

# Towards Democratic Policing

### Introduction

COMSA has now spent almost eight months in South Africa observing, listening and learning about police / community relationships and acting as a catalyst for change through a wide range of contacts with the police. These contacts started in the field, where through our observations of marches and public gatherings (see Chapter 5), we met police officers and offered practical suggestions. As described in Chapter 4, COMSA has also frequently interacted with the police involved in the RPCs and LPCs. This included helping to set up police / community relations subcommittees of the Wits / Vaal RPC and Vaal LPC. COMSA has also had close dealings with the Police Board, a structure set up under the NPA.

In addition, a COMSA observer specialising in police / community relations held wide-ranging discussions with senior members of the SAP, officials of political parties and academics concerned with police reform. COMSA has participated in a wide variety of workshops at universities, and police training institutions on police / community relations. Our experts have on several occasions been invited to address the police and the public on the subject of police / community relations.

In the report on its first phase, COMSA observed that 'what is required is a fundamental reorientation to equip the police to serve the people of South Africa during the 1990s and beyond.'

The SAP itself has acknowledged that implementing community-oriented policing requires a fundamental culture shift in order to ensure a policing style which is ethical, open, accountable, consultative, responsive to client needs, and effective in providing a quality service.

In order to begin this culture shift, the SAP has established a Community Relations Division. Community relations officers have now been appointed to each of the regions.

During the second phase of its mission, COMSA began to observe the benefits of appointments like these, and of other initiatives designed to improve the effectiveness of the SAP in fulfilling its role of providing service to the community.

There are, for example, signs of improved co-operation with organisers of

marches, rallies and other events. In turn, this approach has resulted in better control over the behaviour of participants at such events with a reduction in the use of oppressive tactics. Rather than crushing unauthorised marches, station commanders are to a greater extent exercising discretion and employing approaches which reduce friction between the police and the groups involved. There are, of course, exceptions to this, such as the march in Soweto during the Chris Hani memorial activities when officers at the Protea Police Station panicked and released tear gas, rubber bullets and live ammunition into a crowd.

Change inevitably comes slowly. Many police officers at grassroots level are yet to be informed about community policing approaches, as COMSA was made aware at an SAP workshop in late April. Members of international observer missions with a policing background participated with academics and designated senior community policing officers from all over South Africa in a series of practical discussions about how to move forward on community policing initiatives. The following are some observations drawn from our experience and interaction.

## GENERAL OBSERVATIONS

### Commitment

At the outset, what is required is a clear vision of the way ahead. As such, COMSA believes it would be useful if the Commissioner of the SAP states what qualitative changes he wishes to see in place within a given time-frame. Such a statement would shape the future culture of the organisation and exemplify the model which the organisation wishes to follow. This would mean, for instance, setting policies regarding the proportion of staff who would be women or individuals from various ethnic groups. It would also frame policies concerning the professional standards of conduct and service expected of police, and identify the ways in which South Africa's diverse communities would define policing priorities.

Police leaders and managers have a fundamental part to play in assisting the culture change and ensuring that the desired values permeate the entire police organisation. They need to demonstrate their personal commitment to community-oriented policing in both word and deed. They need to take personal responsibility for the change. One way of ensuring that this would be done is to provide performance assessment incentives for good community relations work. Another way would be to make racist, oppressive and sexist behaviour a disciplinary offence.

The current situation in the SAP is that a policy statement and manual on implementing community policing has been issued. Key personnel have been trained. There is, however, no yardstick for measuring change, which appears to be happening on an *ad hoc* and hesitant basis, with considerable resistance

in some cases. Much is dependent upon the personality and commitment of local officers and the support they receive from their more senior colleagues.

Many of these problems have been identified and steps are being taken to overcome them through the provision of more extensive training. What is also required is more visible management support.

### **Composition of the SAP**

At present, the SAP is predominantly a white Afrikaner male-dominated organisation, despite having a majority of black officers in the lowest ranks. There have recently been a small number of senior level appointments of officers from the black community, but in general white males occupy middle and senior management positions. Women are even less well represented across the organisation.

It is unclear whether the SAP's current recruitment and promotion procedures have been subjected to scrutiny to ensure that fair and objective decisions are made, and to eliminate gender-bias in the selection process.

Given the country's history, it is unlikely that traditional measures will be sufficient to change the situation. Innovative and courageous measures will be required to encourage suitable applicants from different communities to join the SAP, including members of former liberation movements who may wish to seek lateral entry into key management positions.

A course commenced recently at the University of Witwatersrand for 35 selected students, including some members of Umkhonto we Sizwe (MK), to train them to become middle-ranking police officers. The Community Law Centre at the University of the Western Cape is also considering the training required to facilitate lateral entry into the police service. It may be that similar training could be offered, on a voluntary basis, to existing members of the SAP so that all groups can begin to develop a shared understanding of what is meant by a democratic policing style.

