicating the purposive sampling method. This method was selected owing to the focused approach to policing in South Africa and Brazil. Police officials in the SAPS at a senior level were selected because they are regarded as subject matter experts; the three interviewees from Brazil are regarded as subject matter experts because they represent the Brazilian police at their embassy in South Africa.

Data collection methods

Babbie and Mouton (2002:180-187) identify an interview schedule as an impersonal device for collecting information, as the instrument is sometimes completed without the researcher. Data was collected in person from SAPS officials and telephonically from respondents at the Brazilian Embassy in South Africa. Open-ended questions were used, allowing an in-depth analysis of the strategies in the SAPS and the FPB. The participants could elaborate on request. The interview schedule was designed to avoid bias or leading questions. Space was provided for any comments or observations during the engagement.

Data analysis

De Vos, Strydom, Fouché and Delport (2005:333) define data analysis as bringing order, structure and meaning to mass collected data. Bless and Higson-Smith (2002:137) explain that the data analysis process allows the researcher to generalise the findings from the sample employed in the research to the larger population in which the researcher is interested.

Qualitative data from in-depth interviews, codes and themes were developed to enhance the interpretational analysis of the study. The data was transcribed and analysed, relating it to the literature and to theory. Themes were extracted and items coded. This method provided a clearer understanding of the strategies used to implement policing services, challenges hampering service delivery and similarities in the policing approaches of South Africa and Brazil.

Strategies to ensure quality data

The following concepts relating to trustworthiness in this study were applied by the researcher in South Africa. It was not possible to replicate the same in Brazil because of cost.

Credibility

Triangulation is the use of multiplicity to test the credibility of one's research and ensure the quality of data. The study used findings from three sources, namely senior SAPS participants, representatives of the Brazilian police at the Brazilian Embassy in South Africa and a literature review. The researcher also used peer debriefing or peer scrutiny to enhance the credibility of the study.

Transferability

Reflexive auditing or describing the involvement of the researcher in the decisions made in the research processes is characteristic of post-positive research and regarded as a basic requirement for an acceptable study. The researcher is a resident of Cape Town where the study was conducted. He has experienced crime and how members of SAPS react to it. Being immersed in the research creates another level of trust, provided researchers are able to communicate their involvement in their own research.

Dependability

The fact that the researcher is a resident of Cape Town persuaded him to involve other residents in peer debriefing or peer scrutiny. This was not at a professional level but it conveyed a sense of credibility. Also, since the research was conducted by a resident of one research area, he used insider analysis and feedback prior to the publication of the study.

Conformability

Peer debriefing by other residents is similar to the researcher subjecting his or her research to auditing. Therefore, there is some objective reality in the findings.

Repeatability

Repeatability means that when repeating the survey, researchers will obtain the same results. The interview schedule was piloted and evaluated before use and the same questions were directed to representatives from both South Africa and Brazil.

FINDINGS

Table 1 gives a list of themes emerging from the interviews and their frequency.

Table 1: Themes deduced from the data

Themes	Frequency
Barriers hampering the implementation of crime prevention strategies in SAPS and the FPB	10
Factors contributing to crime prevention initiatives in communities in South Africa and Brazil	10
Level of training in crime prevention offered to the SAPS and the FPB	10

The three themes were clustered into main categories such as barriers and challenges hampering the implementation of crime prevention strategies. The lack of training, budget constraints and lack of skills appeared as crucial themes in this study. The main themes and sub-themes are presented in Table 2. The themes emerging from the interviews align with the literature review conducted.

Main themes	Sub-themes	Frequency	Totals
Barriers hampering the implementation of crime prevention strategies in SAPS and the FPB	Lack of planning, goal setting and assessment, including training	6	27
	Conflict with poor communities	4	
	Lack of oversight of police investigations	5	
	Poor remuneration of police officials	4	
	Lack of resources	8	
Factors contributing to crime prevention initiatives in communities in South Africa and Brazil	Difficulty in evaluating crime prevention programmes	6	27
	Lack of understanding of community needs	8	
	Lack of trust between the community and police officials	7	
	Lack of adequate legislation	3	
	Low level of prosecution of crimes	3	
Level of training in crime prevention offered to the SAPS and the FPB	Lack of coordination and engagement with communities	6	24
	Data-driven and crime mapping system	6	
	Lack of resources and budget	8	
	Level of training members in crime prevention strategies	4	
	Limited crime prevention courses	3	

A. Theme: Barriers hampering the implementation of crime prevention strategies in SAPS and FPB

There are different sub-themes in this theme, namely a lack of planning, goal setting and assessment, including training (including resources); conflict with poor communities; a lack of oversight of police investigations; and a flawed remuneration system for police officials.

These themes were rated equal in importance by participants. The participants revealed the following:

> Conflict with poor communities, above all in places where organised crime is strong, is a daily occurrence. Young people living in these areas see the police as their enemy, and for some of the police this view is mutual.

All participants agreed that a major challenge in implementing crime prevention strategies is a failure to set clear goals. Mistrust exists between the police force and the communities. In Brazil, the community's expectations of implementing crime strategies are not met.

Regarding the SAPS, two participants mentioned alternative methods that should be explored to ensure that crime is curbed in communities. There is a lack of intelligence capability and the political will to change how crime strategies should be operationalised in communities. All SAPS geographical areas experienced various challenges; one SAPS participant said: "SAPS are lacking intelligence capacity for years and management trying to run provinces and areas following a similar approach. All areas experience diverse types of crime, for example, gangs, etc."

B. Theme: Factors contributing to crime prevention initiatives in communities in South Africa and Brazil

In the second theme most participants from SAPS emphasised that poor understanding of the needs of communities and the lack of trust between police officials and communities are crucial factors in the failure to implement crime prevention strategies. The participants also expressed how difficult it was for the FPB to assess and evaluate crime prevention strategies due to a lack of resources.

Regarding the SAPS, participants emphasised the lack of a shared vision between communities and security service providers, which hampered the implementation of crime prevention strategies. Using neighbourhood watches to identify and curb crime in communities is the main success factor. One participant said that using social media could curb crime in neighbourhoods. Another SAPS participant said: "Members must be passionate about their work and want to make a difference."

Collaborating with communities and changing the perception of the SAPS's inefficiency will ensure that communities cooperate with the SAPS.

C. Theme: Level of training in crime prevention offered to the SAPS and FPB

Five sub-themes emerged in this area, namely a lack of coordination and engagement with communities; no data-driven crime mapping system and a lack of resources; the level of training of members in crime prevention strategies; the limited availability of

crime prevention courses; and poor budgeting. All participants rated these themes equally.

A participant from the SAPS mentioned that poor management of resources not only hampers the crime prevention strategy, but also allows a vicious cycle of crime in communities to continue. Gangs know about the police's slow response to an incident. Another SAPS participant mentioned: "As long as there is no budget allocation, crime prevention strategies in communities will fail. The whole implementation process requires trained police officials, and businesses can contribute to funding these latter initiatives."

SAPS members indicated that experienced and competent persons are not appointed to posts, further hampering the implementation of crime prevention strategies. The experience of police officials is imperative in ensuring that legislation is applied and processes are followed. Training in crime prevention strategies should be theoretically and practically oriented. Sharing experience and information among members has helped in implementing crime prevention strategies.

DISCUSSION

The main objective of this research was to compare crime prevention strategies between the SAPS and the FPB. More specifically, this research aimed to investigate:

- barriers hampering the implementation of crime prevention strategies in the SAPS and the FPB;
- factors contributing to crime prevention initiatives in communities in South Africa and Brazil; and
- how limited resources can hamper the implementation of crime prevention strategies.

Riccio and Skogan (2017:120) assert that an essential feature of Brazilian policing is violence. Most FPB participants agreed, emphasising that the lack of understanding of community needs and the lack of trust between police officials and communities are crucial factors contributing to violence in Brazil.

Another feature of the FPB and criminal justice system is the low rate of solving complex cases or those linked to organised crime (Dammert, 2019:260). Most participants agree with Dammert and allege that indeed there is ineffective solving of complex cases, which creates a lack of trust between police officials and the communities in Brazil. Findings show that trust is one of the factors that can lead to a reduction in crime in Brazil.

Coupled with the ineffectiveness of the FPB, corruption is present in the system. The FPB members are inadequately trained and underpaid (Macaulay, 2012:168). The sub-theme dealing with the poor remuneration system of police officials revealed the following:

- Several officials struggle to survive and therefore engage in off-duty private security jobs or paid work while on duty (Larkins, 2015:13).
- Police routinely extract bribes from ordinary citizens for overlooking offences, including traffic infractions (Larkins, 2015:14). The aforementioned factors describe a toxic combination of police violence, corruption and ineffectiveness with public cynicism.

- Most participants emphasised that corruption is present and creates a lack of trust between the police officials and communities in Brazil.

All participants agreed that a major challenge in implementing crime prevention strategies as per the Constitutional mandate is the lack of clear goals. Burger (2007:111) suggests that for the police to be effective in crime prevention, intervention is necessary before a crime is planned. All participants agreed with Burger that there is a need for intervention for the police to be effective. Holtmann and Domingo-Swarts (2008:10) assert that annually, the crime statistics of South Africa reflect a blurred picture of the increasing number of reported crimes. Participants from SAPS agreed with Holtmann and Domingo-Swarts and added that there is a lack of intelligence and no political will to change how crime strategies should be operationalised in communities. All SAPS geographical areas experienced various challenges; therefore, multiple approaches should be adopted to reduce crime in specific areas.

Management implications

Various scholars confirm the corruption in the FPB, whose members are inadequately trained and underpaid (Macaulay, 2012:168).

Although plans and initiatives are often developed at a national level, crime is encountered - and, therefore, can be overseen - at a local level. The study findings could also assist SAPS and the FPB to plan and assess crime prevention strategies prior to implementation. The function of communities in implementing crime prevention cannot be ignored.

FINDINGS

Studies on implementing crime prevention strategies confirm that planning is crucial. This research and the literature demonstrate similar theories as guidelines to operationalise crime prevention strategies.

The literature review also established that resources and adequate remuneration for police officials are essential to prevent crime and minimise the possibility of bribes and corruption in any global police service.

Research Objective 1

The study findings revealed a lack of proper planning, goal setting and community engagement as barriers impeding the implementation of crime prevention strategies.

Research Objective 2

Factors contributing to crime prevention initiatives in communities in South Africa and Brazil are challenging, requiring community involvement from the onset of the implementation.

Research Objective 3

Resources are required to reduce crime prevention implementation. The findings demonstrate various needs in both South Africa and Brazil such as a data-driven mapping system to track crime prevention initiatives and identify hotspots in communities.

RECOMMENDATIONS

Based on the findings presented in this article, the following recommendations are made:

Empirical knowledge expansion

Proper planning and goal setting relating to the outcomes of the crime prevention strategies should be considered. Communities have an essential function in implementing crime prevention strategies owing to their ability to report crime. By implementing crime prevention strategies, South Africa and Brazil can benefit from this study to ensure that the community's voice is heard.

Organisation/institutions

- The SAPS and the FPB should implement change management processes to ensure that all police officials embrace change.
- Customised training programmes should be offered to existing and newly recruited officials.
- Leadership training for management teams should be conducted to investigate the influence of a lack of leadership on organisations, as per the sub-theme of the level of training of members in crime prevention strategies.
- The remuneration systems of police officials in South Africa and Brazil should be revised.

LIMITATIONS OF THE STUDY

Various limitations were encountered during this study. The author is a full-time employee and therefore had limited time to complete the research. E-mails to the Brazilian embassy elicited limited responses until they agreed to telephonic interviews. Data in Brazil was collected from police representatives based at the embassy of Brazil in South Africa and not from Brazilian police based in Brazil.

The study topic is regarded as sensitive and collecting evidence on a crime prevention strategy is a challenging task. The research was delayed by following the protocol of the SAPS and awaiting permission to conduct interviews.

RECOMMENDATIONS FOR FUTURE RESEARCH

Proper planning and goal setting relating to the outcomes of crime prevention strategies should be investigated. The level of training in crime prevention offered to the SAPS and the FPB must be improved.

Communities have an essential function in implementing crime prevention strategies by reporting crime. South Africa and Brazil can greatly benefit from this study by ensuring that the community's voice is heard when formulating strategies.

The following areas call for further research:

- Gaps identified by Burger (2007:111) in the crime prevention strategy of the SAPS, where he suggests that for the police to be effective in crime prevention, intervention is necessary before a crime is planned.
- Gaps in the inability of the crime prevention strategy of the FPB to police a mixed-race society as identified by Bailey et al. (2013:107).

CONCLUSION

Implementing crime prevention strategies in South Africa and Brazil has various challenges. According to the findings, prevention strategies in the SAPS and Brazil are similar despite the unique challenges in each country.

South Africa and Brazil should take stock of the following factors:

- barriers hampering the implementation of crime prevention strategies in the SAPS and the FPB
- factors contributing to crime prevention initiatives in communities in South Africa and Brazil
- level of training in crime prevention offered to the SAPS and the FPB.

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ARTICLE

Building trust between police and the community: A descriptive study of the application of community policing in Eastern Wolega Zone, Oromiya Regional State of Ethiopia

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ABSTRACT

The primary objective of this study was to survey the implementation of community policing in the Eastern Wollega Zone of Oromiya Regional State, Ethiopia. Three *woredas* were identified and respondents were selected purposely. A descriptive statistical technique was applied to understand the status and implementation of community-oriented policing in the *woredas*. The findings show that the implementation of community policing in the *woredas* did not increase public confidence or de-escalate public fear of crime. The lack of trust between the police and the communities is a factor. The community's concept of peace and leaving all responsibility for enforcing the law, maintaining peace and social order to the police are reported. On the one hand, because many view the police negatively they cannot fully engage the public through empowerment programmes. There is a desire to build trust between the police and the community to achieve the community policing objectives of creating crime-free areas and improving quality life.

KEYWORDS AND PHRASES

Ethiopia, community policing, police, peace, security

INTRODUCTION

Community policing has become a dominant policing paradigm in contemporary police practice. It is a dramatic change in philosophy, widening the path of police agencies to make the public part of their services. The primary objective of the study was to understand police-community relations in selected *woredas* of the zone to lower the prevalence of crime, social disorder and fear of crime. During the 20th century Ethiopia underwent significant political and social changes during the reign of Emperor Haile Selassie and the Communist Derg. Throughout that time the Ethiopian police faced numerous challenges such as civil wars and social and political unrest. Despite these challenges, the police were able to restore the safety and security of the people. Today, the police force has been re-organised to implement a broad range of responsibilities, including criminal investigation, traffic control and crime prevention.

