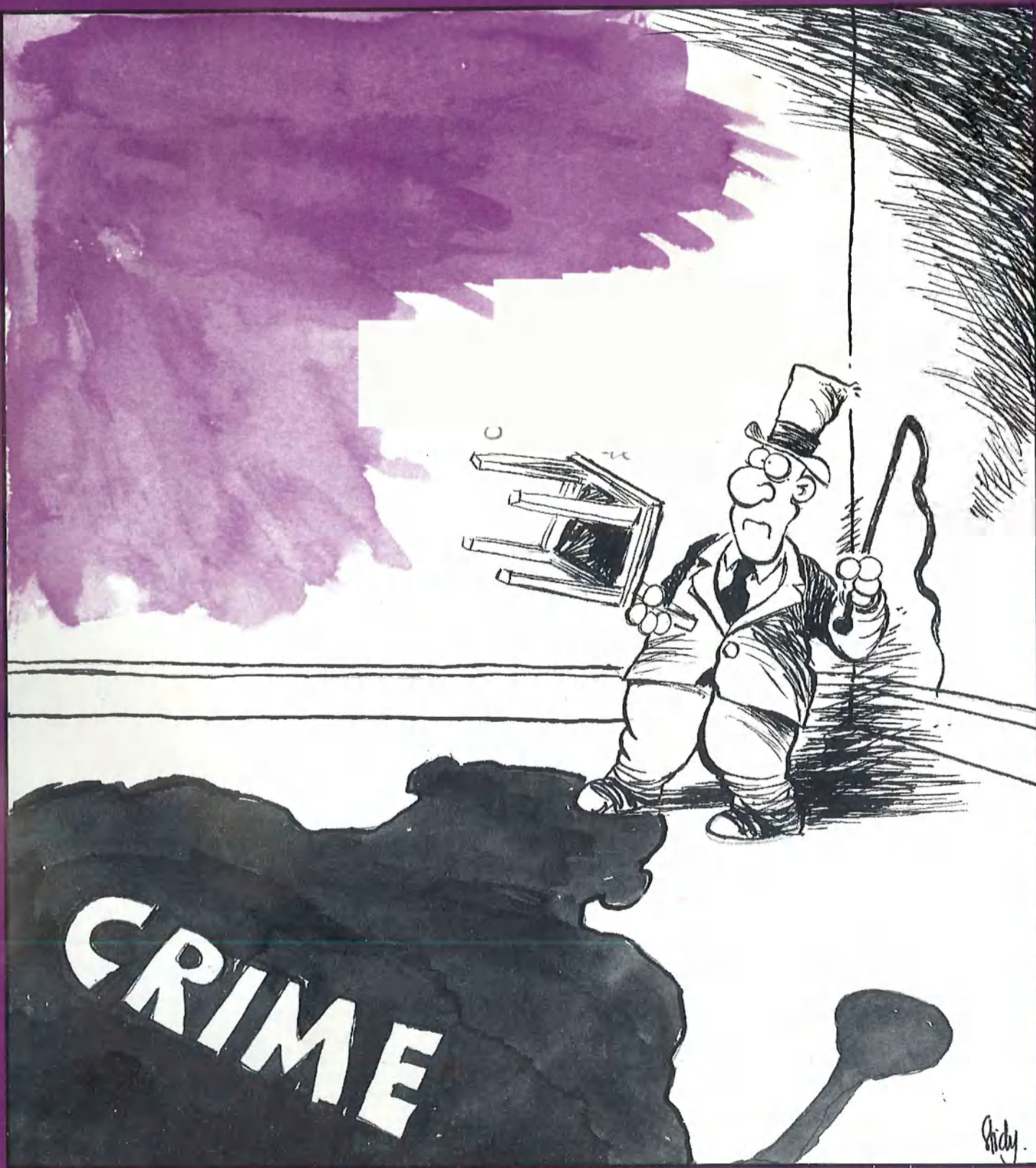


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EDITORIAL

Until April 1994, South Africans were not well informed about the local crime situation. Information was scarce and political violence was the issue of the day. Under the States of Emergency, police crime statistics were almost impossible to get. The police are now keen to assist, but their computerised records only cover the past few years. A lack of data from the 'homeland' governments means some figures are still unreliable.

Confronting crime was always frustrated by the Apartheid government cloud which made tackling the problem at its roots almost impossible. Circumstances have changed, but the uniqueness of Apartheid has left many South Africans believing that our problems are all unique - especially crime.

As information about crime becomes available in this country, it is increasingly clear that crime tendencies are not unique. Baynham shows the international flavour of illegal drug trafficking, with its myriad of associated crimes. Zvekic and Alvazzi del Frate reveal how similar people's perceptions of crime are in many developing world countries.

On crime and short term insurance, Wright points out that insurance against vehicle theft is unobtainable in some countries. Weidemann similarly notes that countries like Germany and the United Kingdom have experienced muggings at automatic teller machines (ATMs) for much longer than South Africa has.

It is no secret that street children and juvenile offenders are not unique to South Africa. But, as Hudson and Schmid's articles show, this needs to be emphasised. Lessons from abroad illustrate that at best, 'tough' approaches produce more criminals in the long term.

Policing is possibly the only unique aspect of South Africa's crime picture. But even then, surveys show dissatisfaction with the police throughout the developing world. Community policing seems designed for South Africa, but is actually borrowed from affluent, stable countries like Britain and the Netherlands. In her article, van der Spuy cautions that this method is suited to liberal societies where police have the public's support.

We need to look at crime in an international context, and, with the appropriate circumspection, draw on the experiences of countries in both the developed and developing worlds. *Crime and Conflict* will endeavour to provide this information.

Antoinette Louw
Crime and Conflict editor

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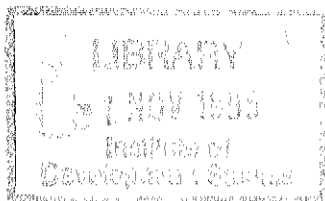
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Drugs For Africa

Simon Baynham
Africa Institute of South Africa



The illegal drug industry is now one of the greatest threats to security, worldwide. Africa is a major transit route because it is the weakest link in the international fight against drug trafficking. The impact of the illegal narcotics trade on security, society and the economy increasingly threatens the African continent.

According to the United States State Department, the world's drug cartels rival corporations in their sophistication, eluding most efforts to wipe them out (*Agence France Press* March 1995). A month earlier, the International Narcotics Control Board reported increasing production and abuse, with criminal gangs from Latin America, Asia, Africa and the former Soviet Union collaborating more closely in trafficking illicit substances.

Board president, Hamid Ghodse, was particularly concerned with the rise in domestic drug abuse in Africa. Due to weak detection controls, crime syndicates have targeted Africa as a major transit route, utilising the continent's airports and harbours for shipping heroin from Asia to the United States, and cocaine from Latin America to Europe (*Business Day* February 28, 1995).

Indeed, during the past 15 years, Africa has become a revolving door - and a major consumption centre - for the drug trade. The narcotics business has become one of the most serious threats to stability and economic development on the continent, with ramifications well beyond the misery it inflicts on millions of malnourished Africans.

More widely, the abuse of narcotics greatly affects the Third World where 20% of the globe's 40

million illicit drug users live. World expenditure on illicit drugs and psychotropic substances now runs second only to armaments, with an estimated 2.7 million people globally (excluding consumers) believed to be directly implicated in drug related activities.

The term 'drug abuse' refers both to the non-medical ingestion of drugs that are intended for legitimate medical treatment and also to the misuse of drugs - like hallucinogens - that have no accepted medical purpose.

Types of drugs

The so-called 'danger drugs' are mainly marijuana, cocaine, heroin and a number of other synthetic narcotics.

- Marijuana - or cannabis, dagga or ganja - is derived from the Indian hemp plant. It is grown and produced throughout the world, including Africa and can be ingested by smoking, chewing or eating. It is cheap and classified as a 'soft' drug, but abuse can lead to disorientation, paranoia and psychosis.
- Cocaine is extracted from the cocoa plant in the Andean countries of Latin America, and is a potent stimulant with powerful psychotropic

properties. It can be administered by smoking, sniffing or intravenous injection; and creates extraordinary dependency with serious physiological and psychic effects. Crack - a mixture of cocaine, sodium bicarbonate and water - is far more potent than cocaine.

- Heroin is a semi-synthetic narcotic derived from the opium poppy, and can be taken by smoking, sniffing or by injection. It is mainly produced in the 'Golden Triangle' - the highlands of Burma and the northern regions of Laos and Thailand, and in South West Asia's 'Golden Crescent' - southern Afghanistan, northern Pakistan and parts of Iran. The drug has a high physical and psychological dependency factor and overdose can be fatal.
- Synthetic drugs such as amphetamines and LSD are produced and consumed mainly in Europe and North America. However, considerable quantities of the depressant methaqualone (mandrax) are produced and exported from India. South Africans seem to have a craving for mandrax - a strong tranquilliser often crushed with marijuana and smoked as 'white pipe'.

Trade routes

East and West Africa

The drug invasion in Africa since the early 1980s has been facilitated by the geography of the African continent. On the West African coast, the Ghanaian and Nigerian drug barons obtain cocaine from Colombia, the Latin American state synonymous with a drug *mafiosi* of terrifying regional power and global proportions.

On the Horn and in East Africa, the trail originates in the South East Asian 'Golden Triangle' and in South West Asia's 'Golden Crescent', where much of the world's illicit opium crops are refined into heroin. By the start of the current decade, one third of the heroin intercepted in Europe had transited through Africa.

The East African region - once viewed as relatively innocent compared to the West African coast - has now been identified by anti-narcotics agencies as a major transit point for hard drugs. Most of the hard drugs funnelled through East Africa originate from India and Thailand and are destined for the Gulf, Europe and Southern Africa.

Other known conduits include North Africa, a centre of traffickers in mandrax, and Central Africa, where the airports of Bangui (in the Central African Republic), Kigali (in Rwanda) and Kinshasa (in Zaire) play a decisive and clandestine role in the lucrative onward trade into Western Europe.

Southern Africa

Further south, the routes into South Africa out of Lumbumbashi (in Zaire) and Lusaka (in Zambia) are facilitated by small networks of mainly Greek entrepreneurs operating from Johannesburg. With Namibian independence in 1990, a new route for illicit drugs through southern and western Zambia into Namibia has also now opened.

South African passports are widely used by Nigerian, Zairian and Zimbabwean drug traffickers. Many drug couriers arrested in South Africa are from these countries. Passports are also being stolen from the Home Affairs Department - often in collusion with departmental officials - and then illegally sold on the black market.

Southern Africa is an important conduit for the rest of the world because drug syndicates regarded it as a safe transit route to Europe and the US. In addition, the end of apartheid in South Africa triggered

an unprecedented inter-state movement of people, some of whom are unemployed criminals engaged in cross-border drug peddling.