There is also a need to design suitable training programmes for future police recruits with a special emphasis on peace-keeping and community relations. Training programmes are also being contemplated for marshals who act as a buffer between police and communities at rallies, demonstrations and other public meetings. These programmes could in themselves be the foundation for the development of future community-oriented police officers.

A strong case can be made for adopting positive and assertive measures to attract more women into the SAP. Family violence is on the increase. So too is the incidence of rape. Effective police action demands that there are sufficient numbers of well-trained female officers to deal with the initial investigation of cases of this type as well as being available to provide assistance to victims. This is at present an undeveloped area of police work in South Africa and one which requires urgent attention if the SAP is to provide services fairly to all members of the community.

## **Welfare and Support Systems**

Recruiting a more representative police organisation is only the beginning of the process. Other changes are required as well. For example, support networks for women and individuals from different racial groups must be encouraged and resources earmarked to meet the particular welfare and training needs of members of staff from disadvantaged communities.

Effective welfare should be provided across the board. The incidence of suicide amongst members of the SAP raises questions about the effectiveness of its own support services. An organisation that fails to provide adequate support and care for its own staff is unlikely to be able to provide the desired standard of service to its clients.

## **Rank and File Participation**

The success of any change depends on the commitment of all staff. This commitment will only develop if all members of the rank and file are directly involved in the process. All staff must be given an opportunity to shape the process, to express reservations, to offer ideas and to be reassured.

## **Effective Mechanisms for Resolving Grievances**

An organisation that respects and values individuals and in which relationships are built on trust and empathy must have effective ways of resolving staff problems as they arise. It is essential that the SAP has a procedure which is user-friendly, and in which all have confidence, so that no one has to suffer in silence. Women are particularly vulnerable in male-dominated organisations and may be reluctant to complain, even when they have experienced sexual assault or harassment. Similarly, members experiencing racial discrimination may remain silent because of the fear of repercussions.

## **Culture**

Protection of work colleagues is a common practice, but in a police setting this practice can be both dangerous and against the public interest. No professional police service can afford to protect criminals within its own organisation. Illicit behaviours like corruption, bribery, or the excessive use of force, must all be severely punished. The closing of ranks in cases of this type does nothing to engender public trust and support. It is important to create a culture in which there are staff supportive of upholding high standards of police work. 'Whistle blowers' need to be commended rather than victimised.

## **Appearance of the Police Organisation**

In moving from a police force to a police service, appearance is crucial. Some dismiss this aspect of change as a superficial public relations exercise. It is not. Just as a change of name from force to service can signal a change of emphasis,

so too can a change in police buildings, vehicles, stationery and uniforms.

At present the appearance of the SAP conveys mixed messages. On one hand, there are the officers in blue who are moving towards a community-policing style. On the other, these officers often work side by side with officers from the ISU dressed in camouflage uniforms and travelling in military vehicles. All officers carry weapons of varying range and capacity. Given these realities, it will be difficult to convince the public that the SAP is serious about moving towards community policing without substantial changes in its operating style and practice.

There is a need for the SAP to work towards a coherent, consistent and acceptable visual identity so that the role and functions of the military are kept quite separate from those of the civil police service.

## **POLICE/COMMUNITY RELATIONS**

The observations made so far in this chapter deal primarily with the internal workings of the SAP. The following observations address more specifically the issue of police/community relations.

### **Role of Station Commander**

It is imperative that station commanders show an interest in community forums, such as LPCs. Sending junior officers to these forums does little to inspire the confidence of communities in working with their local police. In addition, a lack of continuity of officers attending community forums means that agreements reached are not fulfilled.

On occasion, agreements reached are also not adhered to because the ISU or the robbery squad undermines police/community relations by going into an area without consulting or informing the local station commander. The latter must be in charge of local police operations. If other units are deployed, it should be with the clear understanding that they take instructions from the local commander. Communities are also entitled to be briefed on the outcomes of any special deployment. Years of bridge-building can be destroyed by a single rude or insensitive action.

### **Reform of the Internal Stability Unit**

At present, officers in the ISU can spend years, if not their entire careers, sealed off physically and emotionally from local communities and their problems. A specialist riot unit like the ISU which is devoted to dealing with public order incidents tends to show little, if any, concern for the consequences of its actions. Local officers always need to consider the longer term effects of their actions on their communities.

It is vital that the respective roles of the police and the military are clarified in South Africa. The SAP must discard its ISU-based military image. In a democracy, armed forces like the ISU are established and maintained to protect a country from external threat. The ethos of policing and the ethos of soldiering are not the same and should not be confused. Every effort should be made to free the military from internal law and order support duties. That is a job for the police. If there are too few police then this aspect must be addressed.