Historically, in colonial Africa, the European powers used a model of policing sharpened to enforce colonial rules. Strict and harsh enforcement by police, paramilitaries or the military forces of the colonial powers was done without community participation. The rule of the colonial powers in Africa has left a scar that still affects trust between the police and the community. This has affected the positive image of the police as accessible, efficient and effective in preventing crime and the causes of crime.

The significance of this image in the Ethiopian context is evident in improving police and community relations. In some cases, particularly in former British colonies, policing at the community level was left in the hands of the traditional local leaders. Although it may have had elements of modern community policing, the practice was not in line with the expectation of the police service meeting the average public demand. Likewise, in pre-revolutionary

Ethiopia, only indirect colonial influence on policing favouring traditional methods (where they existed) was directed at the community level by property owners and operated in their interests (Markakis, 1986). Though Ethiopia resisted colonisation, the experience of other African states influenced the Ethiopian police system to adopt the policing model of the British Empire. The colonial rulers were compelled to strengthen their power of repression by controlling social movements and other struggles to liberate the public from colonial administration.

Police must be ubiquitous in all circumstances, whether there is crime or not, to deter possible crime and improve a feeling of security among the people. Different theorists agree that creating a strong alliance between the police and the community is unrivalled in securing an area from crime and social disorder. The major objective of community policing is to establish an active partnership between police and the community in which crime, service delivery and police-community relations can be analysed and appropriate solutions designed and implemented. However, this requires that the police consciously strive to create an atmosphere to which potential community partners will be attracted and in which they can cooperate with the police.

The Ethiopian police adopted community policing strategies to encourage community participation to combat crime and social problems together. However, the results so far are not encouraging because police-community relations are sporadic and impotent. This study aims to elicit the factors potentially affecting the relationship to build trust to ensure public safety and order.

Statement of the problem

Ethiopia introduced a modern police force in 1913 during the reign of Emperor Menelik II. In the modernisation process, the breakthrough was the inauguration of the Abadina Police College in 1934 during Emperor Haile Selassie's reign to train police cadets in advanced police science. However, the governments administering the country in different epochs manipulated the police force to safeguard and protect their power from groups and parties moving against it. The Derg government, which came to power after the demise of Emperor Haile Selassie and his subordinates, restructured the police based on socialist political ideology. Thus, the police were expected to protect the Derg revolution from anti-revolutionary forces.

The country is currently aiming to minimise public grievances and complaints against the criminal justice system. The change process embraces the police as part of criminal justice reforms. The preferred strategy to improve services in the police sector is to create a platform for public debates and complaints. To this end, community policing has been a strategy for the Ethiopian Federal Police for decades. The intent is to engage the community in identifying and solving problems together with the police.

However, the implementation does not satisfy the public because of police structure, police officials' attitudes and unpreparedness to accept the new paradigm as a lead police strategy. The reluctance of the police to identify the difference between traditional policing and community policing, the perception of community policing as a soft policing style and unwillingness to share power and decision-making with the people are challenges. With this as background, studies conducted to understand community policing within the national police strategy have investigated challenges and opportunities other than police-community relations and the impact of community policing. The rationale of this study is therefore, to fill the gaps and contribute to the existing body of knowledge on police-community relations to build trust. Moreover, the study recommends a way forward to alleviate the problems in police and community relations in the *woredas* of Eastern Wolega Zone in Oromiya Regional State.

Literature review
Legal requirements for community policing as defined in the Ethiopian Constitution

Ethiopia is a federal state with ten regional states and two city administrations based on ethno-linguistic classifications. It has a parliamentarian form of government. The Constitution uses the classifications in referring the settlement patterns, language, identity and consent of the people concerned. The regional states have the power of self-rule and administration according to article 52 of the Ethiopian Constitution (FDRE Constitution, 1995). Hence, there are two strata in charge of enforcing the law of the land, known as the federal and state police forces. The powers and functions of the federal government include the mandates of setting up and administering the national defence and public security forces as well as a federal police force, while the state police enforce law within their district. The federal government uniquely deploys the federal defence and police forces at the request of a state administration to arrest any deteriorating security situation that is beyond the capacity of the states to control.

Thus, the Constitution mandates the federal government to establish law enforcement agencies, including the Ethiopian Federal Police Commission. This Commission was established by proclamation No. 313/2003 to safeguard the Constitution and other laws of the country to ensure the peace and security of the people. The Oromia National Regional State is one of the constituent regions of the Federal Democratic Republic of Ethiopia (FDRE) with jurisdiction to administer the area by forming the state police with the powers and functions of keeping public order and peace. This is one of the major reasons why police institutions have the power to prevent crime in partnering with the people to police the community (Federal Negarette Gazette, 2011). In general, the Ethiopian Constitution guarantees the presence of two types of police forces operating within the mandate of the federal government and the state in self-rule.

An overview of community policing

The concept of police-community relations is not new and started with the Englishman Sir Robert Peel in 1829. When he undertook to reform the London Police with the Metropolitan Act of 1829, he and the two commissioners he appointed, namely Charles Rowan and Richard Mayne, emphasised that the police should work in cooperation with the people and should protect the rights, serve the needs and earn the trust of the population they policed (Critchley, 1967; Reith, 1952). Community policing has two primary components ,namely partnership and problem-solving. Wood and Bradley (2009)

note that partnership requires the police to assist people with a multitude of problems and social conditions, including crime, the police must solicit and actively partner with the community.

As pointed out by Kappeler and Gaines (2011), community partnership is fostered by the police engaging with the community to cooperatively resolve community problems, and problem-solving is where the community policing officer attempts to deal with the conditions that cause crime and negatively affect the quality of life in a community. The result is more responsive and comprehensive police service. As noted by PamelaMayhall, Thomas, Barker, Ronald and Hunter (1995:1), the reforms executed by the American police recaptured the old belief that a police force can and should be "the people's police" - an agency that is responsible to the public it serves.

Conceptually, community policing is defined as a proactive and decentralised approach designed to reduce crime, disorder and fear of crime by assigning the same officer to a specific geographic area on a long-term basis (Trojanovich & Carter, 1988). Moreover, it looks to intervene in the problems of crime and disorder by forming a partnership with its citizens. Police can cultivate a wide variety of benefits by fostering partnerships with the community based on trust. It has appeared as a popular strategy within the field of development as part of state-building interventions to restore community confidence in the police, improve social protection and police responsiveness and ensure adherence to human rights and professional standards (Wisler & Onwudiwe, 2007).

According to Hughes, Lurigio and Davis (2002), community policing centres are "a philosophy that promotes organisational strategies that support the systematic use of partnerships and problem-solving techniques to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder and fear of crime".

To summarise, community policing has been the preferred strategy of police to include the community in identifying and solving community problems. Cementing police and community relations with trust between police and the community is vital to be obliterating crime and crime-related acts.

Theories of community policing

The following theories are suggested by scholars in the field of criminology and policing. All are used as a springboard to suggest a wide variety of police strategies, including community policing. The theories thoroughly discuss the impact of crime and possible barriers preventing the police and the community watching over an area effectively. The broken windows theory, the normative sponsorship theory and the social resource theory are discussed to show theoretical premises of crime prevention.

Broken windows theory

There are several theories about crime and its effects. The first is the broken windows theory of Wilson and Keling (1982). Social psychologists and police officials tend to agree that if a broken window in a building is left unrepaired, the remaining windows will soon be broken too. The premise is that as a broken window shows that nobody cares about the condition of the area; other windows can be broken and nothing will happen. This theory warns the public to watch out for possible opportunities for criminals.

Normative sponsorship theory

This theory proposes that many people have goodwill and need to know about the importance of the community in ensuring public safety and social order. It postulates that a community policing programme must involve the majority of people who acknowledge the relevance of the rule of law in creating crime-free areas. The police cannot achieve any positive transformations if public support is minimal. It argues that drunkenness, begging, vandalism, disorderly behaviour and graffiti increase the crime rate (Aliyu, Jamilah, Jeffery & Abdul, 2012). This theory deals with the importance of using the knowledge and skill of the public to retain their cooperation with the police. It posits that failure to create a safe and secure environment is the result of poor relationships between police and the community. The community fails to cooperate with the police because their perception of them is negative.

Social resource theory

The social resource theory is drawn from a widely supported social science concept (Törnblum & Kazemi, 2012). This concept sees crime and policing through the people's eyes and not those of the state. From the people's viewpoint, crime is a personal problem resulting from unmet expectations, scarcity of resources and police inefficiency. The police use social capital which is supposed to solve the people's problems. Policing should be of the people, for the people, and by the people, which supports the idea of democratic governance, empowerment and self-help.

Social resource theory begins by regarding crime as illegal but only from the state's point of view. However, for the people, crime is one of the experiences of life. The aftermath of a radical shift in community policing theory, which empowers the people and makes the police a social resource, obliges the state to address societal weaknesses. These ideas are not easy for the police and judiciary to accept, which is an inadvertent weakness. However, until police reform programmes at the regional level catch up with federal-level programme reforms, data gathering within the institution will be dominated by inputs and views from male representatives due to their participation in community policing activities.

Community policing as a model of police and community partnership

The community policing model offers the community a problem-solving strategy by developing trust between the police and the community in both rural and urban settings (Hughes et al., 2002). The aim is to make the community a partner in the crime prevention and detection work of the police service. Community policing is only one of a range of methods and operating procedures that the police will use in any given circumstances. It contributes to police intelligence, though there are often difficulties with balancing trust and using locally acquired intelligence. It relies on local relationships and frequent contact between police officials and local leaders and victims of crime. As is often the case in keeping public order, when police or paramilitary squads are brought in, community policing is difficult to apply.

Community policing broadens the nature and number of police functions compared to traditional policing. The police system was based on home-grown knowledge of neighbourhoods. The emphasis is on organisational transformation, proactive collaboration, problem-solving and external partnerships to address issues that concern both the police and community members. It places equal emphasis on crime control, order maintenance and service. It is essential for the police to work with community members and other collaborative partnerships, including law enforcement agencies and the individuals and organisations they serve, to develop solutions to problems and increase trust in police.

Challenges in implementing community policing

Different barriers have been found to impede the implementation of community policing focus. These hurdles are not easily overcome and do not apply to all police departments. These barriers are implementation challenges, police official/organisation, the resident community, police culture and specialised units.

Implementation challenges

Community policing is a popular reform but little attention is paid to the challenges of implementation (Mastrofski, Wills & Kochel, 2007), which is often said to be fraught with problems and challenges for several reasons. Patterson (1995) notes that implementation of community policing is challenged by the incremental nature of its introduction, resulting in increased resources allocated for short times with little time for planning. As noted by Mastrofski et al. (2007), the traditional barriers of organisational change, limited resources and a resistance to police culture still exist and will continue to deter the successful implementation of any community policing initiative. Many authors agree that to achieve effective community policing, implementation issues must be addressed (Segrave & Racliffe, 2004; Sadd & Grinc, 1996). According to Mayhil (2006), possible consequences of poor implementation are:

- A lack of police official understanding and buy-in leads to cynicism and a lack of cooperation.
- Poorly planned engagement leads to unrealistic community expectations.
- Frustrated/disappointed communities are less likely to engage in the future.
- The engagement process is dominated by one group or community interest.
- Problem-solving benefits communities that least need it.
- Problem-solving exacerbates divisions in communities that have differing interests.
- Community members take inappropriate or illegal action response to problems.

These challenges are observed in countries attempting to replace traditional philosophies of community policing. Police officials' attitude to community policing is influenced by cynicism and a lack of knowledge and skills to apply the central tenets.

The police official/organisation

There are several reasons why the police official and the organisation pose a barrier to community policing. Community policing requires a great deal of training, close supervision, strong analytical capacity and organisation-wide commitment (Skogan & Steiner, 2004:155). This partly covers the barriers, which have three sub-sections, namely the police official, training and sustained organisational commitment.

The police official

As Bucqueroux (2007) states, a National Centre of Community study reported four initiatives on community policing and the contribution of the community to identifying, prioritising and solving problems. This frees community police officials to work on identifying and solving problems with the community. Another barrier is that police officials' performance is measured based on enforcement-type performance rather than their ability to build relationships with the community; the result is the inability to reward an officer's decent work (Skogan & Hartnett, 1997; Skolnick & Bayley, 1998; Green, 2000; Polzin, 2007).

Training

Different experts in the field of police practice comment that most officials are not trained in how the partnership will be formed, nor do they have experience of organising community involvement or empowering the community. Police officials are not trained in using the full potential of community policing to deter crime and possible crime. Skogan (2006) briefly notes that training is often short-changed because community policing is labour intensive. Mastrofski et al. (2007) comment on the experience of the United States that recruiter training has not been revised to promote community policing techniques.

Sustaining organisational commitment

Skogan and Hartnett (1998) argue that one of the key barriers to community policing is sustaining organisational commitment. They further note that organisational commitment is important in achieving a decline in levels of crime, social disorder and physical decay. Young and Tinsley (1998) agree that traditional police structures have done little to foster the acceptance of responsibility for analysing a problem and seeking a resolution. Mastrofski et al. (2007) criticise the general lack of a "whole-of-police" approach to community policing. Moreover, Polzin (2007) notes that the police need to employ change management strategies to successfully implement community policing. In a similar fashion, Goldstein (1993, in Flynn, 2004:29) states:

> The initiatives associated with community policing cannot survive in a police agency managed in traditional ways. If changes are not made, the agency sets itself up for failure … offices will not be creative … if a high value continues to be placed on conformity. They will not be thoughtful if they are required to adhere to regulations that are thoughtless. And they will not aspire to act as mature, responsible adults if their superiors threaten them like children.

In support of the above-mentioned idea, Polzin (2007) believes that for community policing to be successful, all barriers must be identified to take a step forward and spread out the philosophy in country-wide programmes.

The residents/community

The participation of the community in identifying and solving problems is decisive. Engaging the community in the decision-making process creates trust and cooperation between the parties. However, the lack of sustained community involvement and engagement are barriers to community policing implementation.

Sustained community involvement

One of the barriers that affects the progress of community policing is a lack of commitment and effort. Establishing police-community trust plays a role, particularly in sustaining commitment. Community policing is positively impacted by community involvement but keeping it sustainable has been a long-standing issue (Skogan & Hartnett, 1998). Community policing advocates that individuals have common interests, values, integrity, demands and expectations; but in practice communities are ambiguous (Skolnick & Bayley, 1988). Skogan (2006) argues that community involvement is not easily achieved in areas of most need, and harder-to-reach parts of the community can become excluded from the "community effort" because they have different interests, values and expectations. Segrave and Ratclitte (2004) reflect that community policing serves the interests of the vocal minority and the presence of certain personalities and influential groups can dominate discussions and control the direction of an initiative.