As the Republic creates new trade links with other countries and international flights spread to more destinations, so the country has become a larger target for drug syndicates.

This point was succinctly summarised in August 1994 by the US Ambassador to South Africa, Mr Princeton Lyman:

"Narcotics is an international business, as transnational as that of any major corporation... in the world today. South Africa, while suffering from the trafficking and use of dagga and mandrax, was shielded from much of the growth of narcotics trafficking that has taken place in the rest of the world in the last two decades.

"But with the explosion of air connections in and out of South Africa... narcotics syndicates were quick to move into this virgin territory. They have come from all parts of the world... We see it in visa requests that bear the mark of traffickers we have seen elsewhere. South Africans see it in arrests of South Africans for drug offences in various parts of the world".

More drugs in South Africa

South Africa is being targeted as a major trans-shipment centre for a wide variety of narcotics. Already, considerable quantities of mandrax are trafficked from the Indian sub-continent to South Africa, smuggled into the country by 'mules' - mostly elderly men and women who travel regularly between India and the Republic.

Cocaine - which five years ago was not a major problem in South Africa - can potentially become as serious a threat as mandrax. Indeed, South African Police figures released early in 1993 reveal that

the trade in cocaine, for both transit and consumption, had already become a multi-billion rand industry in this country.

In the meantime, the South African Association of Retail Pharmacists reports that 90% of the global mandrax production is sold in South Africa, while 25% of all marijuana seized worldwide is confiscated locally.

During 1993, police confiscated about R1 billion worth of drugs, estimated at only 10-15% of the South African narcotics trade. In 1994 a government document disclosed that cocaine and mandrax trafficking - with an increase in arrest rates of some 120% and 40% respectively from mid-1993 to mid-1994 - 'are showing the most alarming growth rate both in abuse and in appearance in the region'.

Crime syndicates

More than 100 of the estimated 273 crime syndicates operating in South Africa are now thought to be involved in narco-trafficking. Apart from South African syndicates which focus on vehicle and weapons smuggling, foreign exchange fraud, and drug dealing, dozens of international gangster groups have moved onto the scene.

These include East European and Russian gangs trading in illegal weapons, illicit gemstones and ivory, and Nigerian, Ghanaian and Israeli cocaine smugglers. Chinese operators linked to the infamous Triads, and Zairian passport racketeers are also operating (Grove 1994; *Sunday Times* November 6, 1994).

For international crime syndicates, South Africa has the 'right profile' for exploitation, similar to the former communist states: a sudden boom in free trade, the movement (legally and illegally) of much larger numbers of people across borders and an inadequate bureaucracy ill prepared to meet the new challenges.

Growing drug abuse is also linked to the country's uncontrolled levels

of urbanisation. Also worrying to the United States - which views our drug problem as a direct threat to Washington's global drug offensive - is South Africa's combination of poverty, lawlessness and a highly sophisticated banking system through which drug funds can be efficiently laundered.

Indeed, the US is so concerned about the South African problem that it is providing advice and technical assistance. Both Washington and the United Nations (UN) would provide the relevant training and cooperation (*Business Day* February 11, 1994).

Social and security implications

As well as causing widespread suffering, illness and death among addicts, drug rackets engender corruption and violence, and many users resort to theft and prostitution to support their habit. Drugs consumption ruins the lives of many Africans, often those already ravaged by malnutrition and epidemic diseases.

It wreaks havoc on millions of families, being associated with both spouse-battering and child abuse. In some African countries, it has the potential to destabilise the entire economy, threatening the very fabric of society as in Colombia where authorities are forced to spend exorbitant sums on detection and security.

United States Ambassador to South Africa, Princeton Lyman, explained:

"...it is the corrupting nature of this business that is...the most frightening. This is a business that preys upon weakness, upon greed. Poor people are drawn into carrying drugs, demeaning themselves physically and morally in the process. The ways in which carriers...debase their bodies to carry drugs is beyond...imagination.

"Youths gangs are drawn into trafficking in their neighbourhoods, earning previously unseen amounts of money, becoming warlords

dangerous to society, indeed so heavily armed as to be almost beyond the power of police or government.

"Addiction in the country is key to the syndicates' needs. Not only does growing addiction offer more people to be used as 'mules', but it opens up a domestic market that in South Africa, with its relative wealth, is very attractive indeed. Every means to spread addiction will be used."

In South Africa, drug dealers have already infiltrated the government and police. Individuals in high public service positions are on illegal payrolls and help syndicates by providing legal documents and permits. In some cases, police, customs officers and other law enforcement officials have actually become drug couriers.

The corruption of politicians and bureaucrats undermines the credibility of government and subverts the political security of the states concerned (Griffith 1993). In November 1994, President Mandela warned that drug trafficking could threaten the ability of the new Government to assert its authority and maintain peace and security.

There is also increasing alarm about the growing collusion between the international narcotics trade, terrorist organisations and gun-running. 'In this respect the black market in narcotics has for many years provided common ground for both apolitical, entrepreneurial drug traffickers, and ideologically motivated revolutionaries' (Grove 1994).

In Pakistan for example, Prime Minister Bhutto alleged that drug barons promoted terrorism in retaliation against her government's tough policy on drug trafficking. In Colombia - where the greatest threat to stability comes from narcotics syndicates - at least 30 people were killed and 247 injured when a bomb exploded during a music festival in June 1995.

The attack came the day after police captured cocaine king Gilberto

Orejuela - the biggest blow to Colombia's powerful drug syndicates since security forces shot dead cartel boss Pablo Escobar in 1993. Since the late 1980s, 3 400 Colombians have been killed, four presidential candidates assassinated, and billions of dollars poured into security in drugs related incidents.

Violence associated with the industry includes intimidation, blackmail, kidnapping, torture and murder. In fact, 'Murders related to the drug business have become the primary cause of death among Colombian men between the ages of 20 and 45...A whole generation of human capital in the form of educated, skilled people is being eradicated. Out of fear for their lives many study and work abroad' (UNISA Latin American Report 1993).

Economic implications

The economic consequences of the trade are equally appalling. In March 1995, the UN reported that drug addiction costs countries between 0.5-1.3% of their Gross Domestic Product (GDP).

The cost of drug abuse to the United States (considering medical charges, AIDS treatment, growing crime and lost productivity) is estimated at \$76 billion as compared to \$44 billion in 1985.

The study, which analyses the economic and social effects of drug abuse and trafficking, also highlights the considerable growth in recent years in the number of deaths linked to drug addiction. From 1980 to the early 1990s, the death rate was six times higher in Germany, five times higher in Italy, and more than double in Britain (*Agence France Press*, March 1995).

More ominously, cocaine, amphetamines and other narcotics can be injected - a practice that when used with non-sterile needles presents a particular risk of infections, including AIDS. The HIV virus has reached almost epidemic proportions in some parts of Africa, not least in South Africa.

The drug trade takes a heavy toll on the already weak economies of African states. Campaigns to eliminate production and curb the trafficking of illegal narcotics drain already scarce state finances. This means the political and security implications of the narcotics trade have additional economic consequences.

The high incidence of drug related crime contributes to domestic capital flight and discourages foreign investment. It also impacts negatively on the tourist industry, a key economic sector in many East and South African states. Furthermore, drug abuse advances the loss of employment hours, hampering future development.

In South Africa, there is growing concern that expanding illegal drug consumption - especially in the townships - will further strain the fragile social and economic fabric of transitional society. However, the abuse of illegal substances is also having a negative effect in South Africa's boardrooms.

Although alcohol is the most commonly abused substance, there is a growing trend among stressed executives to use cocaine in the mistaken belief that it helps them cope. But once addicted to cocaine, the problem of funding the dependency assumes paramount importance.

There is consequently a direct correlation between escalating levels of white collar crime - computer fraud, stock manipulation and other financial irregularities - and narcotics abuse. The business of laundering drug money has a highly destabilising effect on the domestic economy.

Money laundering

A major problem related to the drugs trade is money laundering - 'the conversion of profits from illegal activities, in this case drug activities, into financial assets which appear to have legitimate origins' (Griffith 1993). It is difficult to gauge how much 'dirty' money flows through the global

financial system annually, but the sum is no doubt enormous.

The widely accepted British National Criminal Intelligence Service estimates show that some \$500 billion may have been laundered worldwide in 1993. Perhaps 50% of that emanates from the illegal narcotics business, the balance from other types of organised criminal activity and terrorism (*The Economist* June 25, 1994).

The South African Law Commission reports that money laundering schemes use orthodox financial institutions, shell corporations registered in obscure offshore centres, and other investment vehicles to transfer illegally obtained proceeds and convert them into assets of an apparently legitimate origin.

In addition, many money launderers have mastered the use of electronic payment mechanisms, calling on friendly accountants and legal expertise to design new methods of disguising the source of the money they handle. They are abetted by lax regulations, official corruption and newly opened economies that make masking illicit transactions easier.

This dirty money also threatens to undermine legitimate business enterprise, particularly in developing financial markets: because the cash comes from crime, it gives the criminal organisations' business a competitive edge over legitimate money earned at lower profit margins and which is subject to tax.

Africa has a major problem in terms of financial/banking regulations and Nigeria in particular, is a centre for laundering drug trafficking proceeds.

Monitoring this business and implementing control measures demands better cooperation between police and intelligence agencies, governments and financial institutions. But the task is not made any easier by the global trend towards financial liberalisation.

Cooperation or disaster

The multi-dimensional threat of drug trafficking is a serious global problem, and Africa remains the weakest link in the international war against illegal drug operations. Due to underdevelopment, porous borders, weak detection controls and rampant corruption crime syndicates have targeted Africa as a major transit route, exploiting expanding transport and communications systems for their activities.

Once a relatively wealthy country such as South Africa becomes a major transit route, it soon becomes a major drug consuming country. President Clinton's chief drug policy coordinator, Lee Brown, believes South Africa must be 'the cornerstone of our overall drug strategy in Africa'.

He added that the continent's other key power, Nigeria 'was not fully cooperating with our anti-drug effort' (*Business Day* September 2, 1994). Although Nigeria does not produce heroin or cocaine, Nigerian traffickers are pivotal to the worldwide trafficking of both substances.

The key to the quandary lies in cooperation. Unless Africa and the international community heed these imperatives, a new epidemic of momentous proportions - the 'Fourth Horseman of the Apocalypse' as it has been aptly described - will be added to the continent's woes of war, famine and AIDS. **UPWA**

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Criminal Victimization in the Developing World

Ugljesa Zvekic and Anna Alvazzi del Frate
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Victimisation studies report public perceptions about crime. These data are not only important because crime has reached critical levels, but also because the fear of crime seriously affects society. This article compares findings in developing countries, revealing the prevalence of consumer fraud, corruption and property crimes.

The International Crime (Victim) Survey provides a wealth of empirical data in a cross-cultural perspective. This enables an assessment of differences in national and local crime and victim profiles, which can be related to social, economic and cultural environments. It also assists in the search for regional patterns, which may be compared with official crime statistics, and the activities of the criminal justice system.

