

Green Paper on Policing

Portfolio Committee on Police

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CIVILIAN SECRETARIAT FOR POLICE



police

Department:
Police
REPUBLIC OF SOUTH AFRICA

Background to Green Paper Process

- The Green Paper was advertised for public comment and placed in the government gazette during June 2013
- The Green Paper remains a draft document for consultation
- Deadline for written submissions has been extended to 31 July 2013
- To date four provincial consultation sessions have taken place (Limpopo, KZN, NW and WC)
- Metro police chiefs were also consulted as a key stakeholder
- Thus far 11 written submissions have been received
- All inputs from provinces and other interested parties will be considered (and where relevant) incorporated into the draft White Paper

Key issues from provincial consultations



Key issues emanating from provincial consultations include

- The need for clear definitions of key concepts (e.g. professionalism)
- The need for clear role clarification between CPFs and CSFs
- The role of CPFs as an oversight mechanism
- The ideal placement/location of CPFs and issues around resourcing
- Lack of coordination of CPFs at municipal level
- The role of the private security industry – plays a vital role in crime combating and crime prevention
 - Formalised partnership with SAPS is required

Key issues from provincial consultations



Key issues emanating from provincial consultations include

- Emphasis on ‘single’ must imply commitment to ensuring proper command and control
- Broader issues of safety and security – need for stricter regulations on cross sectoral cooperation and accountability
 - Better alignment of performance measures and indicators
- Performance measurement – should crime stats be the primary tool of assessment?

Moving from Green Paper to White Paper



Working towards the finalisation of the White Paper will involve

- Finalising all provincial consultations
- Review of all inputs and written submissions
- Critically assess what has worked (or not)
- Building on certain issues raised – e.g. clarifying the role of the Police Board
- The development of an overarching implementation approach
- Reference group engagement on the final draft

Presentation Outline



- Background
- Introduction
- Confronting crime in democratic South Africa
- Policing in South Africa
- Mainstreaming police professionalism
- Institutional arrangements at national level
- Institutional arrangements at provincial level

Background



- The decision to draft the Green Paper on Policing was based on the need for a comprehensive policy that will guide the development of policing strategy over the medium- to long-term
- The object of the Green Paper is to contribute to
 - entrenching effective and accountable policing
 - Building on successes in instilling democratic policing and displaying a commitment to a human rights approach
 - Ensure the continued transformation of the SAPS in the context of 21st century democratic policing
 - Respond to a constantly evolving criminal landscape

Background



- Impact of crime on the developmental state - undermines development with increasing resources being channeled to law enforcement
- Changes and the impact on policing since 1994
 - The culture and style of policing in a democratic society
 - The introduction of Community Police Forums (CPF's) and the partnership approach to policing
 - The important role played by CPF's in terms of oversight
 - CSF process initiated
 - Increased involvement and cooperation by SAPS at regional, continental and international level
 - The rapid growth of the private security industry

Introduction



- The importance of safety and security as a precondition for human development is recognised in Vision 2030 (NDP)
- NDP highlights key areas for improvement and innovation across all sectors of government including policing
- The NDP states that development will be supported by a **well-resourced, professional, and highly skilled police service**
- Policing strategy and practice must be innovative to allow SAPS to respond to changes in the internal and external environment

Confronting crime in South Africa

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- Crime and violence erode social cohesion and trust in the criminal justice system, and limits mobility
 - Various forms of crime and the causes are complex
 - Variety of factors must be addressed (e.g. social, economic, environmental)
 - Others drivers of crime include (proliferation of weapons, organised crime and corruption, substance abuse, child and gender-based violence)
 - Significant advances in approaches to addressing crime include
 - Increased international cooperation and information-sharing
 - The need for dedicated skills, expertise and intelligence (particularly when dealing with organised crime)

Policing in South Africa

- Issues receiving focus since 1994 - Organisational transformation, community-oriented policing, clarifying roles and responsibilities in terms of crime prevention
- Policing has been carried out in line with democratic principles and respect for human rights as entrenched in the Bill of Rights
- SAPS is vested with the legal authority to use lethal force in carrying out its constitutional mandate. The following must be considered:
 - Application of force must not be left to the unfettered discretion of police officers
 - Use of Force must be balanced against protected rights in terms of the Bill of Rights
 - Effective application requires a coherent policy framework supported by clear operational guidelines
 - SAPS must be adequately equipped (e.g. training and equipment)

Policing in South Africa



- A structured law enforcement approach forms one of the key principles that must inform policing over medium to long-term
- This uniform approach must maximise our capacity for effective and efficient policing
- This can be achieved through streamlining matters relating to command and control, discipline and training
- Transformation must be viewed as a continuous process
 - It must address the entire HRD value chain from recruitment to retirement
 - There must be clear strategies to guide the process