Police culture

Police culture is one of the barriers to moving community policing practice forward. Young and Tirsely (1998) note that especially traditional law enforcement and criminal justice practices create a lack of understanding of what community policing is. Furthermore, Skolnick and Bailey (1988) point out that the ideas of '"solidarity" or ""brotherhood" are important in understanding resistance to community policing. On the one hand, the police official's cooperation in times of trouble, offence or threat and perceived danger (Scolnick & Bayley, 1988) is assumed. Skogen (2006) states that resistance to community policing within the ranks happens because it is perceived as soft policing or "social work" and "just politics" due to the involvement of public officials. Some officials hate civilians' influence on prioritising operations. Scott, Hogg, Barcley and Donnermeyer (2007) believe that traditionally police are "formally trained and informally socialised" through the bureaucracy of law enforcement, which provides a counter to community policing and community engagement.

One can note that police culture is one of the factors hindering the advance and implementation of community policing. Police culture can undermine police-community relationships because police officials dominate as "crime and disorder experts," which disadvantages the community when offering solutions. Bucqueroux (2004) remarks that police are doing an excellent job of engaging with the community for help and support but are still reluctant to share power and decision-making with them. Herbert (2006) however, argues that police decide on the terms of engagement with various social problems because of their separation from the community due to their duties and powers, which disempowers the community and limits its involvement.

The challenges emanating from police culture in the implementation of community policing rely on police officials accepting public participation in decision-making and operational procedures. The struggle for power and perceiving community policing as soft on crime are the main reasons why the police and community differ.

About the study area

Oromia is the largest region in Ethiopia, stretching across 34% of the country from east to west, and is home to more than 37 million people (FDRE Central Statistical Agency, 2013). It is divided into 20 administrative zones, 30 town administrations and 287 rural and 46 town *woredas*. According to the last census, more than 65 ethnic groups and people from neighbouring countries live in Oromia (FDRE Population Census Commission, 2008). It shares international borders with Sudan and Kenya. The study was carried out in the *woredas* of East Wollega zone. The *woredas* were identified after an analysis of crime statistics and performance reports.

RESEARCH DESIGN AND METHODOLOGY

The primary objective of the study was to understand the implementation of community policing and the outcome of a growing trend of public participation in identifying and solving community problems. A quantitative research method was employed to elicit numerical data and facts by employing statistical and mathematical techniques.

Methods of data collection and analysis

Data for the study was gathered using questionnaires that were tested for validity before dissemination. Police officials and two additional data collectors were employed to distribute and collect the questionnaires. Percentile was the analysis technique used to show the status of community policing in the community, as it could describe the survey results in one or more measures.

Selecting respondents

Respondents were selected using a purposive sampling technique. One hundred and two respondents completed the questionnaires. However, the number of participants does not represent the general population of the study.

Analysis and interpretation of findings

Questionnaires were distributed to community policing board members, businesspeople, students, police officials and elders of the community. Respondents were informed about their right to stop completing the questionnaires at any time. The questionnaires enjoyed a high rate of return, which suggests that all respondents took part willingly.

Table 1: Respondents by gender

Gender	Number	Percentage
Male	80	86.2
Female	22	13.8
Total	**102**	**100**

As Table 1 shows, the responses were dominated by male participants.

Table 2: Age of respondents

Age	Number	Percentage
20-30	50	49.1
31-40	40	39.2
41-50	10	9.8
51-60	2	1.9
60 and older	-	-
Total	102	100

As shown in Table 2, most of the respondents (49.1%) were in the age range of 20-30, while 40 (39.2%) were between 31-40. Only a few respondents (10 (9.8%) and 2 (1.9%) respectively) were in the age ranges of 41-50 and 51-60. Most of the respondents are either adults or young adults.

Table 3: Respondents by educational background

Educational status	Number	Percentage
MA/MSc. above	-	-
Degree	60	59.1
Certificate	30	29.2
Diploma	10	9.8
High school	2	1.9
Total	102	100

Table 3 shows that 60 (59.1%) of the respondents held a first degree and 30 (29.2%) had a diploma. Only ten (9.8%) had a certificate and two had completed high school. The educational background of respondents serves as a guarantee to the validity of the responses in that these were gathered from those who are able to read and write.

Table 4: Respondents' awareness of community policing

Item	Level	Number	Percentage
How do you rate your level of understanding of community policing?	Excellent	30	29.4
	Good	37	36.2
	Average	15	14.7
	Poor	20	19.6
Total		102	100

As shown in Table 4, 30 (29.4%) respondents rated their understanding of community policing as excellent and 36 (36.2%) as good. While 15 (14.7%) said it was average, 20 (19.6%) were not aware of community policing. The table shows that a considerable number of respondents rated their knowledge as poor or average. Their level of understanding affects their active participation in implementing community policing programmes.

Table 5: Community engagement in community policing and attitude to crime prevention and control

Item	Level	Number	Percentage
How do you rate community engagement and attitudes to the effectiveness of community policing in crime prevention and control?	Very high	15	14.7
	High	20	19.6
	Average	30	29.4
	Low	37	36.2
Total		102	100

According to Table 5, 30 (29.4%) of respondents agreed the level of engagement and attitudes of the community to community policing was only average, while the remaining 37 (36.2%) rated it low. The remaining 15 (14.7%) and 20 (19.6%) were rated as very high and high, respectively. From this, it could be argued that the community's attitude to community policing is low.

Table 6: Level of openness to receiving citizen complaints about community policing

Item	Level	Number	Percentage
Are the police open to receiving public complaints about community policing?	Excellent	5	4.9
	Very good	5	4.9
	Good	10	9.8
	Average	15	14.7
	Poor	67	65.6
Total		102	100

As Table 6 shows, 82 respondents (80.3%) rated the level of openness to receiving complaints about police as either poor or average. This implies that cooperation between the community and police is poor and may show an area where trust in the police is low. The high proportion rating police openness as poor or average indicates that the police are not open to complaints from the public.

Table 7: Door-to-door contact with inhabitants to create awareness of community policing

Item	Choice	Number	Percentage
Is door-to-door contact made to create awareness of community policing effective?	**Yes**	45	44.1
	No	57	55.9
Total		**102**	**100**

Table 7 shows that 57 respondents (55.9%) said there was no door-to-door contact with the residents about community policing and 44.1% claimed that there was. This indicates that the police do not use an efficient door-to-door approach to enhance awareness and public participation.

Table 8: Is community policing effective in preventing and controlling crime?

Item	Choice	Number	Percentage
Do you think community policing is an effective technique for crime prevention and control?	**Yes**	62	60.8
	No	40	39.2
Total		**102**	**100**

Table 8 shows that 62 respondents (60.8%) believe that community policing is an effective strategy to prevent and control crime. Although a considerable number of respondents disagree that it is effective in preventing and controlling crime, the majority agreed that it is effective.

Table 9: Community participation in community policing programmes

Item	Level	Number	Percentage
How do you rate community participation in community policing programmes?	Excellent	10	9.8
	Very good	12	11.7
	Good	15	14.7
	Average	20	19.6
	Poor	45	44.1
Total		**102**	**100**

Table 9 shows that 65 (63.7%) of the respondents agree that the people's participation in community policing is either poor or average. Only a few respondents, namely 37 (36.2%), said that participation was excellent, very good or good. In general, the data indicates that community participation is below average.

Table 10: Community willingness to work with community policing officials to avoid criminal activity in the neighbourhood

Item	Level	Number	Percentage
How do you rate society's willingness to work with community policing officials to avoid criminal activity in the neighbourhood?	Excellent	12	11.7
	Very good	10	9.8
	Good	20	19.6
	Average	10	9.8
	Poor	50	49
Total		**102**	**100**

As shown in Table 10, 60 (58.8%) respondents said society's willingness to collaborate with the police was poor or average. The remaining 42 (36.1%) rated it as excellent, very good, or good, seeing the collaboration between the two partners as positive. However, the willingness of the community to work with community policing officials is far below average.

CONCLUSION

The implementation of community policing in the study areas has not been successful because of a lack of awareness of the principles of community policing among the residential community. It has failed to bring police and citizens together to fight crime. Although there is wide support from informed people, the practical difficulties are still significant and make community policing ineffective.

The major factors associated with the failure of the implementation of community policing include the widespread view that dealing with crime is a matter for the police alone and not the community. This issue has made most people reluctant to attend the meetings organised by the police to address issues. Furthermore, there is an inadequate understanding within the community of the benefits of self-security and the importance of a shared sense of responsibility in preventing crime.

The study also found that the implementation of community policing did not achieve the expected outcomes. This finding is separate from any findings on crime rates in the zone, which were not considered in detail. It appears that the introduction of community policing has not had any significant effect on either the incidence of crime or on crime statistics generally. The study did reveal scepticism by the public about the effectiveness of community policing.

Of most concern was the low public opinion of the police, due to police indifference to public complaints about police misconduct and unethical behaviour. It is likely that this, in turn, makes the police reluctant to visit the public door-to-door to include more of them in dialogues with the police. People are extremely reluctant to attend meetings and appear to be suspicious of police house calls made in the interest of community policing.

The analysis shows that the implementation of community policing in the East Wollega Zone did not achieve a significant improvement in the performance of policing. Community policing requires the police and the community to work together to find effective ways to address the related issues of crime and social ills in the community. It is a first step to supporting the community closely and providing assurance about the police's intention to prevent crime. Community crime prevention involves citizens in neighbourhood watch programmes, with ordinary members of the public taking more ownership of their neighbourhood security. There are downsides to neighbourhood watch schemes, ranging from criminal abuse to poor evidence-gathering and intelligence. Good communications are needed, which may be difficult to achieve in rural areas.

Besides differences in application, community policing is the chosen way of policing in the modern world. Police cannot do their work without the support of the public and the public cannot have peace and order without the police. The community policing model offers a problem-solving strategy by developing trust between police and the community in both rural and urban settings (Hughes et al., 2002). Therefore, the police-community relationship must be a two-way partnership.

Because the police cannot shoulder the burden of crime prevention alone, it is important for police officials of the West Wollega Zone to seek closer cooperation with the community. Community policing officials should bring police and citizens together to prevent crime and solve neighbourhood problems. This would help police to get a better sense of community needs and the community to develop greater trust in the police. The community and police could work together to achieve a common goal of promoting public safety and enhancing the quality of life.

RECOMMENDATIONS

As the findings indicate, there was limited knowledge of community policing and the public were not enthusiastic about policing based on public participation. The following recommendations are made:

- An awareness-creation programme targeting the public vulnerable to crime and various crime-related problems should be designed to achieve the intended objectives through public commitment and cooperation.
- The community often shows interest in collaborating with the police but not with sustainable, responsible, accountable and shared goals. The regional police should create a platform where people can learn about community policing values and principles.
- The *woredas* should develop capacity-building programmes and train police officials in mobilising the community to participate in identifying and solving community problems.
- Building community capacity helps the community policing implementation plan, which eases the burden of police officials by having people patrol the area.

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ARTICLE

Exploring the different management roles of Police in the Criminal Justice System in the Thohoyandou area

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ABSTRACT

The objective of this study was to identify different management roles of the police that can be used to address management challenges that affect the Criminal Justice System (CJS) in the Thohoyandou area of the Limpopo province of South Africa.

The study employed an explorative and descriptive research design within the qualitative research approach, and semi-structured interviews to collect data from 14 purposively sampled police officials from Thohoyandou. Content analysis was used to analyse the data.

The research findings revealed that the police have critical management roles to play in the CJS, namely human relations management, scientific management and system management. Challenges identified by participants include corruption, lack of resources, ineffective use of technology to curb crime and ensure safety, capacity shortages and poor performance of officials. Mechanisms to promote an effective CJS suggested are improving court administration, case-flow management programmes, proper communication and improved criminal investigations.

The study recommends implementing anti-corruption measures, regular training of police officials, monitoring performance management and providing adequate capacity and resources.

KEYWORDS AND PHRASES
Criminal justice system, crime, law enforcement agencies, management, management roles, management challenges, police, semi-structured interviews

INTRODUCTION

The Criminal Justice System (CJS) in South Africa consists of the South African Police Service, prosecution services (the National Prosecuting Authority), the courts, the Department of Justice and the Department of Correctional Services (South African Government, n.d). Each component performs a pivotal role in reducing crime in South Africa. The South African Police Service's Annual Report for 2019/2020 (2020:43) notes that crime is increasing in Thohoyandou. Crime negatively affects all parts of the community and does not consider individuals' socio-economic factors such as financial position, gender, race, religion or political association. Everyone who lives in Thohoyandou has an equal opportunity to interact with the CJS, either as a victim or witness, or perhaps as an offender or accused person.

The CJS does not function properly in Thohoyandou. Despite assurances that it was developed to minimise the incidents of criminal activities, the system is hampered by staff shortages, a

lack of accountability and corruption (Sithuga & Rakubu, 2023:543). Furthermore, the management styles in Thohoyandou's CJS seem to contribute further to its ineffectiveness.

Islam (2019:19) is of the view that without an effective CJS, there is no functional government; instead, lawlessness will be rampant and people and their property will not be safe and secure. An effective and efficient CJS promotes the government's proper operation and preserves order within society. The situation is exacerbated by the lack of adequate law enforcement equipment in the Thohoyandou CJS.

Against this background of high crime levels, questionable CJS and the impact of leadership styles, the need to explore and describe management roles, especially those of the police in the CJS in Thohoyandou, is imperative.

Research objective and methodology

The general objective of this study was to identify different management roles of police that can be used to address management challenges that affect the CJS in Thohoyandou. The specific objectives are to determine management challenges which affect the CJS in Thohoyandou; mechanisms that can be implemented to promote effective and efficient CJS in Thohoyandou; and the management roles to be performed by the police to promote effective and efficient CJS in Thohoyandou.

According to Sefotho (2021:11), a research methodology includes the methods, strategies, techniques and instruments used in a research design. A qualitative research approach with an explorative and descriptive research design was used to extract the views of police officials in Thohoyandou about the management role of police in the CJS. This research methodology created trustworthiness, valid research findings and relevant recommendations about the management roles of police in the CJS in Thohoyandou. The case study research method was used because it is appropriate for real-life situations and its richness of detail is crucial. A case study is an empirical enquiry that investigates a phenomenon in its real-life context (Ebyenamini & Moghadam, 2018:3). It involves an investigation and analysis of a single or collective case and is intended to capture the complexity of the material under study.

The data was collected by the first author using face-to-face semi-structured interviews. Semi-structured interviews permitted the participants to relate their experiences in their own words without restriction. The interviews were guided by a semi-structured schedule and recorded.