One of the limits of this analysis is that currently available data represent the fixed point in time at which it was collected. For a more complete analysis, it would be important to examine trends over time in both development and crime.

Comparisons between developing and industrialised and/or Central and Eastern European countries are only illustrative. The focus here is on developing countries, and the issues and problems pertinent to the developing world.

Development indicators

The countries surveyed differ substantially in several ways. In terms of population size, countries range from Costa Rica and Papua New Guinea - 3 190 000 and

4 056 000 inhabitants respectively - to China and India. With populations of more than one billion and 880 million respectively, the latter rank as the first and second largest countries in the world.

Cities surveyed also differ according to size and growth rate, and the number of developmental indicators of economic performance, urbanisation, the Human Development Index (HDI), and so forth. In terms of the HDI, countries range from Argentina (high), to Uganda, Tanzania, Papua New Guinea and India (low).

Income disparities are also important. In Brazil, for example, the ratio between the income share of the bottom 20% of the population and that of the top 20% is 1 to 32. In South Africa the disparity between blacks and whites is four times larger than in the United States.

Rapid population growth is included among those indicators generally considered to be crime-generating.

"The real threats to human security in the next century will arise more from the actions of millions of people than from the aggression of a few nations -

threats that will take many forms:

- *Unchecked population growth.*
- *Disparities in economic opportunities.*
- *Excessive international migration.*
- *Environmental degradation.*
- *Drug production and trafficking.*
- *International terrorism."*
(Human Development Report 1994)

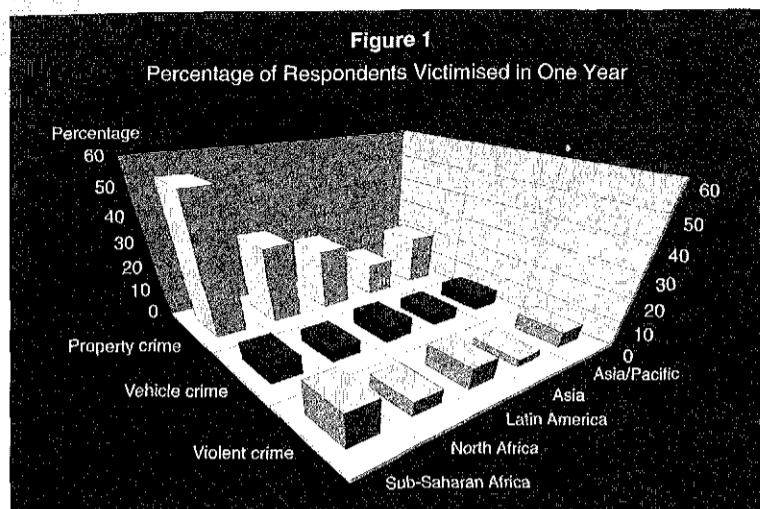
A rapid growth of both the global and urban population, accompanied by the highest crude birth rates and total fertility rates, are found in two countries from Sub-Saharan Africa: Tanzania and Uganda.

Dar es Salaam and Kampala, the capital cities of these countries, were the most violent of those surveyed. However, it should be noted that in China, the very high urban population growth rate is not accompanied by a high crime rate.

Needless to say, there are a host of social processes and factors influencing, to varying degrees and in diverse directions, distinct regional and national/city crime patterns and rates. No attempt was made to analyse these factors. The following discussion is purely descriptive.

Victimisation rates

The victimisation rates discussed here reflect the percentage of respondents, aged 16 or over, who reported being victims of crime once or more, either individually or as members of a household. The time span covers the calendar year preceding the survey - in most cases 1991, in South Africa and Tunisia 1992, and in China 1993.



In order to facilitate analysis, countries and cities were grouped according to the geographic region they belong to. Five regions have been identified:

- Sub-Saharan Africa - Kampala, Dar es Salaam and Johannesburg.
- North Africa - Cairo and Tunis.
- Latin America - Buenos Aires, Rio de Janeiro and Costa Rica.
- Asia - Beijing, Bombay, Jakarta and Manila.
- Asia/Pacific - comprising the Asian cities plus Papua New Guinea which includes the cities of Port Moresby, Goroka and Lae.

Groups of individual crimes and their regional distribution are presented in Figure 1. Vehicle crime includes theft of a car, motorcycle and bicycle. Property crime refers to theft from a car, burglary and attempted burglary, theft of personal property and car vandalism. Violent crime includes robbery and assault or threats.

Property crime is the most frequent form of victimisation for those crimes considered in Figure 1. It largely affects Sub-Saharan Africa - more than 50%. With the exception of Asia, the second most frequent form of victimisation in all regions is violent crime.

Asia actually has the lowest rates for all types of crime, while the

highest victimisation rates for all those types of crime were observed in Sub-Saharan Africa.

Consumer fraud and corruption

Of all the crimes covered by the survey, consumer fraud and corruption stand out as the most frequent in all the regions of the developing world, and in most of the cities in the specific regions.

Differences in levels of exposure to consumer fraud vary more across the regions than for corruption (Figure 2). Both Sub-Saharan and North Africa lead in consumer fraud, as they do together with Latin America in regard to corruption.

Asia appears to be a less corruptive public environment. In Papua New Guinea, which otherwise inflates the overall victimisation level, of Asia, neither consumer fraud nor

corruption are the most frequent victimisation experience.

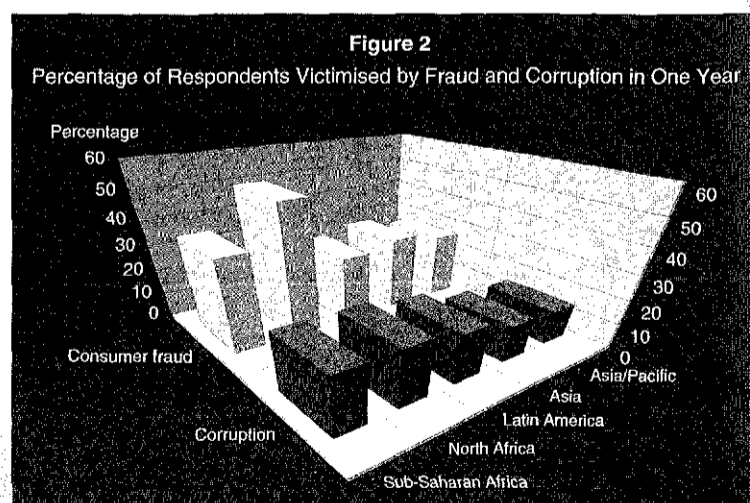
The way this kind of victimisation was measured provides information on 'elementary level' victimisation. In other words, it considers those types of fraud and corruption to which an ordinary citizen is very often exposed by the commercial and public sector.

Consumer fraud includes cheating in the quantity and quality of goods attained, and services received. Corruption refers to bribes requested by public officials. Consumer fraud and corruption speak about development itself, since they reflect:

- The citizen's position *vis-à-vis* government and the commercial/service sector.
- The lack of consumer/client and citizen protection.
- The ways in which people go about, or are made to go about, satisfying their needs and rights.

The developing world undoubtedly experiences 'advanced' as well as 'elementary' forms of fraud and corruption. However, the relationship between these forms is analogous to that between organised and conventional crime: the more they go hand in hand, the less easy it is to define the two.

Nor should one conceive of elementary forms of victimisation as a prelude to more advanced ones. Nevertheless, for an ordinary



citizen, the likelihood of experiencing the elementary forms is higher than the advanced ones, both for consumer fraud and corruption.

Property crimes

Urban areas of the developing world experience high rates of property crime. At the regional level, Sub-Saharan Africa again has the highest rates for all crimes, while Asia has the lowest rates.

At the global comparative level, Africa in particular and Latin America to a lesser extent, have higher rates than the developed world.

Victimisation rates for vehicle theft can be represented as rates of the total sample, and as rates for vehicle owners. The former are useful for comparing the spread of different victimisation experiences. The latter provide information about the risk of the target group - that is, the vehicle owners.

Car theft is most widespread in Buenos Aires, which also has the highest car ownership rate. At the regional level, the highest rate is in Sub-Saharan Africa, with the second highest ownership rate. This finding supports the opportunity theory, according to which the higher the ownership rate, the higher the victimisation rate.

The vehicle owners' risks are highest in Sub-Saharan Africa. Rates are quite similar in Latin America, North Africa and Asia/Pacific.

Violent crimes

Violence, in the form of robbery and assaults/threats is much higher in Sub-Saharan Africa compared with other regions of the developing world. Latin America also exhibits a high level of violence (Figure 3).

These data confirm that Asia has low levels of violence, as does North Africa in the case of assaults and threats. Cities in Papua New

Guinea stand out with high levels of violence, followed by the African cities of Kampala, Dar es Salaam, Johannesburg, and in Latin America - Rio de Janeiro and Buenos Aires.

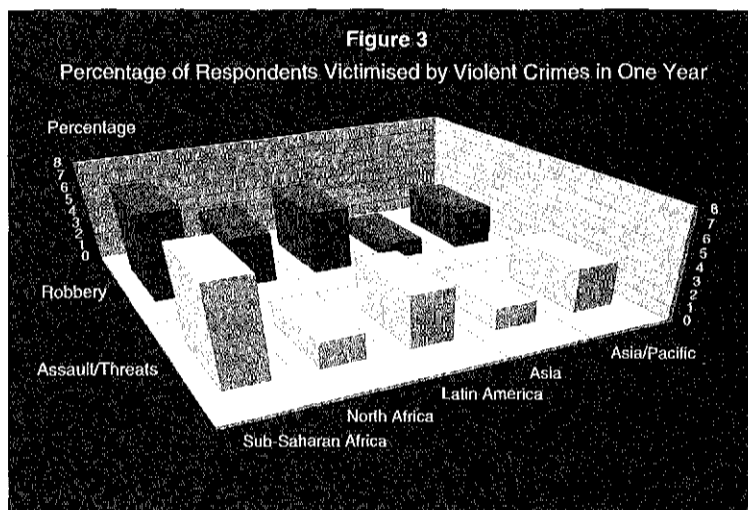
Tunis and all the Asian cities are at the lower end of the violence scale. With regards to robbery, Rio de Janeiro, the Papua New Guinea cities and Dar es Salaam exhibit particularly high rates.

Globally, with the exception of Asia, developing world cities exhibit at least three times higher robbery rates, as well as higher assaults/threat rates than urban areas of the industrialised world.

surveyed, violent crimes often happened in the victim's own house or in the vicinity.

Domestic violence is common, and the survey results indicate its seriousness. About one third of assault cases in Kampala and Manila occurred in the victim's own home. In most countries, at least one out of six aggressions occurred in the respondent's home.