Policing in South Africa

- The police as a service – entails more than changes to the rank structure
 - Focus must remain on entrenching democratic policing
 - The approach to policing must be defined by a commitment towards enhancing professionalism, fairness, transparency and accountability
 - The necessary strategic leadership and management capability must be strengthened
- Community-oriented policing has become entrenched through CPFs and CSFs – it speaks to our method of policing and not only about structure
 - Vision 2030 highlights the important role played by an active citizenry as well as effective coordinated partnerships for sustainable safety implementation
- Effective implementation is dependent on strong leadership at local level
 - Improving accountability at station level

Policing in South Africa



- Emphasis must be placed on improving the capacity of detectives for improved criminal investigations
- This requires dedicated resources and a focus on training
- Specialist investigative techniques, skills and knowledge is required to effectively respond to sophisticated and organised criminal activity:
 - Cyber crime (faceless and borderless)
 - Sexual offences and gender-based violence

Key areas to be addressed include:

- The size of the Detective Service – the need for scientific methods of determining the ideal number in relation to needs and requirements

Policing in South Africa



- Quality of detectives – improving the overall quality by recruiting and retaining skilled personnel
- Improving the training of detectives – concerted effort must be placed on training and development
- Managing detectives – clear objectives, targets and performance indicators must allow for more effective management. There must be regular monitoring and assessment
- Two integrated policing approaches
 - Basic service delivery
 - Targeted priority crime approach

Policing in South Africa



- Local policing – stations must be adequately resourced and effectively managed
 - Station management must be held accountable for internal management and the implementation of National Instructions and operational plans
- Intelligence-led policing forms the basis for collaborative working relations
 - Enhancing its effectiveness within SAPS is dependent on coherent processes for collecting, organising and utilising information
 - Effective implementation allows for improved decision making and more efficient resource allocation – based on sound information and intelligence
 - Must result in a better understanding of the operational environment

Policing in South Africa



Directorate for Priority Crime Investigation (DPCI)

- Structural and functional independence of the Hawks has been secured through the promulgation of the SAPS Amendment Act of 2012
 - The National Head will be appointed by the Minister of Police
 - The finances of the Directorate have been ‘ring-fenced’ meaning the head will be accountable to Parliament for its budget and expenditure
- The mandate remains *“to prevent, combat and investigate national priority offences”*
- The determination of ‘national priority offences’ will be made through policy guidelines issued by the Minister and approved by Parliament

Mainstreaming Police Professionalism



- Police restructuring – future decisions aimed at streamlining organisational structures and processes must be guided by:
 - A thorough needs analysis and environmental scan
 - a clear transformation strategy and relevant policy guidelines
 - Clear definitions regarding roles and responsibilities
 - Streamlined management and accountability
 - Sound research (evidence-based) and best practice
- Recruitment must focus on finding the best and training must be of a high standard

Mainstreaming Police Professionalism



- Training is an important component in developing the “*right type of police officer*”
 - Vision 2030 emphasises strengthening the capacity and training of detectives and specialised investigators
 - Must remain current and undertaken continuously
 - Must be seen as part of the career-pathing of officers
- Performance measures must be based on clear assessment frameworks
 - Must allow SAPS to measure progress towards strategic and operational goals
 - Performance must be regularly assessed
 - Measures must be consistently applied and utilised

Mainstreaming Police Professionalism



- Performance measures must focus on outcomes rather than outputs
 - E.g. the use of recorded crime in certain crime categories as a measure of performance
- Dealing with internal corruption requires systems and processes to detect and prevent it
- Addressing corruption is closely tied to the goal of building professionalism and entrenching accountability
- Requires improved processes for receiving, processing and analysing complaints

Mainstreaming Police Professionalism



- Command and control is essential for accountable, democratic policing
- There must be clear and regular communication at all levels within the organisation
- Requires that police officers are clear on their roles and responsibilities
 - directives must be clearly understood and carried out
- Clear lines of communication must improve accountability

Institutional Arrangements at National Level



- The role of the Minister of Police in terms of developing policy, ensuring effective implementation, allocating managerial responsibility, and ensuring accountability
- The role and function of other national competencies like SAPS and the National Commissioner, the Civilian Secretariat for Police, IPID and PSIRA
- The DPCI and the importance of securing structural and functional independence
- Clarifying the mandate of the DPCI in terms of investigations

Institutional Arrangements at Provincial Level



- Role of MECs (oversight, building partnerships and implementing safety strategies)
- Role of Departments of Safety & Liaison
 - Establish provincial secretariats
 - Implement safety strategies and CSFs
 - Build partnerships
 - Good management of CPFs
- Role of local government
 - Implement CSFs and national safety strategies at local level
 - Interface with CPFs
 - Form partnership with local police

CLOSURE



Thank you