A purposive sampling method was adopted to select the sample as it allowed the researcher to identify and select supervisors or managers within the police in the CJS in Thohoyandou. The sample for this study comprised 14 participants: two managers, three supervisors, five investigators and four court orderlies. There were eight men and six women. The respondents were purposely selected based on their experience in the CJS in Thohoyandou; they all had more than five years' experience in the CJS. Data saturation was evident from the 11th to 14th interviews. The researcher therefore concluded the data collection process with the 14th interview. Content analysis was used by coding the data. Content analysis is a systematic, replicable technique for compressing many words of text into fewer content categories based on explicit rules of coding (Schurink, Schurink & Fouche, 2021:406-412).

Ethical considerations were adhered to. As the research included interviews, ethical clearance was required and granted by the STADIO School Ethics Committee. The researcher considered the following ethical issues: voluntary participation, no harm to participants and confidentiality (as suggested by several researchers (Babbie, 2017:62; Tracy, 2013:243; Hennink, Hutter & Bailey, 2011:67)).

Literature review

Creswell (2012:8) describes a literature review as a "written summary of journal articles, books and other documents which plays critical roles in unfolding the past and current nature of the information". The literature review of this study focused on three components of the CJS, namely the police, the courts and correctional services that have different roles after a crime has been committed. Identifying and detaining a criminal is the responsibility of the police; judgment resorts within the ambit of the courts; and punishment and rehabilitation is the responsibility of the correctional services.

Islam (2019:17) maintains that the CJS is an essential part of any civilised country and plays a leading role in ensuring "justice, fairness, the practice of the rule of law and the institutionalisation of a democratic system". It comprises several law enforcement agencies such as the police, who have been mandated to guarantee social agreement and mass compliance or amenability to the rule of law. The CJS role-players consider whether or not a person is guilty of breaking or violating the laws of the country, and about suitable punishment for such people. The CJS is also mandated to care for and rehabilitate people who have been found guilty of violating the law and punished.

Roles of the police in the CJS

Islam (2019:21) contends that a contemporary country cannot operate its CJS without a well-organised and stable police service mandated to arrest people who commit crimes and violate the rule of law. To prevent misdeeds, police officials take criminals into custody before they appear before criminal courts. Another significant function of the police is to investigate criminal activities. This power is enshrined in the Constitution of the Republic of South Africa, 1996 and the South African Police Act 68 of 1995.

Upon completion of an investigation, the police submit a charge-sheet to the prosecuting services or a final report for release of the accused. A police official can verbally examine anyone who may be acquainted with the facts and circumstances of the case. It is a crucial role of the police to discover the truth behind the commission of a crime.

Police are also responsible for search and seizure. The South African Police Act 68 of 1995 sets the methods and procedures for this process and the police are required to follow fair and reason-

able procedures. This function is mostly carried out with a warrant, depending on the type of crime or the circumstances (South African Police Service Annual Plan 2016-2017 (2016:89).

Management approaches and roles in police

Like any organisation, the State and local CJSs should have management roles that best permit them to realise their objectives of preventing crime, adjudicating criminal offences and punishing offenders (Yesufu, 2014:12). For the purpose of this study a management role means the tasks to be performed by the person in charge. A distinction can be made between scientific management, human relations management and system management.

Scientific management: A study by Gull (2017:26) posits that scientific management procedures, which focus on establishing procedures, must not remove experienced officials (leaders or managers) who thoroughly comprehend the practical matters of policing; however, a scientific management approach does not value the perception and experience of employees. According to Bell and Martin (2012:9), correctional officials employed in correctional centres and patrol officials in police departments are essential in providing valuable insights that could significantly guide the leaders.

Human Relations (HR) management: Human relations promote developing and maintaining positive workplaces, retaining workforces and supporting productivity (Peek, 2020:34). Human relations in the police must be supported which is the responsibility of management. Making human relations within the South African Police Service (SAPS) the focus of its management approach can generate a workplace culture in which police officials can thrive. Developing HR skills in police managers or leaders can modify the management style and make it HR-centred (Reiner, 2010:14). According to Vishakha (2014:22), human relations are the "study of human issues arising from organisational and interpersonal relations". That definition has been translated to an organisational approach which focuses on supporting the workforce in their career development and organisations to achieve their mandates; for example, the police are responsible for maintaining peace and preventing criminal activity. HR are also concerned with interacting in a healthy manner with others and creating strong relationships (Olsen, 2012:18). From the perspective of leaders and managers, HR helps to create systems and communication channels that permit group employee relationships and strong one-on-one relationships. Moreover, HR involves the "process of training employees for specific roles, addressing their needs, resolving conflicts between employees or between management and employees and creating a positive workplace culture" (Peek, 2020:14).

Relationships between workers and management are of significant value within any organisation. HR may impact performance in organisations such as the SAPS, in their quest to meet constitutional mandates and the competitiveness and long-term social and economic sustainability of the country.

Regardless of their similar-sounding names, "human relations management" is different from "human resource management":

the latter encompasses the daily management of employees in a workplace (Rose, 2005:7). Human relations management highlights the morale, values and feelings of employees as significant factors in a workplace's dynamics. According to Rose (2005:7), human relations management style is also viewed as a "democratic or participatory management", wherein managers act as mentors and counsellors to employees instead of being micromanagers only concerned with improving production. This model might, however, conflict with the hierarchical culture of many criminal justice agencies such as the correctional services and police department. Nevertheless, HR management's acknowledgment of the significance of worker morale shows consideration for CJS organisations.

For this study, hierarchies rely on rules, structures and top-down control to guide organisations such as the SAPS to execute their management roles in the CJS.

To achieve an HR-focused organisational culture, these skills are essential:

- **Communication and especially open lines of communication:** Managers must be able to adapt their language by using different vocabulary and formality for high-level executives and base-level employees and in different circumstances (Onifade, Opele & Okafor, 2018:9).
- **Conflict resolution:** There are many different personality types, worldviews and objectives (Vishakha, 2014:28). Consequently, a manager must be comfortable with, experienced in and knowledgeable about conflict resolution. Managers have to assist their subordinates to work together in a civil manner (even though they may not agree on all points) so that the work is done on time.
- **Multitasking:** Peek (2020:12) claims that managers face numerous tasks, questions and issues which need to be solved daily. An efficient manager is able to manage multiple competing priorities at once without missing deadlines. Flexibility is also important. Managers must adapt to policy or organisational changes that affect subordinates' daily workflow (Vishakha, 2014:11).
- **System management:** The systems approach to management theory, usually regarded as the foundation of organisational development, views the organisation as an open system consisting of inter-related and interdependent parts interacting as sub-systems. Olsen (2012:12) defines systems management as a management function that uses a combination of purposely designed processes and procedures to guarantee the organisations can accomplish their objectives effectively. Systems management refers to an organisation's strategic processes based on a framework of instructions, followed by well-designed rules for undertaking organisational operations. The goal is attaining the organisation's targets and mandates. It is paramount to have a clear vision of and specific directions for the main organisational tasks. All modern system management models primarily emphasise four main functions, namely "corporate performance standards being practiced, performance measurement, reporting of progress and quality processes by identifying performance gaps" (Gordon, 2021:23).

Management challenges

Police in the CJS currently experience numerous management challenges. Regardless of assurances that it is working to minimise the incidents of crime, the system is slowly grinding to a halt because of staff shortages, a lack of accountability and corruption. Corruption severely affects the management of criminal justice across the world (Islam, 2019:29). Smith (2018:18) claims that many South Africans view police officials as "lazy, corrupt, inefficient, bribe-taking, money-extorting officers". These concerns are some of the reasons why the country does not have an effective and efficient CJS. Another challenge is that the SAPS has inadequate equipment to enforce the law. According to Smith (2018:17), they do not have enough "transport, modern communication, arms and ammunition and logistic facilities" to be effective. CJS across Africa are characterised by inadequate logistics support such as insufficient staff. Law enforcement agencies are falling behind in using technologies that are vital for reducing crime rates, apprehending criminals and improving safety for police officials, suspects and the public (Yesufu, 2014:6). Another challenge, as identified by Jacob (2017:17), is that poor performance by criminal justice agency officials weakens several aspects of the criminal justice process making it frequently unmanageable. Specifically, the lack of accountability for performance in the system renders it vulnerable to condemnation and slow in implementing mechanisms to improve its efficiency.

Mechanisms that can promote effective and efficient criminal justice systems

The SAPS must put effective mechanisms into practice to perform well in the CJS of South Africa. Dandurand (2014:11) suggests the following:

■ **Improved court administration:** Clearly, this is affected by aspects such as automation, scheduling and case tracking. Powerful and well-designed information management systems play a significant role in improving case management, but they must be accompanied by other reforms to ensure full benefits for law enforcement agencies (Dandurand, 2014:11). Case processing delays are not directly eradicated by automation, but it can support wider case flow management initiatives (Dandurand, 2014:17). As an example, using a case scheduling order, a timeline agreement that is accepted by all parties, sometimes yields a more effective and efficient process (Dandurand, 2009:34). Dandurand (2014:17) opines that Information and Communication Technology (ICT) is a key pillar of any successful case management system. Technological developments can significantly improve the administration of the CJS (Dandurand, 2009:35). The aim of these technologies is to reduce delays, open access to justice and foster speedy, equal, fair, transparent and reliable criminal justice processes (Dandurand, 2009:40).

■ **Efficiency and effectiveness:** CJS agencies must be aware of the necessity of improving the system's efficiency in ways that do not compromise its fairness and effectiveness (Dandurand, 2014:22). For instance, public calls for CJS effciency have caused reforms that minimise delays in court proceedings, which ultimately prioritises the overall interests of the public, offenders and defenders (Jacob, 2017:9). Nevertheless, aiming for appropriateness and efficiency in the criminal justice process must not conflict with the value of justice. To Dandurand (2014:23), improvements should not affect the effectiveness of the CJS or the value and quality of justice it provides to the public. An improvement in efficiency of the CJS must clearly, therefore, not lower the quality of the CJS. An effective CJS must be achieved by allowing the system to meet its purpose; as Jacob (2017:21) maintains, this is "desire for peace and public safety and focus on preventing crime, resolving conflicts, and problem solving generally".

■ **Improving criminal investigations and improving communication between the police and the prosecution:** According to Dandurand (2014:18), judicious and effective investigations by police officials and sending correct and complete reports to the prosecutors can accelerate the processing of criminal cases in the CJS. Most failed or delayed prosecutions are caused by poor investigations by police officials. Additionally, Jacob (2017:11) indicates that poor police reporting and the lack of evidence at the investigation stage delays prosecutions. The tasks of prosecutors and police officials differ significantly from one CJS to another, but improved communication between them is essential to rectify any uncertainties and mistakes which reduce the efficiency of the criminal justice process (Dandurand, 2014:19). As an example, better communication ensures that much-needed evidence is collected and made available, any missing evidence is identified in time, charges are articulated properly and witnesses are identified and, if necessary, protected. Improved communications and clear interagency procedures can help to ensure that police officials are available when needed to testify and give evidence, thus avoiding fruitless hearings (Jacob, 2017:14). Completing investigations timely and submitting correct and complete reports to prosecutors undoubtedly goes a long way to support speedy and effective case processing.

■ **Improving case flow management:** Dandurand (2014:22) describes case flow management as a dynamic process of monitoring, supervising and managing cases in the CJS to curb unnecessary delays and postponements. Crucial improvements can be made to the management and supervision of the criminal justice process by emphasising suitable case-flow management and strengthening the court's administrative functions (Jacob, 2017:17).

The literature review described the management roles of police in the CJS, challenges faced by the police and the strategies that can be implemented to ensure an effective and efficient CJS.

Research findings

The face-to-face semi-structured interviews used to collect data are supported by the literature reviewed for this study.

The management roles of police in the Criminal Justice System in Thohoyandou

Tengpongsthorn (2016:45) indicates that management should ensure that organisations meet their goals and mandates. These views were confirmed by several participants.
Participant 1 said that "as police officials, we are tasked to arrest people who break the laws and rules of the Republic of South

Africa. After arresting law breakers, the police take them into the custody and transfer them to criminal courts". The South African Police Service has a Constitutional duty to prevent, combat and investigate crime, to maintain law and public order, and a duty to ensure the protection and security of all South Africans (The Constitution of the Republic of South Africa, 1996). Legal aspects regarding arrests made by the police are stipulated in section 49 of the Criminal Procedure Act 51 of 1977. This falls under scientific management roles and approaches.

Participant 2 said that the "scientific management role is one of the crucial roles that are adopted by the whole SAPS across South Africa and also we use ranks in the policing environment, in these ranks we have different procedures to be followed". According to Gull (2017:9), scientific management roles work well in many criminal justice organisations; for example, the police and correctional facilities use the quasi-military "ranked system of organisation". The SAPS uses a scientific management role which supports its ranking systems.

Participant 3 indicated that "police officials are mandated to critically investigate criminal activities which take place in different societies, and it is one of the management roles which should be effectively done by the police in the CJS and they were given this powers of investigating criminal activities by the National Development Plan (NDP), SAPS Act and the Constitution of South Africa". Section 205(3) of the Constitution of the Republic of South Africa, 1996 states that a significant function of the police is investigating criminal activities. The quotation above illustrates this role must be adequately performed by police officials in South Africa.

Participant 4 said: "As a station commander, one of our responsibilities is to promote human relations within the department's CJS and we do this in order to allow our members to work in harmony; we don't tolerate quarrels among police officials."

Participant 13 responded: "One of the roles of police in the CJS is to encourage human relations management and it is vital in the sense that it prohibits police officials from arguing."

Reiner (2010:14) claims that making HR within SAPS the focus of the SAPS's management approach can generate a workplace culture in which officials can thrive.

The quote above indicates that HR management is one of the roles of the management of SAPS that allows them to effectively execute their duties in the CJS, particularly in Thohoyandou.

Participant 5 shared the views of Participant 1 and revealed that "we have a human relations management that allows our management to effectively communicate the goals of SAPS and the functions of each member of the SAPS. Communication is very important in all structures of SAPS". Hargie (2016:7) supports this by indicating that effective communication helps to ensure that all workers are not only on the same page but also are motivated and valued in their jobs. HR management within SAPS is crucial in promoting effective communication among police officials.

Management challenges that affect the Criminal Justice System of Thohoyandou

Yesufu (2014:19) claims that police in the CJS currently experience numerous management challenges.

Participant 6 said: "There are incidents of corruption among us, and it hugely affects our roles in the CJS in our area. Corruption is the enemy of carrying out our responsibilities effectively." Smith (2018:18) concludes that many South Africans view police officials as "lazy, corrupt, inefficient, bribe-taking, money extorting officers".

The quote above indicates that corruption among police officials in Thohoyandou is one of the challenges which affect the police's role in the CJS.

Participant 7 commented: "We are experiencing the challenges of lack of resources, for example, we have limited vehicles to use for the purpose of fighting criminal activities." **Participant 8** shared the same sentiments, saying: "The challenge of lack of resources is affecting the roles of the police in the CJS."