In addition, more than half of the assaults/threats were committed by offenders known to the victim, at least by sight (Figure 4). Family members or people close to the family, are involved in 20% of assaults. In such cases, the survey



This summary highlights that in most developing countries, city residents are at a high risk of victimisation. Regionally, the highest victimisation levels are in Sub-Saharan Africa, while the lowest are in Asia. A host of social, economic, demographic and cultural factors contribute to the regional victimisation profile.

Place of victimisation

Survey results show that personal victimisation occurred more frequently far from home, elsewhere in the city. For robberies, personal thefts, sexual incidents and assaults/threats, the highest percentages refer to another area of the city.

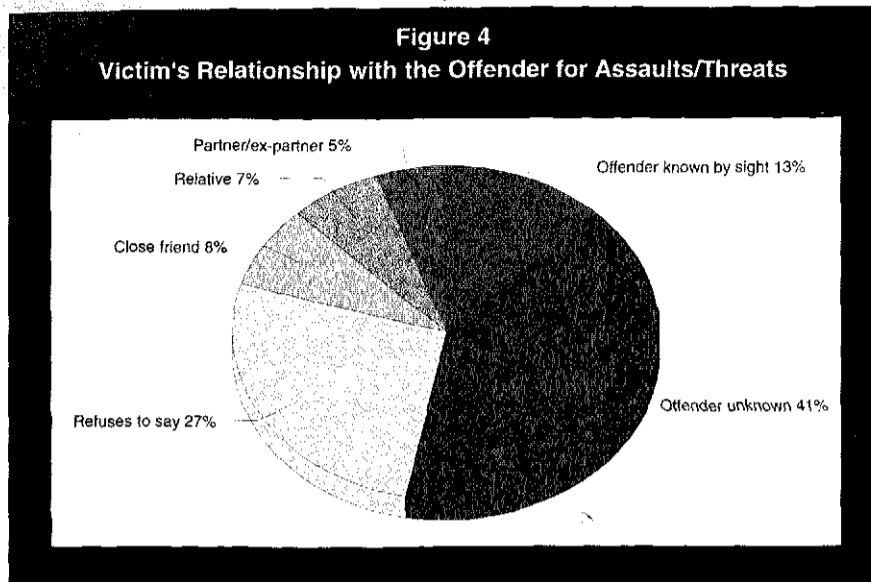
But victimisation does not only occur in the streets. Of the crimes

provides an insight into household life by disclosing events that may never be reported to the police.

Seriousness of crime

The respondents' assessment of the seriousness of victimisation varies depending on the type of crime. On average, half of the respondents consider the events they have been victims of, as very serious. The crime considered most serious is car theft.

Although car theft does not represent an immediate physical danger for the victim, it means a serious financial loss, and is considered a very serious event in all cultures. Sexual incidents, burglary, robbery and assaults/threats follow in descending order of concern.



It is interesting to note that car theft and burglary are also among those crimes which are more frequently reported to the police. In addition, many respondents have their cars and/or households insured. Respondents are therefore, concerned about goods in need of protection, and their recovery or compensation for loss.

A comparison of regions shows that the highest levels of concern were noted in Sub-Saharan Africa. There was very little differentiation between the gravity of the various crime types. This region also deviates from the average ranking, especially for assaults/threats, which is in the lower part of the 'seriousness' ladder.

Much fewer victims in Asia thought all types of crimes were as serious. A different 'philosophy' towards victimisation is revealed by citizens of Asian cities. Car theft is the only crime which is considered 'very serious' by 60% of the respondents. All other crimes are considered 'less serious'.

Sub-Saharan Africa is a crime driven region. It appears that respondents are under pressure, and that frequent, repeated experiences with crime make it inevitable that this problem be considered very serious, irrespective of the type of crime.

By contrast, the lowest victimisation rates were observed in

Asia, with a more differential attitude to the seriousness issue. It appears that the differential assessment of crime is facilitated in communities in which less crime occurs.

Reporting to the police

Usually, the higher the value of the target of criminal activity, the higher is the propensity to report to the police. However, the inclination to report is influenced by several factors, including past personal experiences with the police. These range from expectations, to factors related to the actual victimisation experience.

The relationship between the police and citizens is important, as are alternative ways of dealing with crime. The nature and perceived seriousness of the victimisation is also a factor, as is the relationship with the offender - the 'privacy' of the issue.

As expected, the data shows that the highest number of reported cases relates to car theft, and the lowest to personal theft and sexual incidents. In nine participating sites, more than 85% of car theft victims reported the incident to the police the last time their car was stolen.

Around 70% of burglaries were reported to the police in Dar es Salaam and Buenos Aires, while the lowest reporting rate was in

Cairo, Bombay and Manila. Citizens of Jakarta, Papua New Guinea, Tunis and Dar es Salaam reported around one third of personal theft cases, while less than 10% were reported by citizens of Kampala and Bombay.

Two forms of violence - robbery and assaults/threats - are on average, reported in 30% to 40% of cases, although as much as 66% were reported in Dar es Salaam, and as little as 11% in Rio de Janeiro. On average, burglary is more often reported than robbery, with the exception of Cairo and Manila.

Experiences with police

Of the factors influencing crime reporting to the police, particular attention is given to reasons for not reporting. Attention is given particularly to citizens' satisfaction with the way the police handle reports, and how they subsequently act.

The higher the value of the target of criminal activity, the higher is the propensity to report to the police

The reasons for not reporting can be differentiated into those related to:

- The 'weight' of the event itself - the seriousness of crime, lack of evidence, and inappropriateness of police activity.
- Access to alternative solutions - 'solved it myself', family support.
- Negative attitudes towards the police - could do nothing, would do nothing, fear/dislike.

The most common reason for not reporting regards the event itself - mostly its relatively low level of seriousness. This is followed by an experience or attitude expressing the lack of effectiveness on the part of police.

In terms of reasons related to the police, attention should be paid to statements that 'police will not do anything' and a 'fear and dislike of

police'. In all sites, the former is almost exclusively related to property crimes. This is particularly the case for robberies in Johannesburg, Papua New Guinea, Cairo and Rio de Janeiro.

Citizens in the developing world are dissatisfied with the way police control crime

Fear and dislike of the police is, as expected, most frequently indicated in connection with sexual incidents. Women victims of sexual incidents are often treated badly by the police. Other crimes which elicited this response are violent crimes such as robbery and assaults.

These three crime types are all contact crimes, and might involve particular relationships with the offenders. Sometimes police also treat a victim as 'an accomplice' or 'one who deserves what s/he got'.

In the developing world, there are many more victims who are dissatisfied with the ways in which the police handle reported cases of victimisation. However, an extremely high 'no response' rate is registered, which complicates analyses.

Handling of reported cases

Dissatisfaction with the police's handling of the matter once reported, is another important indicator of the police-victim relationship. The available information is based only on the last incident reported to the police,

and pertains to those who were dissatisfied with the way the police handled their reports.

Regionally, around one third of victims stated that the police 'did not do enough'. Two other important reasons were: the police 'did not recover my property' and 'did not find the offender'. The former indicates that reporting is often motivated by the expectation of reclaiming stolen property.

In the developing world, substantial economic interests might be at stake for the victims of property crimes. This was indicated by more than 40% of dissatisfied victims in Johannesburg, Dar es Salaam, Rio de Janeiro and Beijing.

Inability to find the offender was the stated reason in more than one third of unhappy victims in Dar es Salaam, Cairo and Rio de Janeiro.

Citizens in the developing world are dissatisfied with the way police control crime in their area of residence. There are more 'dissatisfied' than 'satisfied' respondents in all the regions with the exception of Asia.

Citizens of Latin America are particularly dissatisfied, while in Asia, 83% of Beijing residents believe the police do a good job.

Attitudes to punishment

Opinions on sentencing are also an important measure of citizens' reactions to crime which might be related to victimisation experiences.

The question referred to five types of sentences considered most appropriate for a recidivist burglar - a man of 21 years of age who has stolen a colour television - followed by a specification of the length of imprisonment, should the sentence be chosen by the respondent.

People in the developing world agree that the most appropriate sanction is imprisonment - more than 50% in all the regions, and more than 70% in Sub Saharan Africa and Asia. Citizens of Beijing and Manila, in particular, exhibit a punitive orientation.

A fine is deemed the most appropriate sentence by 29% of the respondents from Bombay, and 19% from Tunis, while community service is held as an appropriate sentence by just less than half the respondents in Rio de Janeiro.

It is interesting that in Argentina and Brazil, quite a few respondents favoured community service, although at the time of the survey such a measure was not envisaged in the respective criminal justice systems. Nevertheless, punitive measures are favoured in the developing world. *IPQA*

ACKNOWLEDGEMENT

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Other People's Money

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As fraud and thefts of money increase, financial institutions are being pressurised to act. In KwaZulu-Natal, cheque fraud and robberies at ATMs require urgent attention. But the banks and police alone, cannot stop the perpetrators. The public must be more vigilant in their use of these facilities.

Fraud has been billed as the biggest industry in South Africa. The police are estimated to be investigating fraud cases amounting to R400 billion rand. If accurate, this amounts to three times the country's budget for 1994 (Greyling 1995). Fraud has become a lucrative profession, with syndicates and individuals planning their crimes to the last detail.

The public and victims of these crimes often believe banks should play a greater role in detecting fraudulent transactions, with little consideration for their own role in combating crime. Financial institutions process more than a million cheques a day, not to mention credit card transactions. In addition, banks also have to monitor the activities of their own employees.

The problem of automatic teller machine (ATM) muggings is similarly attributed to a lack of security on the part of the banking institutions. These are the kinds of problems which led to the formation of the Financial Institutions Task Group within the National Crime Combating Council.

The Council was formed in partnership with the South African Police Services (SAPS), with the objective of focusing on crime and

working together to seek solutions. Provincial Councils were subsequently formed, and in KwaZulu-Natal various task groups were established within the Council to address different types of crime.

The author represents commercial banks on the Financial Institutions Task Group. Other members include a lawyer, a forensic auditor, a divisional security manager of a large non-financial institution, and a representative from the SAPS Syndicate Fraud Unit. The Task Group's current priorities are cheque fraud and ATM crimes.

Cheque fraud

In 1994, an average number of 1 222 460 cheques were cleared daily through the Automated Clearing Bureau (ACB) for all banks in the country. The average number of cheques processed for the Durban Metropolitan area alone was 177 798 per day. These figures are averages of annual totals and do not reflect seasonal/month-end fluctuations.

These statistics represent the minimum number of cheques in circulation, as many banks cannot - for logistical reasons - utilise ACB facilities. It is impossible to determine exact figures, but one source estimates that at least 40%

more per day are processed outside of the ACB system.

Such volumes are an open invitation to criminals. Several syndicates actually specialise in perpetrating cheque fraud. The police estimate that the national value of cheque frauds reported to the Commercial Crime Branch from January 1995 to March 1995 is R909 million. The actual figure is probably much higher because, for a variety of reasons, charges are not always brought against perpetrators of cheque fraud.