### **Defusing Tension through Community Relations Officers**

At demonstrations and political funerals, particularly in the lead-up to the elections, there is a need to have well-trained officers involved in peace-keeping and, sometimes, peace-making. COMSA has noted that at some public gatherings (see Chapter 5) police have appeared to be unsure of what was expected of them. This uncertainty, and lack of a broad repertoire of potential responses, has resulted in two observed police reactions: some have either ignored difficult situations, while others have over-reacted, reaching immediately for a gun. Lethal force should be a last resort – not the first. Officers require training to ensure that they use minimum rather than maximum force. It may be helpful to involve newly appointed community relations officers in this sensitive work.

The skills of community police officers are most severely tested in crowd control situations. Effective crowd control involves far more than the use of military might and aggressive, coercive tactics. Such control requires communication skills of the highest order; a facility to mediate and consult with others about workable compromises; and a capacity to find common ground and take others with you. Above all, community policing in this situation involves being a good diplomat and an active listener.

Community policing officers will also need to know how to liaise effectively with marshals and the organisers of public gatherings. The Community Law Centre at the University of the Western Cape is currently identifying the needs of all those involved in monitoring and organising rallies and demonstrations with a view to developing practical, relevant and helpful training packages. The focus of these packages will be on communities taking prime responsibility for peace-keeping in these situations.

### **Consultation**

In order to ensure local partnership in any community policing initiative, it is necessary to include the community in planning and to undertake, with the community, an audit of policing needs. Failure to involve key members of the community in the planning phase of an initiative may undermine its effectiveness from the outset. Similar considerations apply to any performance audit. An external element is vital if such an audit is to be useful and credible.

## **Empowering Local Creativity**

Consultative forums imposed from above with little local involvement are unlikely to be viable. Local communities will view such attempts at consultation with suspicion or hostility. Community policing must grow organically and be nurtured by accepting communities within a wider democratic process.

## **Local Service Standards**

Consultative forums provide an opportunity for local people to inform their local police about their policing expectations. Police likewise can provide insights from their own perspective, and on occasions may be able to point to expectations which are unrealistic.

Communities have a chance to explain their agenda for the police and thereby ensure initiatives are community-led and not police-led. Consultative forums also ensure that communities define what the local problems are, and provide a facility for joint problem-solving.

Agreeing local standards of service is another option that can be explored at the forums. For example, local people may decide suitable response times to a telephone call, or to a letter. They may also lay down anticipated standards for victim support and the follow-up of cases.

## **Lay Visitors to Police Stations**

The history of oppressive and hostile political policing has left its mark in South Africa. One way of demonstrating that the SAP is now committed to a democratic policing style is to open up police stations and operations to lay scrutiny.

In the first report, COMSA strongly recommended a lay visitor scheme to South African police stations. We are heartened that this recommendation is being seriously considered by the Minister of Law and Order and referred to the Police Board for assessment. It is hoped that formal approval for this important scheme will be given shortly.

## **Training the Police**

Police training must do more than raise an awareness about community policing. It must empower all officers to change their behaviour and attitudes. This will involve facing up to barriers and challenging old ways of doing things. It will also mean considering fresh and creative ways of working.

Training will need to cover the following key areas:

- democratic policing, protection of civil liberties, community rights and human rights;
- importance of community relations for effective operational policing

(including tackling discrimination);

- police accountability to the community (consultation and participation);
- management practices and supervision;
- ethical leadership in action;
- use of discretion and ability to question traditional practices and cope with ambiguity;
- ability to monitor progress and plan activities;
- self/social awareness and cross-cultural communication skills;
- conflict management;
- counselling skills.

At present, there is too much reliance in police training on rote learning, technical proficiency and legalistic information. Insufficient emphasis is given to the development of diagnostic skills and the processes of working together. The atmosphere of learning is just as important as the content of the lessons. A participatory style of learning is much more likely to provide officers with the skills required to engage co-operatively with their respective communities than the current lecture style.

### **Monitoring Mechanisms**

Monitoring and evaluating initiatives tend to be weak areas in most police organisations. The following indicators may be helpful in measuring progress in community policing:

- *consultation*: how has there been consultation in developing police plans, objectives and priorities?
- *adaptability and flexibility*: is there evidence that local police have been responsive to local needs in developing their approaches?
- *mobilisation and participation*: how many different community groups and interests have been involved in the processes of consultation?
- *accountability*: what mechanisms are there for third party scrutiny at all stages of police operations and planning?

In addition to the above indicators, another vital window into police / community relations is monitoring the incidence and patterns of complaints against the police. Such a system needs to be independently overseen, and to include a method for feeding information back to the public.

## CONCLUSIONS

COMSA believes that the opportunity exists to create a uniquely South African version of participatory policing, adapting good practice from abroad, while breaking with the apartheid structure and style of policing. Such a model ensures that communities and their political representatives have a substantial say in the way police services are provided. This is vital for policing in a democracy. If the police exist to provide a service to South Africa's diverse communities, then it is appropriate that they account to those communities. Otherwise, they run the risk of becoming a corps set apart from the communities they serve, and repeating the mistakes of the past.