Smith (2018:17) supports the views of participant 7 and 8, indicating that the SAPS have inadequate law enforcement equipment to help them to manage the CJS. The comments above indicate that a lack of resources within the SAPS affects the functions of police officials in the CJS across South Africa.

Participant 9 noted: "We always hear about Fourth Industrial Revolution (4IR) which requires the employees of any organisation to be technologically innovative, but here we have a challenge of using technologies which are vital in CJS." Yesufu (2014:6) claims that law enforcement agencies are lagging behind in using technologies which are vital for reducing the crime rates, apprehending criminals and improving the safety of police officials, suspects and the public. This indicates that the SAPS have a challenge in using technologies that play pivotal roles in the CJS.

Participant 10 commented: "Lack of capacity within SAPS is a major challenge that hinder the work of police officials in the CJS and some cases take long time to be processed due to capacity shortages."

Participant 13 added: "We have a challenge of shortage of human resources in our SAPS and due to shortage of human resources, investigations of cases take long and this causes the public not to have faith in CJS."

Participants 10 and 13 shared the same views on the lack of capacity in SAPS components. The above quotes indicate that a shortage of police officials hampers the management roles and approaches of the police in the CJS.

Participant 11 mentioned: "Poor performance among some of our colleagues affect our roles in the CJSs and cases are taking long time to be finalised and processed due to incompetence of our staff."

Participant 12 said: "Some of our members are not performing well in their roles and this affect our duties in the CJS."

To support the opinions of participants 11 and 12, Jacob (2017:17) concludes that poor performance among the CJS officials makes several aspects of the criminal justice process doubtful and, frequently, also unmanageable.

The verbatim expression above shows that there are incidents of poor performance among the police officials who are employed in the CJS in the SAPS.

Mechanisms that can be implemented to promote an effective and efficient Criminal Justice System in Thohoyandou

Kazmi and Takala (2011:29) contend that certain mechanisms which are being implemented by organisations allow them to achieve work effectiveness.

Participant 1 said: "We need our courts to improve their administration because this is where lot of incidents of poor performance are coming from. Improvement of court administration is one of the strategies we implemented but there are lots of challenges which need to be addressed."

Participant 2 commented: "The station has an improved court administration and it assist us as a station to function well in the CJS of our area. Our court administration has improved because we have staff who are dedicated to their roles in the CJS of Thohoyandou."

Dandurand (2014:11) shows support for participants 1 and 2 by revealing that improved court administration is used to support the functions of police officials in the CJS, across the world.

The quotes above show that, although the Thohoyandou CJS has implemented an improved court administration as a strategy for an effective CJS, there are a number of challenges which they are still experiencing.

Participant 3 said: "One of the strategies we have here is case-flow management programmes; these allow us to effectively manage the cases we have in our CJS and it also makes our roles simpler in the CJS."

Participant 4 commented: "Different initiatives in case management are being adopted in our CJS and these permit our police officials to effectively carry out their roles in the CJS."

To support the views of participants 3 and 4, Dandurand (2014:17) concludes that various case-flow management initiatives, such as the utilisation of a case-scheduling order and a timeline agreement have sometimes been shown to yield a more effective and efficient processes.

The verbatim expressions above indicate that participants 3 and 4 agreed that case-flow management programmes are being utilised in the CJS of Thohoyandou in order to address some challenges

which were faced by the police stations in Thohoyandou.

Participant 5 commented: "As one of the leaders of police officials, my mandate is to promote effective and efficient CJS around our region and South Africa as whole, so we have an effective and efficient CJS which we use to solve all criminal cases we have."

Participant 6 said: "We have effective and efficient CJS as one of our strategies of serving the public of Thohoyandou region and South Africa and it is very important to have effective and efficient CJS around Thohoyandou."

To support the sentiments of participants 5 and 6, Dandurand (2014:22) contends that for a comprehensive justice, the CJS agencies should regularly evaluate ways of improving the system's efficiency so that it does not play a role in compromising its fairness and effectiveness.

From the verbatim expressions, above, it is shown that Thohoyandou has an effective and efficient CJS which is used to serve the people of Thohoyandou.

Participant 7 responded: "One of the strategies we have here is effective communication among all departments of Thohoyandou SAPS and communication is very important in CJS. We share and communicate information which improves our roles in the CJS."

Participant 12 said: "As a police station, we are using communication as a tool for our managing roles in the CJS and we effectively disseminate valuable information among ourselves."

Jacob (2017:14) supports participants 7 and 12 by noting that improved communications and clear inter-agency procedures can assist in ensuring that police officials are going to be available from the beginning to the end of processes when they are needed to testify and give evidence, thereby, avoiding fruitless hearings.

The quote above indicates that effective communication is implemented as one of the strategies for promoting an effective and efficient CJS around Thohoyandou.

Participant 8 commented "for a long time, we have been improving our criminal investigation processes and this assists us to execute our roles in the CJS smoothly. Criminal investigations are rapidly conducted in order to bring criminals to the book, according to the laws of the Republic of South Africa".

Participant 13 revealed "there is effective investigation processes in place at this police station and it helps us to conduct our management roles in the CJS".

Participant 14 indicated "all police stations in Thohoyandou have introduced efficient investigation processes which make functions in the CJS easier".

Dandurand (2014:18) supports the views of participants 8, 13 and 14 by revealing that "timely and effective close of investigations by the police officers and offering correct and complete investigation reports to the prosecutors can surely efficiently support the

speedy and effective processing of cases".

The verbatim expressions above show that improved criminal investigations are performed by SAPS in Thohoyandou and this is one of the strategies that support the effective functioning of the CJS in Thohoyandou.

Discussion of the research results

The core discussion areas of this study are:

- the different management roles of police in the CJS in Thohoyandou;
- the management challenges that affect the CJS of Thohoyandou; and
- mechanisms that can be implemented to promote an effective and efficient CJS in Thohoyandou.

The management roles of police in the Criminal Justice System in Thohoyandou

According to Tengpongsthorn (2016:45), the central aim of management should be to guarantee that organisations are being managed in way that their goals and mandates are met. The research revealed that the participants were aware of their roles in the CJS; that the police officials are responsible for arresting people who break the laws and rules of the Republic of South Africa. In addition to what has been discovered by this study, section 205(3) of the Constitution of the Republic of South Africa, 1996 and section 49 of the Criminal Procedure Act 51 of 1977, stipulate that the police are mandated to arrest people who commit crimes and who violate the rule of law. To prevent the misdeeds of the criminals, police officials put them under their custody and take them to the criminal courts.

This research has revealed that the SAPS in Thohoyandou implement a scientific management role which promotes effective and efficient CJS across the Thohoyandou region and the whole of South Africa. According to Gull (2017:9), scientific management roles work well in several criminal justice organisations, for instance, the police and correctional facilities that utilise the "ranked system of organisation"; as an example, police departments are characterised by having a "quasi-military system of organisation" in which the police officials are holding certain ranks.

In this study, it is revealed that police officials are constitutionally tasked to investigate criminal activities that occur in different societies and is one of the management roles that must be effectively performed by the police officials in the CJS. According to section 205(3) of the Constitution of the Republic of South Africa, 1996, another crucial role of the police in the CJS is that they are responsible for investigating criminal activities.

Human relations management is revealed by this study as one of the responsibilities of the police within the department's CJS. This is done to create a conducive environment where all police officials can work towards achieving a common goal of an effective and efficient CJS. According to Reiner (2010:14), making human relations within the SAPS the focus of the SAPS's management approach, can efficiently generate a workplace culture where police officials can thrive.

Management challenges that affect the Criminal Justice System of Thohoyandou

As held by Yesufu (2014:19), there are several management challenges that are currently experienced by the police in the CJS. The authors show that several police stations are characterised by several incidents of corruption which tremendously affect their roles in the CJS. It is viewed that corruption prevents the carrying out of the police's responsibilities, effectively. Smith (2018:18) opines that many South Africans view police officials as "lazy, corrupt, inefficient, bribe-taking, money-extorting officers".

Furthermore, the study revealed that police agencies have challenges with a lack of resources, as an example, there is a limited number of vehicles available for patrolling and fighting criminal activities. According to Smith (2018:17), the SAPS have inadequate law enforcement equipment to help them to manage the CJS of the country.

The lack of technological innovations in the SAPS is revealed by this study as one of the challenges which affect the roles of the police in the CJS. The study indicated that the Fourth Industrial Revolution requires employees of any organisation to be technologically innovative, but the SAPS have a challenge of not possessing technologies which are vital in the CJS. Yesufu (2014:6) points out that law enforcement agencies, such as the police, are behind in terms of using technologies which are vital for reducing the crime rates, apprehending criminals and improving safety of the police officials, suspects and the public.

The study revealed that a lack of capacity within the SAPS is a major challenge that affects the roles of police officials in the CJSs and some cases take a long time to be processed due to capacity shortages.

One of challenges revealed by this study was that poor performance among some police officials affect the roles of police officials in the CJSs, hence, cases take a long time to be finalised due to the incompetence of staff. According to Jacob (2017:17), poor performance among the CJS officials makes several aspects of the criminal justice process doubtful and, frequently, also unmanageable.

Mechanisms that can be implemented to promote an effective and efficient Criminal Justice system in Thohoyandou

Kazmi and Takala (2011:29) postulate that mechanisms which are adopted by organisations allow them to achieve work effectiveness. The study identified several strategies which are implemented by the SAPS across the Thohoyandou region and the entire South Africa. The results confirmed that some courts have improved their administration because it forms one of the important functions of an effective CJS). Improvement of court administration is one of the strategies implemented but there is still a lot of challenges which need to be addressed. Dandurand (2014:11) concludes that improved court administration can support the functions of police officials in the CJS across the country.

The research indicated that case-flow management programmes are implemented as one of the strategies to effectively manage cases in the CJS. Dandurand (2014:17) maintains that wider case-flow management initiatives, such as the utilisation of a case-scheduling order and timeline agreements, have sometimes been shown to yield more effective and efficient processes.

The results revealed that an effective and efficient CJS is used in SAPS to serve the public. In line with comprehensive justice principles, the CJS agencies need to be regularly updated to improve the system's efficiency in a way that it does not play a role in compromising its fairness and effectiveness (Dandurand, 2014:22).

The study revealed that one of the strategies used by the SAPS is effective communication among all departments of Thohoyandou SAPS, as communication is essential in the CJS. The SAPS share and communicate information which improves their roles in the CJS. Jacob (2017:14) points out that improved communications and clear inter-agency procedures can assist in ensuring that police officials are going to be available from the beginning to the end of a process when they are needed to testify and give evidence, thereby, preventing fruitless hearings.

An improved criminal investigation is indicated as one of the strategies to be employed to effectively execute the police's roles in the CJS, "timely and effective close of investigations by the police officers and offering correct and complete investigation reports to the prosecutors can surely efficiently supporting the speedy and effective processing of the cases" (Dandurand, 2014:18).

Conclusion
The management roles of police in the Criminal Justice System in Thohoyandou
The research found that police officials at Thohoyandou were aware of their roles in the CJS - that police officials are responsible for arresting people who break the laws and rules of the Republic of South Africa. The Constitution of the Republic of South Africa, 1996 stipulates that the police are mandated to arrest people who commit crimes and who violate the rule of law. To prevent misdeeds of the criminals, police officials take them into custody and to the criminal courts. In addition, other roles of the police in the CJS of Thohoyandou include the scientific management and the human relations management roles.

The management challenges that affect the Criminal Justice System of Thohoyandou
The research identified that there are several challenges faced by the police when they execute their roles in the CJS in Thohoyandou. Yesufu (2014:19) maintains that there are several management challenges that are currently experienced by police in the CJS. The study revealed that several police stations have various incidents of corruption which enormously affect the roles of the police in the CJS. It is viewed that corruption prevents the carrying out of the police's responsibilities, effectively. Smith (2018:18) opines that many South Africans view police officials as "lazy, corrupt, inefficient, bribe-taking, money-extorting officers".

The lack of capacity, resources and technological innovation in the police stations, around Thohoyandou are revealed as other challenges which affect the functions of the police in the CJS. Smith (2018:17) indicates that the SAPS do not have adequate law enforcement equipment to help them to manage the CJS of the country. According to Yesufu (2014:6), law enforcement agencies such as the police, are lagging behind in terms of using technologies which are vital for reducing crime rates, apprehending criminals and improving the safety of police officials, suspects and the public. Poor performance by the police was revealed as another challenge that affects the work of the police in the CJS around Thohoyandou.

Mechanisms to promote an effective and efficient Criminal Justice System in Thohoyandou
The research found that there are numerous mechanisms in place at Thohoyandou and these mechanisms allow the police to function well in the CJS across the region. According to Kazmi and Takala (2011:29), mechanisms adopted by organisations allow them to achieve work effectiveness. These mechanisms are as follows: (i) improved court administration, (ii) case-flow management programmes, (iii) an effective and efficient CJS, (iv) effective communication and (v) improved criminal investigations. These mechanisms are crucial for the roles of police in the CJS of Thohoyandou and the entire South Africa.

Recommendations
The following recommendations are proposed to address the challenges discussed in this report:
Anti-corruption measures
The study showed that corruption among police officials affects their roles in the CJS, therefore, the researcher recommends that anti-corruption measures must be implemented at Thohoyandou so that police officials can effectively execute their roles in the CJS of the region of Thohoyandou and the whole of South Africa. Anti-corruption measures are strategies that should be put in place in order to combat the incidents of corruption in an organisation.
Adequate capacity and resources
The findings highlighted a lack of capacity and resources as another challenge that affect the role of the police in the CJS in Thohoyandou. To permit the police to effectively perform their duties in the CJS in Thohoyandou, this study recommends that the SAPS must be provided with adequate capacity and resources.
Performance management
Poor performance among police officials was revealed as one of the challenges that are faced by the police when they execute their roles in the CJS in Thohoyandou. Adequate performance from employees is required by any organisation to meet its long-term and short-term goals. The researcher, hence, suggests that the Thohoyandou CJS must adopt a performance management system (such as performance appraisal and training) that would allow the police to adequately perform their duties in the CJS in Thohoyandou and in South Africa.
Regular training
There are challenges in terms of using innovative technology within the SAPS. Innovative technology is useful in the CJS of Thohoyandou and South Africa. As a result, this research advocates

that there should be regular training of the police officials at Thohoyandou in the CJS. Training is one of the strategies that can be used by SAPS Thohoyandou to enhance the skills and capabilities of police to enable them to utilise innovative technology in the performance of their duties.

Conclusion

To assist Thohoyandou CJS to address some of the challenges identified by this study, future research into the roles of police in the CJS may be required to expand knowledge on the CJS. The researchers, therefore, suggest that future studies be undertaken on the management role of police to advance this topic as the public deserve to have an effective and efficient CJS.