To facilitate fraud, syndicates recruit 'insiders' from sources such as company messengers, accounting staff, bank staff and Post Office officials. Prevailing circumstances allow for easy intimidation should the target not be willing to cooperate. The system of 'punishment if you do not assist, but payment if you do' is an effective method of recruitment.

The national value of cheque frauds reported to the police from January 1995 to March 1995 is R909 million

The most loyal staff members, who might otherwise be willing to report such approaches to management, realise that there is little protection available outside the company premises, and fear of retaliation allows syndicates to operate with impunity.

The SAPS is unable to protect individual informants over an extended period, and their witness protection programme is not designed to support circumstances such as these. The role of the police is also reactive, and the question then arises: who is actually responsible for the prevention of cheque fraud?

What banks can do

All cheques pass through the banking system and it is easy to allocate responsibility for prevention in this direction. Certainly, banks must pay careful attention to the customers for whom accounts are opened: cheques can easily be fraudulently negotiated if an account is opened in the name of the payee on a stolen cheque.

Customer service levels are inversely proportionate to the existing degree of security

Banks must also exercise extreme caution when accepting cheque deposits. In theory, each cheque must be scrutinised for signs of tampering with the payee's name, signature, or the amount in words and figures. The date on the cheque must be valid and the type of crossing used must be checked to establish whether the depositor is entitled to pay the cheque into the designated account.

As an added protection, banks impose a restricting hold in order to obtain clearance on the cheque from the drawer's bank before making the funds available as cash to the depositor.

Customer service levels are inversely proportionate to the existing degree of security. It is almost impossible to scrutinise each cheque to the degree described above. In the case of bulk deposits, the sheer weight of numbers makes it possible for altered cheques to slip through the system.

What customers can do

There is a very real need for customers to accept the responsibility of owning a cheque book. Customers who complain that cheques have been tampered with, automatically expect reimbursement from the bank. But they do little to ensure that their cheques cannot be used by unauthorised persons.

Prevention of cheque fraud starts with principles of effective custody. Irrespective of whether the

customer is a business concern or a private individual, each cheque should be regarded as cash and treated accordingly. Businesses must ensure that cheque books are securely housed and that access is limited to as few people as possible.

Individuals should examine their transactions and determine whether it is necessary to be in possession of a cheque book at all times. If this is not the case, cheque books should be kept under lock and key.

Government and large company cheques are favourite targets for fraud, and all mail should be handled under proper supervision. The Post Office is subject to the same risks as are banks. Internal fraud, armed robbery and vehicle hijacking are not uncommon, and each robbery yields a valuable supply of cheques which can be moved through the system.

An effective means of combating cheque fraud will not be found overnight. Since the lifting of sanctions, international syndicates operate as they please, and new methods of perpetrating fraud are regularly introduced into this country. The use of specific chemicals and access to bar coding and other sophisticated technology has turned cheque fraud into a science.

There is a very real need for customers to accept the responsibility of owning a cheque book

The police alone cannot combat this crime, and banks are relatively helpless without customer cooperation. All frauds should be reported to the police, and customers should accept the responsibility inherent in owning a cheque book.

ATM muggings

These crimes are often viewed as unique to South Africa, but ATM mugging is not a new phenomenon. Countries such as Germany and the United Kingdom have been experiencing this form of crime for much longer than South Africa has.

The activity used to be known as card 'swapping' but the emphasis has changed. Criminals no longer rely on distractions to exchange the customer's card for an already stolen one. The crime is now less subtle and a successful theft tends to rely more on intimidation and shock.

Criminals operate in gangs of up to 13 people. There is usually a vehicle driver and those who look out for police while others vandalise certain ATMs in the area of operation. The unavailability of ATMs for drawing money obliges customers to choose the only ATM which is working. This of course, is the ATM which the criminals have chosen for their operation.

Germany and the United Kingdom have experienced ATM muggings much longer than South Africa has

Three or four thieves may be used at the actual ATM site, and there are several methods to steal either the card, money or both.

Distraction

After the customer inserts the card and keys in the number, one of the gangsters tells the customer that the ATM is not working and presses the 'cancel' button on the keyboard. The thief continues to talk, the customer becomes confused and while attending to what the distracter is saying, a second gang member removes the card from the slot, walks away and hands it to a third member.

The customer turns back to the ATM and waits for the card to be ejected. After several minutes of waiting, the customer concludes that the ATM has retained the card and leaves, only to be informed by the bank that the card was *not* retained by the machine. Meanwhile, the thieves draw the maximum possible amount from the card.

Another distraction results when criminals throw money on the floor on the opposite side of the card slot. They then point out that the

customer has dropped money. When the customer bends to pick it up, the 'cancel' button is pressed and the routine described above is followed.

Card retention

Thieves place paper or a sticky substance into the slot of the ATM they are 'working'. When the customer keys in the PIN number it does not register with the ATM, as the reader which recognises the magnetic stripe is blocked by the obstruction inserted by the thieves.

The customer concludes that the ATM is faulty and presses the 'cancel' button to retrieve the card. The ATM has not recognised that the card is present and so does not respond to the 'cancel' command. The customer walks away, believing that the card was 'swallowed'. The gang then manipulate the card out of the slot and withdraw the funds.

These are the two most common methods of stealing cards and are only successful if the gang sees the number keyed in by the customer. Customers often accuse the bank of 'stealing' their money, because they believe the card was retained by the ATM. This is reinforced when thieves deposit the card in the ATM after withdrawing funds.

If banks advertise their counter measures, they keep the criminals informed as well

The 'helpless' customer

The thief in this case stands in front of the ATM for a while, thereby eliciting sympathy - and causing impatience - in the queue behind. An unsuspecting customer will offer to help and often uses his or her own card to demonstrate the correct procedure.

Having seen the PIN being keyed in, the thief then appropriates the card and subsequently withdraws the funds. If the customer's PIN number was not seen by the thief, other methods are used.

Cash theft

This is far more blatant than the methods already described. When the PIN number has been entered, one gang member moves up and presses a 'quick cash' withdrawal option displayed on the screen. Once the ATM starts processing the withdrawal, it is impossible for the customer to cancel the transaction.

Educating ATM users is the best defence

While the customer protests, others in the gang crowd around in an intimidatory way. A person is specifically designated to take the money as soon as it is dispensed, leaving the customer helpless as the gang disperses. The card has not been stolen - but the cash has.

Distracters may also be used to obtain cash. For example, a request to take a deposit envelope from the ATM just before the cash is dispensed is effective enough for another gang member to remove the money and walk quietly away before the customer looks at the ATM again.

Physical intimidation

This is the most disturbing method because the customer is most likely to be hurt in these situations. The customer being held at knife point or gun point and ordered to withdraw all available funds in the account, has no choice but to comply.

Preventative measures

The most common response to this situation is 'what are the banks doing about it?' The banks' answer is difficult because if they advertise their counter measures, they keep the criminals informed as well. Nevertheless, the following should be noted.

The Financial Institutions Task Group addresses all ATM problems on a continuous basis. Inputs are obtained from all banks and

collated in close liaison with the police. Regrettably, the SAPS cannot supply the manpower for constant surveillance of all ATMs in KwaZulu-Natal.

They therefore prioritise those machines which are frequently targeted by criminals. But gangs are migratory, and if they become aware of police interest in a particular area, they move to a new location until the interest has died down.

Members of the Task Group believe that educating ATM users is the best defence and are fully prepared to address groups on this issue. Submissions received from victims of ATM theft have also been made to the Council of South African Banks.

The Council has convened a special project team to address problems associated with ATMs, evinced in recent media advertising campaigns. The Council also recently compiled a list of minimum security features at ATMs, including factors like the location, the immediate surroundings, and protective features in the ATM itself.

Certain changes have already been implemented: the upright keypad has been replaced with a 'flat bed' variety so that PIN numbers are easier to hide. Unfortunately, this has encouraged the more physical approach to the crime.

Placing a guard at the ATM can have positive and negative effects

Customers' suggestions

Customers have suggested placing the ATM in a booth. Research has shown, however, that this is dangerous as the victim can be trapped inside with the criminals. The crime is also less easy to detect from outside. Consideration must also be given to accommodating wheelchairs and prams.

The idea of making access to a booth dependent on inserting a card would also not be effective. The

existence of Saswitch and Multinet services means that all customer cards must be accommodated, which defeats the object of controlling access to the ATM in the first place.

ATM transactions should be conducted during normal banking hours

Placing a guard at the ATM can have positive and negative effects. Reports have been received of guards being seriously intimidated, to the extent that one guard was forced to withdraw funds from his own account! Evidence also exists that some guards cooperate with card thieves in order to avoid intimidation.

Many suggestions require extensive changes to bank computer programmes. Software programmes can take very long to design, programme, test and implement. In the context of ATMs, by the time the project is completed, the measures could well be obsolete.

Customer responsibility

When accounts are opened, customers undertake that they are responsible for all transactions on the account. Customers must be aware of - and accept - their responsibilities as ATM users. Cards should therefore not be given to spouses, children or anyone else to transact on behalf of the cardholder.

Banks regularly encounter situations where a customer has stored the card and PIN number together in a wallet or purse. This practice facilitates easy pickings for co-workers, domestic workers and sadly, even teenage children!

Reporting stolen cards means the likelihood of police obtaining a conviction is much greater

Just as it is unwise to stop for petrol at a garage at midnight, it is equally unwise to draw money late at night from a quiet ATM site. Wherever possible, ATM transactions should be conducted during normal banking hours. If several ATMs are

closed in an area, customers should not use the nearest available machine. That could be the site where a gang is operating and it is wiser to move to a different location.

If possible, people should make transactions with someone they know standing beside them, facing the area to which the customer's back is turned. If customers are alone, they should be assertive, and if someone comes too close, they must be requested to move away.

Most importantly, victims must report incidents to the SAPS. Many customers believe it is not worth the effort, but in the absence of statistics relating to an area, the police and banks are unable to gauge the extent of the problem. Reporting stolen cards also means that if a criminal is caught with a card, the likelihood of police obtaining a conviction is much greater. **IPWA**

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Keeping Up With Crime

Effects of crime on short term insurance

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Short term insurance against certain crimes may soon be a luxury. The industry is threatened by high crime rates, particularly of vehicle theft and hijackings. This raises costs for the insured and the insurer. In addition, this industry like many others, must deal with the impact of widespread white collar crime.

The short term insurance industry comprising insurance companies, insurance brokers, reinsurers, loss adjusters and assessors, is financially more severely affected by the current crime situation than any other.

Published results of insurers for 1994 show that almost all local insurers recorded underwriting losses. One insurer alone showed an underwriting loss in excess of R130 million.

Crime - over and above the normally anticipated insurance claims - has caused these shocking losses. Results like these bring the problems of insurers sharply into focus.

How crime affects the industry

Insurers are affected by crime in two ways. First, as a business which employs people, the fact that people are regrettably becoming increasingly dishonest is a problem. The misuse of trust and authority by employees is a general concern for business, and the insurance industry is no exception.