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ARTICLE

An exploration of sexual sadistic acts on non-consenting female victims in South Africa

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Abstract

Non-consenting criminal sexual sadistic acts as a phenomenon are unique and have not received a great deal of attention, especially in South Africa. There is a lack of research regarding the nature and effect of sexual sadistic acts on non-consenting victims, especially female victims. The severity of violence used remains perplexing to practitioners such as psychologists, criminologists and medical practitioners, because victims suffer both psychologically and physically. The psychological and physical severity of these types of crimes makes it difficult for victims to share their stories. Eight experts, one victim and two documented cases were consulted to gain insight into this phenomenon. In this article, the authors describe the sexual sadistic acts forced on non-consenting female victims in South Africa.

Keywords and phrases

Sadism; criminal sexual sadism; non-consenting victim; physical effects; psychological effects

Introduction and Conceptual direction

Sexual sadism is a psychological disorder of sexual preference that focuses on the degradation, subjugation and suffering of another person that manifests itself in assault, rape and/or lustful harming behaviour (Longpré, Guay, Knight & Benbouriche, 2018:403). Criminal sexual sadists engage in abnormal sexual sadistic behaviour to dominate their victims, observe their anticipated fear and satisfy their lust (American Psychiatric Association, 2013:695). Algolagnic disorders such as sexual sadism disorder are classified clinically as forms of paraphilia and are commonly characterised by anomalous sexual preferences that involve the infliction of physical and/or psychological torment on non-consenting victims (Bartol & Bartol, 2021; Nel & Lake, 2019:422). Paraphilia is described as deviant sexual interest and behaviour and abnormal sexual fixation or obsession (Konrad, Welke & Opitz-Welke, 2015). Criminal sexual sadists experience sexual gratification when they observe how their unwilling victims suffer and perceive their anticipated fear of impending acts (American Psychiatric Association, 2013:695; Nel & Lake, 2019:424).

The infliction of pain is merely a means to provoke suffering and elicit the anticipated response of degradation, subjugation and maltreatment that is manifested in sexual assault, rape and/or lust murder (Mokros, Osterheider, Hucker & Nitschke, 2011:764). The act of humiliating a victim, results in increased sexual stimulation compared to having consensual sexual intercourse with a partner (Healey, Lussier & Beauregard, 2013:404-424). Sexual sadism is thus considered to be a chronic condition since a criminal sexual

sadist, in most instances, derives sexual arousal from deviant sexual acts (Sadock, Sadock & Ruiz, 2015:597). Between 2017 and November 2021, 3123 sexual offenders were registered on the National Register for Sexual Offenders in South Africa (Solomons, 2022). The statistics revealed that sex offences increased by 4.7% from July to September 2021. South Africa is facing high rates of sexual violence, with a prevalence of 17.4%, while the global average is 7.2% (Ajayi, Mudefi & Owolabi, 2021:300). In December 2021, the backlog of sexual offence cases in the court system stood at 15 605, which constitutes 81.4% of sexual offence cases in the country (Kunene, 2022). It is not clear how many of these cases involve sexual sadism but many of these cases are marked by severe physical assault. It is difficult to ascertain the prevalence of criminal sadism as the phenomenon is rarely reported and no specific crime category exists in the South African Police Service (SAPS) crime statistics or the SAPS's Crime Administration System (CAS) for this phenomenon (Sadock et al., 2015:597; SAPS, 2016:107). The few incidences where criminal sexual sadism is recorded by SAPS, are usually documented as sexual assault or rape.

CONTEXTUALISING SEXUAL SADISM
The modus operandi of sexual sadists

Criminal sexual sadists may fantasize about their sexual sadistic desires for years (Klopper & Bezuidenhout, 2020:337). They visualize how the deeds will be conducted. Planning criminal acts empowers sexual sadistic offenders and their crimes are largely organised (Bartol & Bartol, 2021). Before committing their criminal acts, sexual sadists carefully select their victims, identify a location to apprehend their victims and transport their victims to a secluded area (Dietz, Hazelwood & Warren, 1990). Sexual sadists meticulously plan the methods to undermine their victims and ensure that all the necessary equipment to inflict pain and suffering on the victims is prepared (Hucker, 2009:344). At times, however, sexual sadists may deviate from their premeditated acts and the deviation in their behaviour can be attributed to unsatisfied urges that gradually evolve. These lead them to act impulsively and increase their urge to express sexual sadistic behaviour (James & Proulx, 2016). The victims' unexpected reactions towards the criminals may further trigger the sadists to act impulsively and cause more serious injuries and discomfort for the victims (Klopper & Bezuidenhout, 2020:337).

Criminal sexual sadists use a vast variety of methods to approach their victims. These are dependent on the sexual sadists' personal preferences or methods most suitable to approach specific victims at a particular moment. According to Dietz et al. (1990), sexual sadists often use a "con" technique to openly approach the victim under some or other pretext. Sexual sadists often select very specific victims who seem to be vulnerable (Beauregard, Chopin & Darjee, 2002). Only after the victims have been identified, will the seduction process or overpowering commence (Geberth, 2010:570). Some sexual sadists attempt to gain their victims' trust; they compliment them and build their self-esteem resulting in the victims accompanying the sexual sadists voluntarily (Bartol & Bartol, 2017:383; Woodhams & Labuschagne, 2012). With their ability to manipulate the victims, they lure them with false pretences to an isolated area where they are kept with no means of

escape or of seeking assistance from other people. Some sadists overpower their victims with the intent of hurting them immediately for gratification and therefore they omit the grooming phase (Bartol & Bartol, 2017:315). The context and existing situation influence the sadist's decision-making process in this regard. According to James and Proulx (2016), "criminological and psychological studies of the modus operandi of sexual aggressors against women have demonstrated that these offenders exhibit a wide range of modus operandi, each of which is associated with specific situational and contextual factors".

Sadists employ several techniques to control their victims and ensure that they comply with their demands. "Inflicting pain is a means to create suffering and to elicit the desired responses of obedience, submission, humiliation, fear and terror" (Baeza & Turvey, 2002:435). The victims are often held in isolation, restrained, bound and gagged to ensure that they are rendered helpless and unable to defend themselves (McLawsen, Jackson, Vannoy, Gagliardi & Scalora, 2008:286; Nel & Lake, 2019:425). This exacerbates the victims' fear. The victims are psychologically tormented to break them down; verbally threatened by the sadists and intimidated with various weapons (Healey et al., 2013:407). The victims quickly realise that, if they resist the sadists' demands, they will be subjected to punishment, torture and/or death. The victims are forced to take a subservient position and the power differential instantly changes (Healey et al., 2013:419).

Sexual sadists also have the propensity to take souvenirs from criminal events. These souvenirs become part of their ritual and often strengthen the sadists' identities (Bartol & Bartol, 2021). The act of taking something that belongs to their victims creates a feeling of empowerment (Nitschke, Osterheider & Kokros, 2009:265) as the sadists feel they now own the victim and are proud of their accomplishments. Some sadists often perceive the souvenirs as trophies, however, they do not showcase these souvenirs for others to see but rather hide them and keep them to themselves. The collected souvenirs contain a measure of personal sentiment which implies that the sexual sadists become personally invested in their crimes (Dietz et al., 1990). Souvenirs can range from recording the incident, taking photos and keeping media abstracts of news reports to collecting more personal items such as the victims' undergarments, a lock of hair or make-up (Hazelwood, Dietz & Warren, 2009:471). The souvenirs are thus not necessarily personal items of the victims but rather a reminder that triggers the criminal sexual sadists' memories or fantasies, resulting in sexual stimulation. The souvenirs are often used to empower the sadists for an undetermined time while they do not experience the urge to conduct physical criminal offences for that period (Dietz et al., 1990). However, sexual sadists seek their next victims once their psychological and physical needs for sexual stimulation have become insurmountable and intolerable (Geberth, 2010:716).

Power and degradation

Offensive language is often a standard feature of criminal sexual sadism (Bartol & Bartol, 2021). The use of foul and derogatory language allows criminal sexual sadists to distance themselves from any emotions and minimise their self-reproach towards their

victims. Sexual sadists demean and devalue their victims to the extent of dehumanising and objectifying them (Frances & Wollert, 2012:410). That further allows criminal sexual sadists to exert their sexually aggressive fantasies onto the victims without expressing any guilt or remorse (De Lisi, Drury, Elbert, Tahja, Caropreso & Heinrichs, 2017). Criminal sexual sadists obtain power over their victims by insulting them and calling them disrespectful names, while the victims are psychologically tormented to become fearful of the sadists' actions (Bartol & Bartol, 2021). Furthermore, these perpetrators use disparaging language to exert dominance and control over the victims to ensure that their victims comply with their demands. The process in which the sadists "train" their victims to conform and obey their demands is similar to indoctrination (Healey et al., 2013:419).

The criminal sexual sadists' desire for mastery and dominance are key elements of sexual sadism (Longpré et al., 2018). Perpetrators seemingly engage in a variety of repetitive pre-planned physical, sexual and psychological acts to exert power and control over the victims so that they feel degraded and dehumanised to mere objects to feed their own pathology. The victims are frequently restrained, bound and gagged to prevent them from counter-attacking and warding off the sexual sadists or from escaping the ordeal (McLawsen et al., 2008:286). The acts inflicted on the victims further empower the sadists and subjugate the victims. These acts cover a wide spectrum. Acts range from causing minor injuries such as pinching, biting and beating, to more severe acts where sexual sadists electrocute, suffocate and frequently strangle their victims. These individuals believe they possess the capability and authority to determine whether their victims will survive or perish (Flora & Keohane, 2013:257). The extent to which sexual sadists harm their victims depends on the temperament of the criminal sexual sadists. Aggressive offenders act more impulsively and violently towards their victims if they do not comply or execute the sadists' demands (Bartol & Bartol, 2021).

Another tactic to degrade the victim is to refrain from having vaginal intercourse with their victims. Stone (2010:140) postulates that they penetrate the victims from behind which makes the sexual sadists feel superior. It is considered a powerful position in which the sexual sadists have more control over the victim. The victims are in a vulnerable position and totally degraded (Dietz et al., 1990). The researchers hypothesise that another explanation for penetrating victims anally could be because anal sex provides more sexual gratification to sexual sadists as the orifice is smaller and tighter compared to the vagina and mouth. In addition, the societal view that anal sex is regarded by many as painful and taboo could motivate these sadists to choose anal penetration as another way to show power and dominance. The act is usually unpleasant and humiliating for the victims (Marshall, Kennedy, Yates & Serran, 2002).

Some criminal sexual sadists use foreign objects to penetrate their victims anally or vaginally. Foreign object insertion, fisting and genital mutilation are often focused on the victim's genitals or anus, due to immature, fixated or deviant exploration, or due to targeting orifices painfully and destructively (Beauregard et al., 2022; Labuschagne, 2007). The sadists use perversely large and long objects to cause more pain and damage to the victims. In most cases, their penis is simply not large enough to cause their victims enough pain and suffering even if the offenders engage in rough vaginal or anal sex (Stone, 2010:134). When objects are used, they can vary from anything available at that moment to objects that have carefully been preselected (Labuschagne, 2007). These objects are either sharp or long and large in diameter to inflict as much pain as possible and cause damage to the victim's sex organs and even internal organs. The objects do not necessarily have to cause any pain to the victims as long as the sexual sadists perceive their victims' discomfort and embarrassment (Geberth, 2010:577). They become sexually gratified by the victims' humiliation and fear of what will happen next. Criminal sexual sadists experience control and power over the victims when inserting objects into their vaginal and anal cavities (Beauregard et al., 2022). In addition, they can decide on the length and width of the objects used to penetrate the victims as well as the depth of penetration. Some sexual sadists perceive their victims as unhealthy and do not want to become sexually intimate with them. To avoid infection due to sexually transmitted diseases (STDs), the sadists often engage in foreign object insertion (Labuschagne, 2007). It is also possible that the sexual sadists are sexually stimulated by the sexual sadistic attacks but due to the brutality of the acts, they sometimes experience erectile dysfunction and become impotent during the sadistic episodes and are thus unable to penetrate the victims (Bartol & Bartol, 2021). This could trigger increased agitation and, to cause pain, the sadists use objects to compensate for their inability to get an erection.

It is not prevalent among criminal sexual sadists to commit lust murder during their sexual sadistic attacks (Dietz et al., 1990). However, due to the progressive nature of the phenomenon, a few sexual sadists' behaviour has escalated and resulted in them murdering their victims (Knoll & Hazelwood, 2009:107). The motives for murdering the victims vary and could be because they prolonged the pain and suffering for days or longer and then want to get rid of their victims (Day, 2018).

In this study, the researchers wanted to explore sexual sadistic acts on non-consenting female victims in South Africa.

METHODOLOGY
Participants

Due to the difficulty to identify victims of sexual sadism, their unwillingness to relive the episode and the possible emotional harm interviews can cause a primary victim, the researchers had to rely mostly on secondary sources of information to investigate the nature of the phenomenon. These included interviews with psychologists, sexologists and criminologists with insight into and knowledge of sexual sadism (Patton, 2015:8). One victim indicated that she wanted to share her ordeal which was why her case was included in the research. Another two documented cases were included to gain insight into the nature of the phenomenon and corroborate the information gleaned from the victim's case study. Consequently, a wealth of comprehensive data was obtained regarding the nature and effect that criminal sexual sadistic acts have on non-consenting female victims (Yin, 2016:9).

A qualitative research approach was adopted in which eight subject matter experts were selected through non-probability sampling (Bezuidenhout, 2020:53). The technique is a non-random technique used to select a small sample of participants from the entire population. The specific non-probability sampling method used is purposive sampling since a small subset of experts had been identified in the larger population (Babbie, 2017:196). The experts are thus selected based on their specific knowledge about the nature and effect of being a victim of non-consenting criminal sexual sadism. In addition to purposive sampling, snowball sampling was utilised, as it is a challenge to identify an adequate number of experts that have specific knowledge of the modus operandi of a sexual sadist and the effect it has on the victim. Snowball sampling can be described as a cumulative process through which each expert in the field provides information about other potential experts regarding the topic. Eight experts were identified through a rolling interpretive method by peers and requested to participate in the research (Patton, 2015:270). The participants consisted of two clinical psychologists, one advocate, two criminologists, two sexologists and a clinical social worker. The experts each have 20 years or more experience in working with sexual sadism cases.