Examples of employee dishonesty specific to this business include:

- ❑ Collusion between insurance claims department staff and motor vehicle repairers, like panel beaters. Without proper controls, it is easy for individual vehicle repairers to be favoured, for repair estimates to be inflated, and for 'backhanders' to be paid to claim department staff in return for these favours.
- ❑ Similar arrangements may exist with the suppliers of television and video equipment, cameras, jewellery and so forth, bearing in mind that insurers prefer to replace items rather than pay policyholders in cash.
- ❑ Insurance company staff work alone or in collusion with the staff of insurance broking companies. They may fabricate insurance policies covering motor vehicles or other property which does not actually exist.

The inevitable subsequent claims are very professionally handled and difficult to detect.

- ❑ A major activity of short term insurers is to pay claims. The volume of claim cheques issued by the industry on a daily basis is massive. Despite stringent procedures for ensuring that cheques reach their recipient intact, the extent to which they are intercepted and fraudulently amended is great.

Today, all businesses are affected by employee dishonesty. Insurers are alert to these activities and very strict action is being taken to eliminate them, with considerable success to date.

The second way in which insurers are affected by crime is by virtue of the fact that the insurance policies they sell provide cover against many risks, including losses resulting from the criminal activities of others.

Published results of local insurers for 1994 show that almost all recorded underwriting losses

Motor insurance

These claims are most common as motor insurance is most severely affected by the crime situation. According to the South African Police Services (SAPS):

- ❑ A motor vehicle is stolen every 5,39 minutes in South Africa.
- ❑ During 1994, 109 166 cases of vehicle theft were reported to the SAPS countrywide. This is 23% higher than the same period in 1993.
- ❑ Fifteen percent of all non-recovered vehicles reported as stolen or hijacked were, in fact

not stolen, because the vehicles never existed in the first place.

These statistics are frightening, to say the least. Figures for KwaZulu-Natal are equally grim:

- From June 1994 to the end of May 1995, 18 000 vehicles were stolen in KwaZulu-Natal - an average of 1 500 per month and 50 per day, or slightly more than two every hour.
- October 1994 was a bumper month for car thieves - it seems they do their Christmas shopping early.
- The estimated value of vehicles stolen in this province during the first five months of 1995 was more than R 140 million - almost R1 million every day.

This situation has a devastating effect on the short term insurance industry and on the man in the street. Crime impacts especially on motor insurance because losses through theft, hijacking and fraud are usually of a total loss nature. This means the cost of the claim will be equated to the full market value of the vehicle which has been stolen.

Motor insurance premiums have already increased substantially and the trend is likely to continue

Motor insurance premiums have already increased substantially and the trend is likely to continue. To keep premium levels competitive and profitable, insurers are looking for ways to reduce exposure to vehicle theft and hijack claims. This can be done by increasing premiums or raising the excesses or first amounts payable. But these actions may encourage clients to insure elsewhere.

Fitting anti-theft and hijack devices may become compulsory - possibly for luxury vehicles or those above a certain value. An incentive in the form of premium discount may be offered for the installation of such devices. Policies may be offered with the option of excluding the

theft and hijack risk at a substantially reduced premium.

Insurers have already implemented these options, but the position is still far from satisfactory. The incidence of vehicle theft continues to escalate, and any corrective measures by insurers are quickly nullified by the increased cost of claims. There comes a point when insurance becomes unaffordable or unavailable.

South Africa is not alone with these problems. In other parts of the world, insurance against crimes like motor vehicle theft and hijacks are simply unobtainable. South Africa is clearly heading in that direction and our motor vehicle premiums are possibly among the highest in the world.

The circumstances under which these crimes occur are familiar to many people. Some examples of comparatively new and innovative methods and reasons for perpetrating theft claims will be outlined.

Paper vehicles

This is a massive problem for insurers today. Non-existent vehicles are created through skilfully forged documentation. The vehicle is insured and conveniently 'stolen' or 'hijacked' after the policy has been in force for a reasonable period of time. The resultant insurance claim is fully documented, including confirmation of reports to the police.

It is very difficult for insurers to identify claims of this nature as being fraudulent. In order to combat this type of fraud most insurers now insist on a pre-acceptance inspection of the vehicle to confirm that the vehicle actually exists.

Finance house deals

Organised gangs identify individuals who are substantially in arrears with their motor hire purchase repayments. Arrangements are made with the owner for the vehicle to be 'stolen'. A claim is lodged under the insurance policy, thus relieving the

owner of his debt. Any 'charge' goes into his pocket together with a small bonus for the perpetrators of the theft who then sell the vehicle on an almost 100% profit basis.

In other parts of the world, insurance against crimes like motor vehicle theft and hijacks are simply unobtainable

Fraud and other issues

Fraud perpetrated by comparatively honest policyholders is also a major problem for insurers. Old cheap car radios become exotic, 'sound systems' when stolen from a vehicle or as part of a car theft. Rusty old 'bangers' become top quality, overhauled collector's pieces in pristine condition with low mileage and mag wheels once they are subjects of a total loss claim.

Vehicles are often stolen for a particular purpose like facilitating a robbery. After the crime, the vehicle is simply burned. Thieves often steal cars by breaking open the boot followed by the back seat rest. Instant changes to number plates are made using black insulation tape. The letter 'P' is changed to the letter 'B' for example.

A fairly well known practice is the cutting of duplicate keys while a vehicle is being serviced or having anti-theft devices fitted. The opportunities for vehicle theft are clearly widespread. Stolen vehicles are regularly exported throughout Africa and to overseas countries such as Cyprus and Greece.

Other typical insurance claims

Money insurance

Not long ago, claims for the loss of money were fairly infrequent, often resulting from a lack of common sense! An example is the practice of an employee carrying up to R20 000 or more, to the same bank in the same bag at the same time every day of the week.

Eventually the employee would be mugged and the money stolen,

resulting in a claim. Thieves are also now more organised and sophisticated. When large amounts of money are involved, banks, building societies and professional carriers of money are the targets.

Insurers pay out more in claims than they receive in premiums

At the end of May, an amount rumoured at R700 000 was lost in a armed hold-up at the Westville Pavilion shopping complex outside Durban. Massive money losses running into millions of rands now occur all over South Africa on a daily basis.

Burglary insurance

Theft is escalating all the time ranging from house breaking of private residences to the organised theft of stock, machinery, plant and other assets. Guardian National was recently faced with a claim for a house which had been stolen!

Fidelity guarantee insurance

One of the most effected types of insurance, this involves fraudulent activities where millions of rands are stolen by the employees of companies that we insure. Increasingly, the more senior staff and management are involved in fidelity type claims.

It is often months or even years before the employer discovers fidelity losses occurring in the organisation, although they happen all the time. Claims that are presently being dealt with are only the tip of the iceberg.

Fire insurance

Proved arson is the cause of a high proportion of fire insurance claims. The insurer himself is frequently suspected of committing arson due to financial difficulties. This is usually extremely difficult to prove and consequently many claims are in fact paid.

Goods-in-transit insurance

There has been a massive increase in these claims which often

accompany vehicle hijackings. In such cases insurers are faced with two claims - one for the loss of the vehicle - the other for the vehicle's contents. The load is often the reason for the hijack in the first place.

The losses described above concern only crime related losses. Policies provide cover against a number of other risks, such as motor vehicle collision claims, fire damage, storm, flood, hail and other weather related claims, earthquake, lightning damage, machinery breakdown and so forth.

These losses continue as before, actually representing the major portion of claim costs. But crime related losses have increased the burden, and have not been envisaged by insurance rates and premiums. This is the cause for concern among insurers. Ultimately, insurers pay out more in claims than they receive in premiums - this cannot last.

Unaffordable in the future

Many types of crime related insurance cover could well become unaffordable or unobtainable if the crime situation deteriorates further. There is no overnight solution to current problems and there is unlikely to be any improvement in the short to medium term.

Many types of crime related insurance cover could well become unaffordable or unobtainable if the situation deteriorates

Over the long term there is an urgent need for all South Africans to revisit the much neglected areas of management controls, security, risk management and loss prevention measures in their businesses and their domestic situations.

Currently, businesses solve their problems by simply purchasing insurance cover. But insurers will only be prepared to provide such cover in the future where adequate attention has been given to loss prevention and the other factors already mentioned.

A basic condition of any insurance policy is that policy holders will at all times take precautions to ensure the safety of the insured property. In other words, appropriate action must be taken to avoid loss or damage, including when risks increase, as is currently the case due to crime.

Despite the unprecedented increase in crime, South African business people tend to be careless about loss prevention, risk control and associated functions. This stems from the halcyon days when crime was hardly a factor for consideration in running a business. This will have to change.

South African business people tend to be careless about loss prevention and risk control

Reduce crime opportunities

It is unreasonable to expect the police to make great inroads into the crime situation in the short term. The SAPS is facing many challenges and is undergoing a period of major regeneration. The police will play their part, but people must remove the opportunities for crime that have been created.

Within the insurance industry, crime prevention can be encouraged in a number of ways. Incentives may be offered to those instituting sound practical systems of internal control thereby guaranteeing against employee dishonesty. Computer technology should be used as far as possible to control access to systems and premises.

Recruitment practices must also be scrutinised. Some jobs, especially where trust is a factor, require more stringent vetting. Employees should perhaps not be moved into those jobs until they have established a satisfactory record with their employer.

Employers must examine work processes to ensure that obvious temptations are eliminated and must ensure that they have good communications with their employees. Employment policies

must be spelt out clearly as well as the consequences of any misconduct.

A more proactive and effective approach to reduce opportunities for crime is needed. It is possible to remove a large proportion of the current opportunities, and coupled with the efforts of the police, will deliver far more than any other crime resolving strategy.

Solving vehicle theft

The police and other authorities do have a major role to play in controlling vehicle thefts. The scope for these crimes can be reduced through:

- ❑ Closing our borders so as to prevent the export of stolen vehicles.

The mechanical device which locks the gear lever of the vehicle, appears to be the most effective currently available

- ❑ Eliminating the weakness that permits vehicle identification documentation to be fraudulently produced or manipulated.
- ❑ Improving the vehicle registration system so that it cannot be tampered with. A new national vehicle

registration system may shortly be introduced which hopefully will achieve these objectives.

- ❑ Providing adequate surveillance in areas where theft and hijacking are prevalent.
- ❑ Aggressively investigating all instances of theft and hijacking.
- ❑ Identifying and demolishing the sophisticated vehicle crime gangs who buy stolen vehicles from thieves.

Individuals can also contribute to these efforts by reconsidering the routes they travel, and the places where they park their cars. Installing the best quality anti-theft and hijacking devices can make a difference. The mechanical device, especially that which locks the gear lever of the vehicle, appears to be the most effective currently available.