To ensure the confidentiality of the research respondents, they had to sign an informed consent letter. All identifying information was therefore omitted to ensure that the research respondents would not be linked to the individual responses. However, one of the respondents suggested that it would be beneficial to obtain first-hand information from a willing victim of sexual sadism as it would add great value to the current contribution and support the information provided by him/her. Fortunately, the respondent was in consultation with a victim of a sexual sadistic attack who was willing to be interviewed at the time when the research for this article was undertaken. The victim also consented to the use of her responses in the publication. The victim has held a regular job since the incident and she is also a motivational speaker who has been advocating against sexual abuse after her ordeal. The researchers interviewed her on two occasions in the presence of research respondent 8 to assist with debriefing if any discomfort was experienced. The victim welcomed research of this nature and did not experience any emotional discomfort during the interviews. The victim also indicated that the sharing of the ordeal acted as a therapeutic process. The information obtained was utilised in line with her responses presented in the discussion section. Due to the sensitive nature of the research topic, no other victims contacted by the subject specialists were willing to share their experiences. Details of two other cases were added as part of the discussion section. The researchers agree that it is important to explore the subjective meaning that non-consenting female victims attach to their experience of being a victim of sexual sadism seeing that the answer often lies within the individual and is enmeshed in the victims' background, personality, worldview and actions (Silverman, 2016:7). However, consulting victims of sexual sadism to obtain subjective knowledge of the experience may elicit unanticipated and unexpected emotions that could result in further long-term psychological trauma. Therefore, the researchers used subject specialists, documented cases and one victim's insights to gain an understanding of the phenomenon. All ethical protocols of the University of Pretoria were adhered to.

Design and procedure

Data was collected making use of individual, semi-structured in-depth interviews and case reports. The interviews were recorded using an audio recorder to obtain more accurate and detailed responses, which may otherwise have been lost during note-taking (Brinkmann & Kvale, 2015: 204). Prior to the commencement of the study, permission was requested from each expert to make an audio recording of the interview. Recording the interviews improved the data quality and was essential for analytical purposes (Merriam & Tisdell, 2015:131). The interviews were conducted using a semi-structured interview schedule; more specifically, a matrix guide, in which predetermined questions were presented in table format (Maxfield & Babbie, 2016:180). A carefully constructed interview schedule ensured that the researchers did not deviate from the topic. In addition, the predetermined questions were studied in advance to enable the interviewer to pay attention to the conversation, take notes and monitor the coverage of the topic. The flexibility offered by semi-structured interviews allows a researcher to ask questions in any order that would facilitate a flowing conversation (Taylor, Bogdan & DeVault, 2015:123). It also allows a researcher to develop additional questions instinctively to clarify vague answers or to obtain a more detailed description. The researcher ensured that all the questions on the matrix were adequately answered before the interviews were concluded (Maxfield & Babbie, 2016:203).

Analysis

The qualitative data analysis process was divided into two distinct approaches. The first analytical process took place during the data collection phase by audio recording the interviews to ensure that the data obtained was thorough and that no information was lost while taking field notes on key aspects (Brinkmann & Kvale, 2015:204). Since the individual, semi-structured in-depth interviews were undertaken in person, data analysis was made more comprehensible as a prior understanding and discernment of the information obtained existed (Hughes, 2016:272). The second data analysis process involved identifying emerging themes by systematically utilising the six phases of deductive thematic analysis and shared meanings. This approach allowed the researchers to analyse the explicit descriptions of the information gathered rather than focusing on the implicit meaning of the research participants' perceptions of the nature and effect of sexual sadistic actions on non-consenting female victims in South Africa (Ando, Cousins & Young, 2014:3).

The audio recordings were transcribed. To ensure the quality of the transcriptions, the researchers repeatedly listened to the audio recordings and reread the transcriptions, while incorporating the field notes to enhance the information provided by the experts (Stuckey, 2015:7). Although coding the data manually on the typed transcripts was a time-consuming endeavour, the researchers compiled an initial list of potential recurring patterns using coloured pens and highlighters, without distorting and dismissing any valuable information (Caulfield & Hill, 2014:186). At the end of the initial coding process, all the relevant codes with similar ideas were grouped to filter the information into more manageable and categorised data bundles (Ando et al., 2014:3).

The themes and sub-themes that emerged from the initial list of coded data were generated using a data-driven inductive approach. The data were not collated into pre-existing themes but rather collated according to their similarities and differences. The devised themes and sub-themes were revised and validated in two separate stages. Firstly, all the sorted and collated extracts were revised to ensure that a coherent pattern was formed. During the second stage, the researchers ensured that the final themes and sub-themes accurately portrayed the meaning of the data obtained from the research respondents (Stuckey, 2015:9).

After examining the final themes, refinements or adjustments were made to ensure that each theme was mutually exclusive. The report was not based on mere descriptions but rather a comprehensive representation of the respondents' perceptions of the nature and effect of sexual sadistic acts on non-consenting female victims (Vaismoradi, Jones, Turunen & Snelgrove, 2016:104). The main findings of the study related to the physical trauma experienced, as well as the primary and secondary psychological effects of sexual sadism on non-consenting victims.

Discussion

The effects of sexual sadism on the victims include the initial physical trauma they experienced. The injuries sustained varied in severity depending on the psychopathology of the sexual sadists and were mainly focused on the female victims' reproductive organs including their breasts, vagina as well as rectum (Beauregard et al., 2022). The physical consequences of sexual sadistic attacks are diverse and often require medical attention or hospitalisation. The psychological trauma of sexual sadism is longer lasting and the mental health consequences are often both short- and long-term. The aftermath of sexual sadism results in acute and chronic psychological effects that, in many cases, inhibit the victims' ability to deal with the recovery process constructively. Victims of sexual sadism, therefore, require intense therapy that addresses both the short- and long-term psychological consequences (Nel & Lake, 2019).

Physical injuries sustained

The experts in this study agreed that the severity of the injuries sustained by the victims of sexual sadism depends on the pathology and degree of psychopathic tendencies of the criminal sexual sadists. The injuries can vary from minor bruising, lacerations and burns to severe mutilation of the body (Flora & Keohane, 2013). Criminal sexual sadists can sometimes pierce the victims' flesh, make large incision wounds on their bodies and cause several internal injuries. Few sexual sadists inflict injuries to the victim's entire body. The majority of criminal sexual sadists focus on mutilating the victims' sexual or reproductive organs, mainly the breasts, pubic area and anus (the erogenous zones) (Flora & Keohane, 2013:257). The most elevated sexual sadists do not link their acts with disparagement because they distance themselves from any emotions. They also deprive themselves of the suffering of others thus they can inflict serious and deadly bodily harm to their victims with no empathy or regard (De Lisi et al., 2017). To demean them even further, the victims are forced to masturbate in front of the sexual sadist, and forced to perform fellatio on the perpetrators, alternatively the sexual sadist will engage in cunnilingus.

In some cases, the victims are urinated on or forced to eat the sexual sadists' faeces. In addition, some sexual sadists are inclined to make the victims engage in bestiality, most often with big dogs (McLawsen et al., 2008:286). These acts are atypical and victims would usually not consent to bestiality in an intimate relationship. The victims find these acts degrading and render them defenceless - the victims comply with the instruction due to the threats and physical torture by sexual sadists. To contextualise this type of behaviour and the responses from the respondents, the researchers used excerpts from the interview with the victim (V) and interpreted information from two related cases (C1, C2).

> V: *"After tying me down, the perpetrator started to punch me with his fist all over my body, especially the left side of my body. He walked over to the wardrobe and then walked to my right breast, he grabbed my nipple with pliers and pulled it. He took a saw and started to cut off my nipple, the wound was deep and wide. He waved the nipple in front of my face and said: 'Must I keep it for you?' He walked to my left breast and did the same, but this time he used a side cutter. After a while, he walked to the wardrobe and took a steel nail, he stabbed my right breast seven times and my left breast five times. Every time he walked to the wardrobe, I wondered what was going to happen next. He got the side cutter again and cut my private parts. The sadist ordered the three men to get ready and to rape me, he then went down on his knees and licked me between the legs where the rape just took place."*
>
> C1: *"He was ramming her head on to his penis until she started to gag … started to choke her while he cut her abdomen open with his knife from her pubic area to her navel cavity …"* (Thamm, 1998:19).
>
> C2: *"… when she went against his demands, she was subjected to punishment sex. This meant he would typically have anal sex with her, slap her head with both hands and tell her that she was brain-dead and an idiot or he would have vaginal sex with her while he spat in her face and strangled her"* (Lemmer, 2011:47).

The experts concurred that depending on the sexual sadists' level of pathology, the victims may require medical assistance after the sadistic attacks. Although most injuries are not severe enough to warrant hospitalisation, the wounds often require medical attention. The victims will also be prescribed antiretroviral medication to prevent them from contracting HIV/AIDS and medication to prevent them from being infected with STDs. The injuries sustained tend to heal over time and, at most, cause permanent scarring. At times, hospitalisation is required, especially if the victims experience internal bleeding, struggle with infections and have gynaecological problems that need devoted attention after the sadistic episode. The experts stated that most elevated and sophisticated sexual sadistic criminals often do not inflict injuries serious enough to seek emergency assistance. However, the injuries sustained may be long-lasting and often cause psychological harm. These victims are usually left with scars and deformities that are constant reminders of the sadistic incidents. The sadists mostly target the female sexual organs to cause disfigurements and break the victims down. The sexual sadists want to destroy the femininity

and reproductive capacity of the female victims so that they are unable to bear children and feel ashamed of their bodies.

Primary psychological effect

The respondents postulated that the psychological effects experienced by the victims after the sexual sadistic attacks last longer and usually have a greater impact on the victims' well-being than the physical injuries they sustained. The psychological harm is immense and demoralising but is not dependent on the extent of the injuries sustained. The psychological effects experienced are contingent on the mental trauma caused by the sadistic attacks (Sgarzi & McDevitt, 2003:124). Initially, the victims experience feelings of fear and helplessness, followed by shock, disbelief and denial. The victims often go into a state of basic survival during which their feelings are numbed for an undetermined time after which they experience feelings of anger and hatred towards their offenders. Additionally, they may be anxious, sad and experience feelings of guilt causing their emotional and mental state to be unstable. The behavioural changes include mood swings, withdrawal, isolation from others and hypervigilance. The victims can experience irregular sleeping patterns; have difficulty falling asleep or are unable to sleep through the night. The experts stated that often during the day, the victims' minds are too pre-occupied to think about the events that transpired. However, at night during Rapid Eye Movement Sleep (REMS), they often have nightmares about what happened and suddenly wake in a state of distress (Sgarzi & McDevitt, 2003). According to the research participants, various disorders are prevalent in some victims. These include the following:

- anxiety disorders due to fear of the possibility that it might happen again;
- post-traumatic stress disorder (PTSD) because of frequently reliving the traumatic incident;
- such a traumatic life event was often the biggest single cause of depression;
- obsessive-compulsive disorder (OCD) to feel in control of their surroundings; and
- dissociative identity disorder (DID) as a defence mechanism to distance themselves from the pain that they have endured or is still enduring (Bartol & Bartol, 2021).

In the documented cases the psychological effects of sexual sadism were described as follows:

> C1: "… it is never behind you; it doesn't ever not matter. You can choose every day to have a good day or a bad day and I have grown up enough not to blame every bad day on being a victim …" (De Groot, 2018).

> C2: "… he systematically isolated her, destroyed her self-worth and changed her into a woman who had to address him as her 'god'… He achieved total control over her life through fear … was diagnosed as suffering from battered woman syndrome and depression …" (Venter, 2009:1).

The experts stated that victims may experience difficulties forming intimate relationships with their partners after experiencing the sexual sadistic attacks or may be hesitant to trust others and form new intimate relationships. A general perception of the research participants was that the victims' sexual identities are compromised and they develop a distorted view of sexuality. They must formulate new understandings of the concept of sex and make cognitive changes to comprehend that intimacy is not linked to dominance, pain and shame. Some victims may no longer be able to relate to partners because they are ashamed of their bodies and believe that their femininity has been violated. One research participant indicated that the victims have misconceptions that no one would ever again be interested in them, especially on an intimate level. They believe that men perceive them as damaged and dirty.

> V: "I cannot say that I will never have an intimate relationship again, because someone once reminded me of the meaning never. When I meet someone, they will have to accept more than what I will have to accept. He will have to accept a body that is violated. I am not looking for a relationship. I have many male friends, but not intimate relationships."

The experts agreed that the sensitivity and emotional maturity of the partners towards the victims are fundamental for the victims' recovery to regain a sense of dignity and reintegrate them as sexual beings. Most of the victims develop sexual dysfunctions as they may become nymphomaniacs in which they have an uncontrollable sexual drive; they become puritanical in which they have a censorious moral attitude towards sex; or they may experience dyspareunia that results in sexual intercourse being uncomfortable and painful. Another observation by the respondents was that victims often struggle to function in relationships that have equal power differentials. The victims often attempt to re-enact the sexual sadistic relationships to make their husbands or partners constantly happy and to obtain their approval.

An incident of this nature can have a detrimental impact on the family as well. The psychologists and the social worker who participated in the current study explained the impact on the family in the following way. The sexual sadistic events not only affect the victims. The entire family structure is to some extent traumatised by the incident. The family members do not always understand how to interact with the victims especially if the victims withdraw and isolate themselves from others. The family may perceive the victims' withdrawal as being unappreciative of their support and may become frustrated with the victims, which further contributes to the victims' belief of being unworthy and unloved. In addition, victims are not inclined to discuss their traumatic experiences with their families. The incidents are often too severe, they are ashamed and fear discussing the events with others because they might be disparaged and think that their family will no longer value them. It is suggested that, after extensive therapy with the victims of sexual sadism, the therapists should conduct therapeutic sessions in the presence of the family members. It is important to take a holistic approach because unstable family structures will negatively influence the victims' recovery processes. Victims may avoid sexual encounters with their significant others due to the false belief that all men, including their husbands or partners, have the intention to inflict harm on them. The victims' reactions may lead their partners to act unintentionally in an inappropriate manner that causes the victims to retract

themselves from the relationship. Therefore, victims and their partners must attend therapy to counteract these false perceptions and inappropriate actions. Only after a period will some victims form close relationships with family and friends again. This is because after the sexual sadistic attack, they may become sceptical about others and unable to trust people easily. In other instances, the victims' family and friends might reject them when they perceive the victims to be dirty and have feelings of disgust. The rejection by family and friends further increases the victims' feelings of loss and contemptibility. Bartol and Bartol (2021) indicate that the victims of sexual assault are often blamed for their attacks. The researchers also refer to the just-world phenomenon, which suggests good things happen to good people and bad things happen to bad people. The victim who voiced her opinion in the current study shared the following in this regard.

> V: *"My family include my daughter, mother and father. I have two brothers, my older brother rejected me and believe I ruined the family name. I went so far to tell my parents that I am sorry that I am such a bad daughter to them and that I caused so much pain in their lives. They do not deserve the suffering and that I do not deserve their love and support. My mom, dad and daughter were and still is (sic) my Alpha and Omega. Our relationship became stronger. Family from my previous marriage said to me: 'Why are (sic) you not shot dead, instead of your son.' That is the type of people I have to cope with."*
> C1: *"… had to prepare herself for telling her children what happened to her … I have never lied to my sons - but I never told them more than they were asking. My oldest son was about five when he asked about the scar on my neck …"* (De Groot, 2018).

Sexual sadistic experiences are incapacitating and detrimental to the victims who become disempowered and are unable to visualise a future that is characterised by support and happiness (Bartol & Bartol, 2021). They do not think that life is worth living, as the traumatic event they experienced stripped their sense of purpose from them. A general response from the research participants in this regard is summarised hereafter. The respondents stated that typically, the victims have no trust in others, they are always in doubt, wonder whether they somehow contributed to the attacks and always question the incidents. Recovery is not an easy process, as a nearly insurmountable amount of willpower, resilience, determination and self-motivation is required to conquer the extent of the trauma suffered. Victims will only overcome the sadistic experiences if they apply their minds and time to the recovery process. In exceptional circumstances, the victims become empowered and advocate against sexual crimes. They become determined to motivate and assist other victims to overcome their ordeals. These victims have certain coping skills that are innate to them which include being resistant, resilient and enduring. It does, however, not mean that only a few women exhibit these features, but rather that criminal sexual sadists are socially intelligent and approach victims that they perceive to be emotionally unstable and vulnerable. Criminal sexual sadists very rarely misinterpret the victims' emotional strength, therefore, only a few victims can become empowered after the sexual sadistic incidents.

Documented case C1 said the following about her traumatic experience:

> C1: *"The attack has put me on this path where I get to travel the world and help inspire other people …"* (Marais, 2016).

Secondary psychological effects

The experts noted that the psychological effects of secondary victimisation exacerbate the traumatic experience and prevent victims of sexual sadism from reporting the incident to the police (Bruce, 2013:100). Many victims feel that the police officials are unsympathetic and not competent to work with cases of a sensitive nature. The police officials who are supposed to protect the victims violate the privacy of the victims even further while taking their statements (Du Mont, White & McGregor, 2009:227). The victims are often expected to provide detailed accounts of the criminal events to the police officials in front of other individuals waiting for service, humiliating them further. Although the victims do not always report these criminal incidents, when they require medical attention, medical practitioners will take note of their injuries. The few victims who do report the crimes to the police and open a case against the sexual sadists often withdraw the charges before the case goes to court because of their fear of the system and of confronting the perpetrators. Furthermore, the respondents concurred that the victims' determination to endure the process of getting the sadists convicted will often depend on how the police officials assisted them when they reported the criminal offences. Not all police officials are insensitive towards victims and the level of service delivery often depends on where the victims reported the crimes and who was on duty at the time when the crimes were reported.

> C1: *"…. found her lying in the road and stayed with her until the ambulance arrived. At the time he was studying to become a veterinary technologist, but the night changed the trajectory of his life. Through his military service he started studying to become a doctor. He later also completed a diploma in anaesthesiology. He was the anaesthesiologist during the birth of … second son."* (Marais, 2016).

However, many medical practitioners have a misconception that the victims first have to report the incident to the police before medico-legal examinations can be conducted. They may therefore turn the victims away which can result in augmented shock, disbelief and helplessness (Jina, 2015:11). Participants in this study mentioned that South Africa does not have enough skilled staff who are clinically trained to perform medico-legal examinations. The medical staff members rush through the examinations due to high workloads leaving the victims feeling re-victimised by the medical examiners. The victims experience the examinations as unpleasant and feel debased, as their boundaries are transgressed again. During the COVID-19 pandemic, medical staff members were under severe pressure to attend to patients with COVID-19 which probably exacerbated the challenges victims of sexual crimes experienced in hospitals. Examinations that are conducted correctly may last between four and five hours while the examiners gain the victims' confidence by explaining to them what to expect. The victims are then expected, for a second time, to

explain in detail what happened to document the information on the prescribed J88 forms (the report completed by an authorised medical practitioner following a medico-legal examination). A rape kit is used to take medical samples from the victims, which may be painful due to the injuries sustained. The medical examiner does a speculum assessment to evaluate the victim internally and does a colposcopy to do an internal examination of the victim's sexual organs (Sommers, 2007:278). The victim also receives post-exposure prophylaxis, within 72 hours of the sexual sadistic attack, to prevent contracting HIV/AIDS and other STDs. Resilient victims understand the importance of the examinations and can grasp that the examinations should not be experienced as secondary victimisation, but rather as a necessity to obtain evidence to present in court.

> V: *"I was not myself when I arrived at the hospital, but a lady told me afterwards that when I arrived the doctor said 'Excuse me, here is another f*%&n rape case'. I confronted him, I phoned him in Cape and told him 'I just want to tell you that I am glad you left this area, because a victim should not be treated that way'. The medical experience was very unpleasant. Despite the fact that you must repeat what just happened, photos are taken of all the injuries and you are literally examined from all angles. It was the most unpleasant experience ever, being exposed again after the incident."*

The experts stated that before the trial, the victims must prepare themselves psychologically and their legal representatives must further empower them through the process and explain what to expect during the court proceedings. The victims' first fear is to face the accused in court. In addition, the psychological distress experienced by the victims increases due to the defence cross-examining them and questioning their credibility (Gutheil, 2009:3). Should these cases become public, the victims must expect their privacy to be invaded by extensive media coverage and to be repeatedly exposed to the adverse details of the sexual sadistic events. The victims have to present detailed accounts of the traumatic experiences to the court and note how the expert witnesses present the evidence during the trials. To relive the sadistic attacks contributes to the accumulation of the psychological trauma of the victims and make them more susceptible to numerous psychological consequences. During the trials, the victims are controlled by the Criminal Justice System (CJS) and they, once again, experience a sense of being helpless and subjugated. Understandably, the immense trauma anticipated prevents victims from opening cases against the accused.

> C1: *"One of the men who was serving a life sentence for the brutal attack, bragged about the possibility of getting parole. The news was horrifying to …"* (Germaner, 2012).

Some victims may perceive the court proceedings as their chance to make their voices heard and confront the accused; they want to explain to the court what they had to endure. These victims believe that the trial is their opportunity to get justice for what happened, they consider the trial to be an achievement and an obstacle that they have overcome.

> V: *"The court proceedings took 18 months, it does not sound like a long period, but it feels like a lifetime. Every time I had to confront the perpetrator and three men who raped me, listen to their lies and insults. I had to endure listening what a bad person I am and that I deserved what happened to me. Every day I had to fight for survival. One day, I made the decision that justice must be served, not for me, but for my son and that was my perception throughout the court case. But, I was well-prepared for the trial beforehand. I was told to only react to questions. They showed me where I was going to sit and where the judge and the accused was going to sit."*

It is common practice for victims to blame themselves to some extent for the sexual sadistic events. They believe that they should have seen it coming or that they should have fought off their offenders to escape the attacks. In the case of vaginal sex, vaginal lubrication could occur which also reduces penile friction. Although controversial, vaginal secretion production can occur even in cases of harsh physical stimulation. Violent sexual deeds (even crude acts) in the erogenous zones such as the vaginal area, spark a biological process that is under the control of the parasympathetic nervous system. It is uncontrollable and often confuses the victim during and after the sadistic attack (Atkinson, 2008:188). A general comment by the research participants was that most victims who blame themselves for the traumatic incident are reluctant to engage in therapy because they perceive themselves as unworthy, dirty and damaged. The psychological effects may become more debilitating to the victims than the initial attack, which could further exacerbate the stressful conditions.

> V: *"I walk into the shopping centre, and everybody stops and their eyes are on you. They do not know what to do, they want to avoid my family and walk a circle around us. We feel unwelcome when visiting others because people do not know what to talk about."*

The extent to which victims are affected by stigmatisation depends on the victims' personalities. There is also evidence that some victims show signs of resilience after some time after a traumatic incident such as sexual assault (Bonanno, 2013). Another important issue is that our study highlighted the fact that society is not always inclined to stigmatise victims of sexual sadism but some victims are recognised in the community due to the media coverage. Respondent 1 indicated that some members of the community do not know how to react towards the victims, resulting in them becoming quiet, stopping and staring because they feel uncomfortable and do not know how to engage in a conversation with the victims.

LIMITATIONS

After extensive research had been conducted, the researchers were unable to find adequate South African data relating to sexual sadism. Subsequently, the literature study was mainly based on international sources. Moreover, due to the complex, unique and sensitive nature of the phenomenon and the lack of literature available on the topic, the researchers were forced to consult several dated seminal sources, as only a few up-to-date findings were available.

Due to the serious and sensitive nature of sexual sadism, the findings obtained are not based predominantly on the subjective experiences of victims of sexual sadistic attacks, but rather on the perceptions of subject matter experts who engaged with the offenders and/or victims of sexual sadism. The limited number of subject matter experts interviewed is a result of the low prevalence of sexual sadism. Consequently, identifying subject matter experts with knowledge and experience on the topic was difficult. The study further did not include cross-cultural aspects during the discussion of the information because of the limited information and expertise available in this regard.

CONCLUSION

Sexual sadistic acts have dire consequences for the victims of the offence because the effects tend to be detrimental to the well-being of the victims. The physical injuries sustained are varied and range from minor bruising and small incision wounds that require medical assistance to severe mutilation of the body that warrants emergency care and hospitalisation. In some cases, the sadistic acts lead to the death of the victim. The psychological trauma of sadistic incidents tends to be long-lasting and damaging to the victims. They have to endure the anticipation of constantly re-experiencing the incidents and may be exposed to a variety of factors that contribute to the secondary victimisation of the victims. From this study, it became clear that further research is needed to provide more information on the subject matter of this poorly understood sexual crime and to empower non-consenting victims of sexual sadistic attacks.

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BOOK REVIEW

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Policing in Africa:
Towards an African epistemology
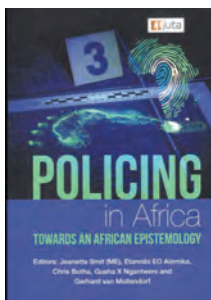
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One can rightly ask why one should publish another book on policing, with a plethora of contributions already made. The answer is that any small contribution that offers a change of perspective on old ideas or a missing link to African policing is to be welcomed. *Policing in Africa: Towards an African epistemology* attempts to close gaps left by other books addressing policing in an African context. It is a fact that a complex funding landscape in Africa has, to a large extent, caused fragmentation of publications on police in Africa, and the editors of this book are seemingly aware of this gap; hence their invitation to some of the authors to contribute to this edition. Some previous research on policing in Africa was dominated by the north (this review considers the "north" as a particular "epistemic position and phenomenological world of experience"), which led to the danger that African epistemology was viewed through the lens of a northern philosophy while African indigenous local contexts were neglected.

The editors of this book acknowledge that -

"The policing practices, however, will come to naught if African policing is not resourced abundantly and ethically from within the spirit of integrity and transparency - which is the focus of Part 3. Part 4 closes the discourse by emphasising the strengthening of the policing epistemology through research and people development."

The editors encourage their authors to gravitate towards critical thinking, which directly or indirectly would persuade a reader to think critically and thus enhance critical theory construction in maintaining a deepening democratic dispensation across Africa.

"The book is designed for studying and reflection. Therefore, learning outcomes guide, new terms enlighten, critical thinking activities and case studies guide reflection, end-of-chapter questions promote formative and summative assessment, and weblinks provide scope for relevant further reading." Thinking critically is one skill that is much talked about yet so elusive, despite being one of the most important assets of policing.

As mentioned by the editors:

"Part 1 of the book establishes the foundation for policing epistemological discourses in Africa. These are followed by the policing practices prescribed for and followed in Africa (Part 2). Not all of Africa's countries could be covered, but the intention of comparison is made abundantly clear. The policing practices, however, will come to naught if African policing is not resourced abundantly and ethically from within the spirit of integrity and transparency - which is the focus of Part 3. Part 4 closes the discourse by emphasising the strengthening of policing epistemology through research and people development."

It is my view that this edition of *Policing in Africa: Towards an African epistemology* will stand the test of time: it is timely, relevant and indeed an initiative of the highest standards. This book offers rigorous analysis and sets the record straight about policing in Africa. The legacy of the authors and editors is one of sharing knowledge, which is the cornerstone of the fact that African scholars, despite a lack of funding for publication of books such as

this one, are as capable as their international counterparts of generating knowledge and influencing the landscape of policy and governance in Africa.

I am therefore of the view that this book is significant, as those issues neglected in previous editions that offer important research relating to policing in Africa make their way into the 18 chapters of this book in a coherent manner. This book succinctly sets out core positions broadly taken by scholars following key approaches to African policing thought and offers a neat package of the history of policing and the importance of pluralised and human capital in ensuring organised security governance for Africa. This makes this book a "trusted manual" to inform futurists on evolving policing practices and an excellent teaching tool for introducing policing-critical perspectives; furthermore, it is a valuable and timely source of foundational epistemological discourses typical of African continental thinking on matters of community importance that have become a focal point.

The editors admit that there are limitations to their book: "Not all of Africa's countries could be covered, but the intention of comparison is made abundantly clear." Possibly, a second edition might cover ground that could not be covered in this volume, successfully addressing the limitations of this book.

The issues covered by the 18 chapters are grouped into four parts written in basic, logical and clear language. A foundation for policing epistemological discourses in Africa is followed by policing practices and neatly concluded by emphasising strengthening policing epistemology through research and people development. The writing is clear and fluent, making the work accessible not only to police officials and other criminal justice practitioners, but also to the many other policing scholars and communities who will be called upon to strengthen policing epistemology.

The wide appeal of this book to students and lecturers will ultimately benefit the teaching and learning communities in Africa. The authors have dealt with these topics in an exemplary manner, placing each within the relevant continental perspective concerning mechanisms established by states to protect people's rights and establish good governance to guarantee stability and security by giving the historical background informing the new provisions. The authors emphasise that history remains the best teacher of contemporary police practices in Africa in a unique and sensitive position within the democratic dispensation.

It is clear from the analysis and critical engagement with the subject matter through these 18 chapters that the authors have an impressive grasp of their subject matter. This is not simply a commentary - on the contrary, the authors have adopted a forward-looking approach, linking the past with the future in consideration of more critical approaches to understanding the complexities of policing in Africa. This is extremely useful and will, I am sure, prove invaluable to criminal justice, the police, students, lecturers and communities as recipients and stakeholders alike of policing practices.

The authors, editors and publisher Juta are to be commended for making a user-friendly book available to all who will benefit from learning how to think about policing problems and especially for presenting them not neatly gift-wrapped.