Electronic tracking systems, the latest innovation in anti-theft devices, are proving to be highly successful. Insurers will probably offer incentives for these to be installed. Those who are fortunate enough to own very expensive luxury cars should also think twice about the desirability of this.

Guardian National recently paid a claim in excess of R500 000 after a luxury vehicle was hijacked. Duc to

Those who are fortunate enough to own luxury cars should think twice about the desirability of this

the horrific experience, the owner concerned decided to replace the vehicle with a very ordinary car, hoping he would thereby avoid a similar experience in future.

There is a great deal that can be done to minimise the opportunities for vehicle crime, which will also help eradicate the general state of lawlessness in the country. In the words of the National Deputy Commissioner of the SAPS, Lieutenant-General Zolisa Labisa:

"I dare say that if we curb vehicle theft then we will automatically succeed in lowering a substantial number of other serious crimes such as illicit trafficking in drugs, armed robberies, etc. - simply because stolen vehicles are used by these criminals to perform their devilish activities". **UPA**

ACKNOWLEDGEMENT

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Big Bad Wolves?

Violence and politics in KwaZulu-Natal

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Indicator SA Researcher

KwaZulu-Natal is being likened to Burundi where politicians are blamed for the violence. **Crime and Conflict** asked provincial leaders about the continuing violence. Both the Inkatha Freedom Party and African National Congress reject violence, but amid the flood of blame each directed at the other, there were few signs that politicians are taking any preventative action.

The prevalence of violent crime in KwaZulu-Natal is well known, but the extent to which these crimes result from the Inkatha Freedom Party (IFP) - African National Congress (ANC) conflict is less clear. Political violence is no longer as newsworthy for the media as in the past, and the conflict has even been described as 'mind-numbingly boring' (Smith 1995).

One thing is certain - a bitter contest for political power continues in KwaZulu-Natal. The 1994 election reduced violence levels, but fuelled the animosity between politicians in the IFP and ANC which has resulted in the destruction of so many lives over the past decade.

Under democracy and the rule of law, the obvious solution, which applies for any crime, is to convict the guilty and thereby remove the 'terror' option as a means of gaining power. In KwaZulu-Natal this is easier said than done. Understaffed - and often ineffective - security forces and courts have to fight a fire which has a seemingly endless supply of fuel.

Crime and Conflict raised this 'fire' with leaders of the IFP and ANC in KwaZulu-Natal. Dr Ziba Jiyane, Secretary General of the IFP, and Mr Senzo Mchunu, Provincial Secretary of the ANC, were asked why their supporters are still killing one another, how they feel about local government elections, and whether they are satisfied with

policing in the province.

A detour past the latest figures of Indicator SA's Conflict Trends in KwaZulu-Natal project and the South African Police Services (SAPS) traces crime and conflict levels over the past months, providing a background against which to consider the politicians' comments.

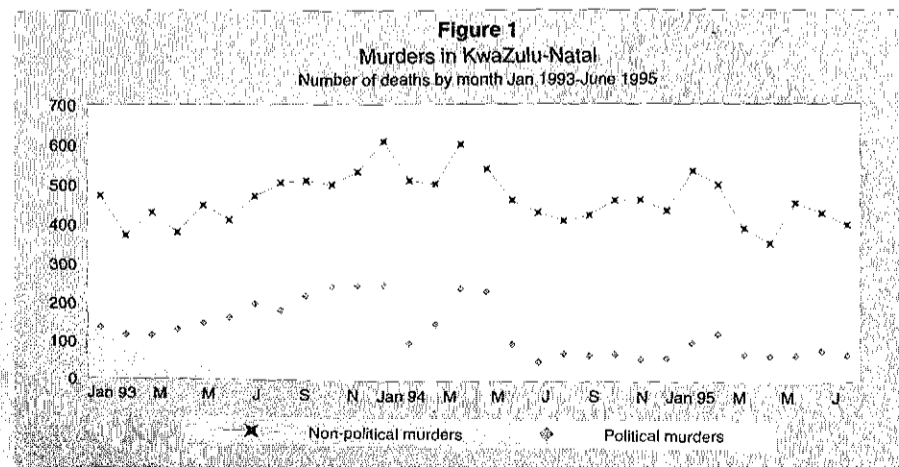
Trends over time

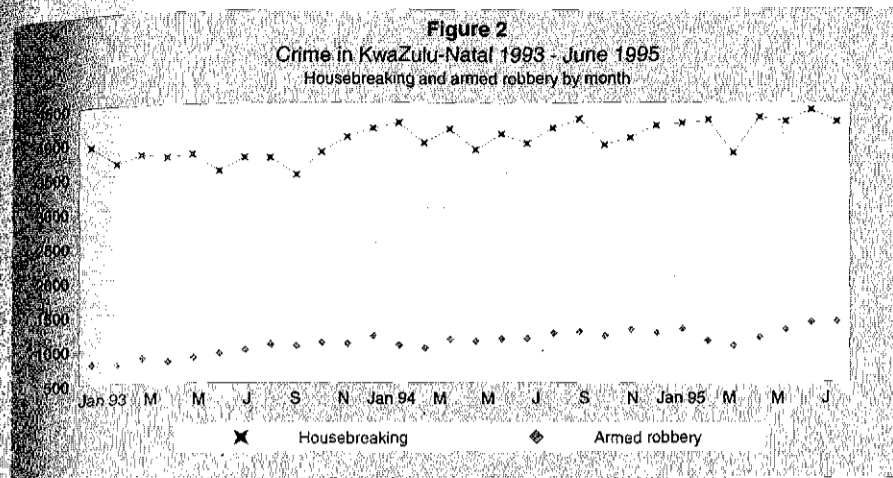
Statistics alone cannot attribute violence to political conflict, socio-economics or the many problems afflicting the police and the courts. But long term figures are telling. The election in April 1994 was a political event which showed politicians in particular, that their struggles could be decided through the ballot.

The sudden drop in violence after the election in KwaZulu-Natal is surely a product of this political development (Figure 1). Economically, people's positions have not changed, and improved policing has not been consistent throughout the province. Community policing is a long term project and rewards will not be evident for some time.

Crime by comparison, and particularly property crimes, are affected less by political changes and more by long term issues related to economics and the criminal justice system. Levels of housebreaking - of residential and business premises - and armed robbery, have increased very gradually from January 1993, with few fluctuations (Figure 2).

These rates are clearly more constant than for political violence (Figure 1). Interestingly, the level





of 'crime-related' murders - those perpetrated for non-political reasons - fluctuated far more than the property crimes in Figure 2. Levels of non-political fatalities also followed a pattern similar to political fatalities (Figure 1).

Political events rather than socio-economics or policing seem to have contributed to reducing violence levels after April 1994. Statistics below support this argument and show that while levels are lower, the nature of the conflict remains unchanged.

Unchanged trends from 1994

The distribution of conflict in the province is consistent with the pre-election picture. Levels are lower, but most violence still occurs in the Durban and Zululand regions (Figure 3). The South region has been a trouble spot since 1990, and more violence occurred here in the first six months of 1995 than over the same period in 1994.

The types of events have also not altered much since January 1994. Violence is still characterised by attacks on people and their homes (Figure 4). The majority of these are committed by small groups of people who remain unidentified - at least to the police and those recording the events. Attacks on security forces are also still conspicuous.

Small fluctuations occurred in two cases: attacks involving many assailants such as faction fights and group clashes made up 9.5% of events from January to June 1994.

In the same period in 1995 this decreased to 4%. Intimidation, which was rife before the election, also declined by 2% over this period. These changes have not, however, altered the overall conflict picture.

Similar patterns in diverse areas

The number of monthly events in the three most violent regions of the province were compared over 18 months up to June this year (Figure 5). The incidence of violence in Durban and Zululand is clearly similar, with troughs and peaks following the same trajectory. Even in the South, where less violence was recorded, a matching pattern is discernible.

This is significant because violence is often explained with reference to its location. While this is a factor, Figure 5 suggests that violence in KwaZulu-Natal is not distinguished by sporadic, localised conflicts.

Instead, a large portion appears to be caused by issues affecting the whole province with enough immediacy to cause simultaneous fluctuations across regions. This implies a good degree of organisation.

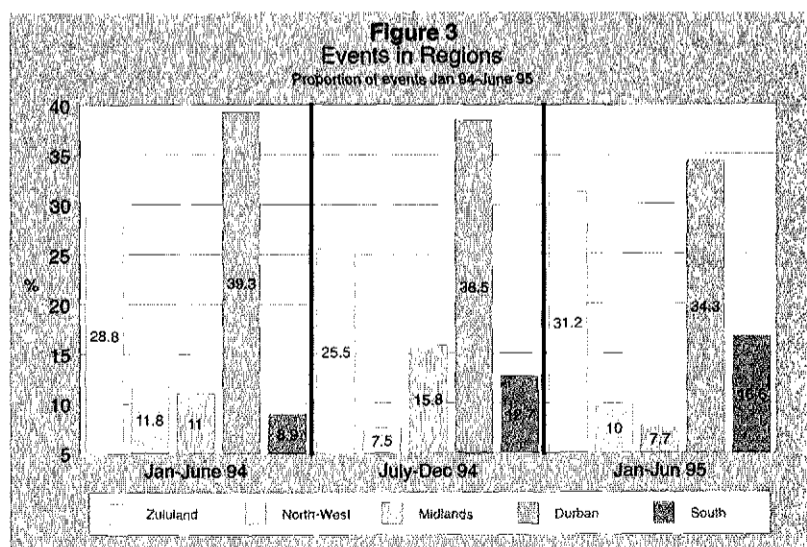
An examination of how conflict spreads from one location to another is long overdue. Isolating the causes of coincidental increases in different areas will go a long way towards eliminating this violence. Conspiracy theories are seldom taken seriously, but can be tested by courts or the Truth Commission. Less easy to test are the effects of derisive speeches and feuding between political parties at leadership level.

These statistics suggest that politics influences violence levels, and that the election represented a massive release of political tension. Since then, the nature of violence has hardly changed, and tensions between politicians are formidable. Increased violence levels since August 1995 may be associated with this. There is thus little evidence that the reprieve granted by the 1994 election will be permanent.

Political leaders' views

Political intolerance

The roots of political intolerance and indeed the conflict, according to Senzo Mchunu, Provincial Secretary for the ANC, lie in the



illegitimacy of the IFP as a political organisation. He believes 'the IFP has [had] a legitimacy crisis ever since it was born'.

This he attributes to the IFP's historical links with the previous government, evinced by the mere fact that it was allowed to exist when other liberation groups calling for democracy and supporting black interests were banned. Both also shared a common goal - the elimination of the United Democratic Front (UDF).

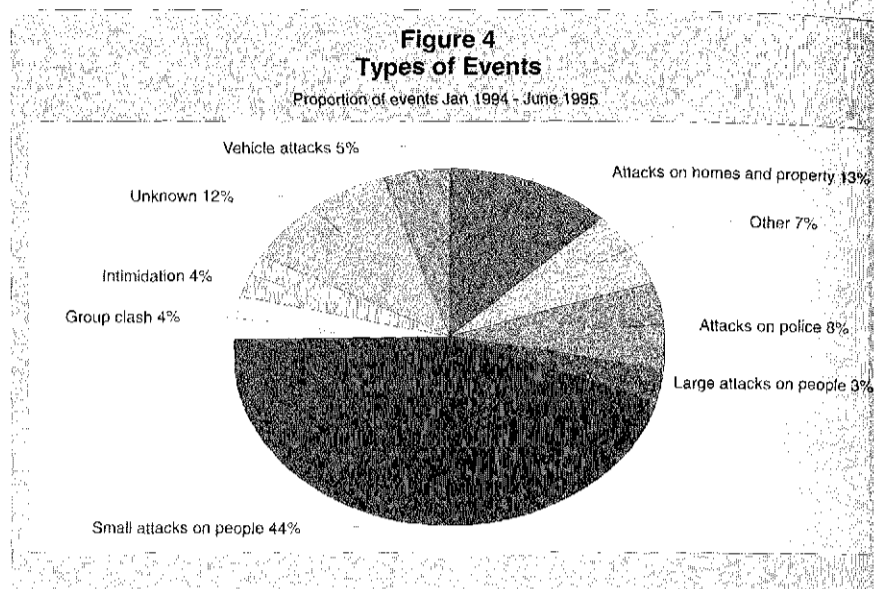
Normally a democratic election is the surest way of gaining legitimacy. But Mr Mchunu believes the April 1994 election intensified the IFP's legitimacy crisis as the elections were fraught with 'rigging'. He described it as 'very difficult' for the provincial ANC to accept President Nelson Mandela's intervention, which prevented them from challenging the election results in court.

According to Mr Mchunu, leading provincial government has not helped the IFP either. The IFP has 'no policies...and no idea of how to govern', which he attributes to the legacy of homeland governing. The former KwaZulu government's history is one of 'violence of 10 years, poverty and a lack of development in the hinterland'. After ruling unopposed for 20 years, he said, the IFP must also learn to govern with other parties.

The IFP in KwaZulu-Natal is well aware of the ANC's sentiments. Dr Ziba Jiyane was adamant that the main source of political violence is the power struggle between the two political parties emanating from the ANC's refusal to accept the IFP's election victory in the province.

Inkatha believe they won more votes than they were allotted, and that their governance of the province is consistently obstructed by the ANC, who believe the IFP government is illegitimate. This conflict, explained Dr Jiyane, has translated into violence on the ground.

For the IFP, 'the most threatening thing behind the violence' and



indeed the 'crux of the matter' is that the ANC believe they lost the election in KwaZulu-Natal because the armed struggle was not effective enough.

Dr Jiyane believes the ANC's strategies are an extension of their political history. In the 1980s the UDF's tactics of eliminating all other black organisations through targeting government 'stooges' like black councillors and policemen, and making the townships ungovernable, succeeded everywhere except in KwaZulu-Natal.

Here, 'the councillors had been elected by a political party with grassroots support - the IFP'. Inkatha's strategy was to fight apartheid from within, but since this differed from the ANC's plan, the two parties became antagonists resulting in 'black-on-black' violence.

The ANC's strategy to dominate the political scene continues, illustrated by the fact that currently, political problems occur only in those provinces where the ANC is not in government. The ANC, according to Dr Jiyane, like liberation groups in other Southern African countries, 'seeks to eliminate any black rivals in order to impose its hegemony' once it assumes power.

Since the IFP is the only viable alternative black party to the ANC, 'it must be eliminated'. Dr Jiyane

ominously asked why the IFP should 'feel morally obligated' to accept an ANC election victory in KwaZulu-Natal in future, if the ANC could not accept the IFP's victory in 1994? If opinions such as these reach supporters, what effect might they have on violence levels?

Inflammatory speeches

Mr Mchunu agreed that antagonistic speeches cause tensions. Armed and trained 'entities' built up over the years interpret violence reports in the media as signals that conflict continues, which justifies continued fighting.

In this way, political disputes at leadership level are decided violently on the ground. Mr Mchunu added however, that insensitive media reporting, also contributes toward tensions.

Dr Jiyane agreed that public speeches can arouse tensions and that leaders must avoid inflammatory language. But he stressed that these statements reflect fundamental, unresolved political problems between the ANC and IFP, which were to have been determined by international mediation. He emphasised that the ANC cannot simply forget its pre-election promises.

No-go areas

There are over 50 no-go areas throughout the province which both

IFP and ANC claim are off-limits for supporters, and where the parties are unable to organise and campaign. This has serious implications for local government elections.

Both the IFP and ANC oppose no-go areas, but the IFP insists the problem is greater for their supporters. Dr Jiyane pointed out that when President Mandela visited the province, he entered many 'no-go' areas for ANC supporters, without any problems. By contrast, when the IFP tried to launch a branch in the ANC dominated Clermont township in July, their supporters were fired at with telescopic rifles, wounding four people.

Dr Jiyane acknowledged that there may be IFP imposed no-go areas, but explained that people who now live in peace after 'a war which was imposed [on them] by the ANC' do not want ANC supporters in their areas for fear that 'the war will start again'.

Explaining the Clermont incident, Mr Mchunu ironically used the same account as Dr Jiyane's above. Clermont has a peculiar history of resisting incorporation into former KwaZulu, a battle which claimed many lives. Victorious in their struggle, ANC residents want to protect themselves against any threats of violence.

The ANC stressed that all avenues have to be explored when political parties want to enter sensitive areas

like Clermont. Mr Mchunu explained that neither party should have to ask permission to visit an area, but that in the interests of peace, a plan should be drawn up which political parties and security forces can follow.

For Dr Jiyane, however, no-go areas cannot be properly addressed until the acute political differences between the parties are resolved. These problems will not simply disappear, and 'these issues have to be addressed if we really want to build peace in KwaZulu-Natal'.

Local government elections

Inkatha again emphasised that if leaders resolve their political differences, 'people will be more willing to accept the other side and the competition [for local elections] will be merely a political one'. At present, Dr Jiyane explained, the competition for votes is easily misunderstood to mean a declaration of war, since opponents are still seen as enemies.

While the IFP will do anything to ensure free and fair elections, Dr Jiyane lamented that the ANC controls the police and the army, and 'just do as they please', without consulting the regional IFP government or Ministry of Safety and Security.

'It is patently clear that the ANC wants to eliminate the IFP', and thus when the ANC decides on conciliation, it means surrender of the IFP. Dr Jiyane stressed:

"Unfortunately...the IFP will not surrender. [The ANC] must open the many no-go areas here and apologise and withdraw the statement that the IFP must ask permission from them [to enter ANC areas]. The IFP does not do that".

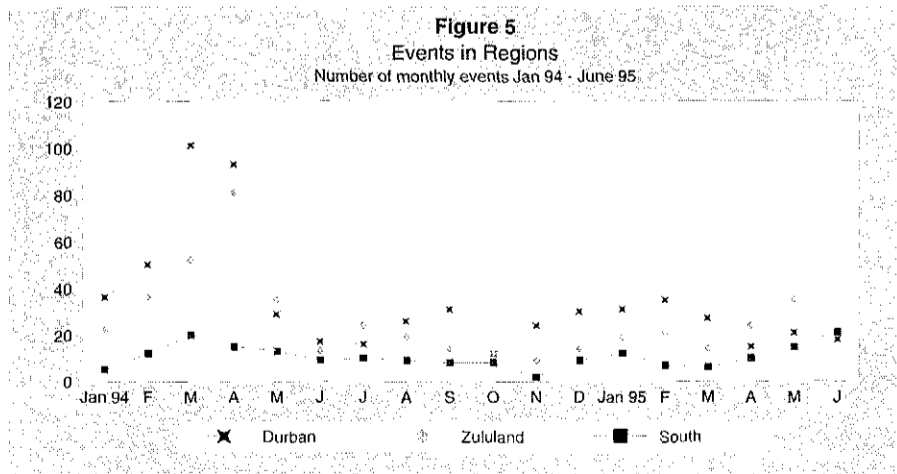
Dr Jiyane explained that the IFP's hands are tied when it comes to dealing with the risks associated with election campaigning in no-go areas. 'What can we do? We do not have the power'. He is not optimistic that the elections will progress well, citing the nationally orchestrated plan to eliminate IFP grassroots leaders which has claimed more than 400 leaders.

The ANC is more positive about the local elections. Mr Mchunu said that several areas of the province are ready for elections, while in others the IFP is trying to bar people from incorporation into voting areas of their choice. This, he believes, shows that some people are acting in the interests of their political party, instead of the province.

The ANC is determined that policies to govern campaigning should be developed. Soon after the Clermont incident, the ANC provincial executive tried to establish rules for campaigning, to be discussed with all political parties. Mr Mchunu noted that this process was derailed by the political confrontation developing between the IFP and ANC.

Mr Mchunu believes the present climate is not conducive to elections because people have made it so. For this reason, he is confident that hard work can improve the situation. A properly functioning government should make every effort to achieve this goal, but said Mr Mchunu, 'the IFP is not working towards but against it'.

He rejected the notion that regional and national political differences between the IFP and ANC have to be resolved before there can be real peace, and was quick to point out that 'it is not the politicians who are dying - they live a long time'. Politics requires that parties have



different policies, and there will never be a time when the ANC and IFP act in complete cooperation.

He stressed with a hint of sarcasm that 'people are not dying at provincial or national level' but where they live. Political debates can take years to resolve, which does not mean that people can be killed accordingly.

For Mr Mchunu the solution is to increase the security forces' presence in order to strengthen the position of ordinary people and stem politicians' reliance on violence for enhancing their own interests:

"At the end of the day, peace is going to have to be enforced in the province, and we are going to have to come to terms with that. Until we do, we will not achieve anything."

This is in stark contrast with the IFP's views. Dr Jiyane is determined that political problems be solved politically, not militarily, and that the police and army reinforcements recently brought into the province will 'only bring about more troubles because [they] will be partisan'.

Policing

Both the IFP and ANC are dissatisfied with policing in the province, but for different reasons. Dr Jiyane believes policing needs more attention, but that the fundamental political differences should be simultaneously resolved.

Dr Jiyane also complained that the IFP has no input into policing matters. Their main objection to the South African National Defence Force's (SANDF) deployment in the province is that it is 'filled with young Umkhonto we Sizwe (MK) soldiers who are blatantly biased against the IFP'.

While the party does not challenge the defence force as such, they want an input into security matters. Dr Jiyane emphasised:

"An increase in personnel can make a difference if it goes

hand in hand with efforts to resolve the political problems and also if it is done in an inclusive way and not unilaterally."

For the ANC the two main problems with policing are first, that Government treats KwaZulu-Natal like any other province, displaying a lack of urgency and prioritisation of policing strategies. The second problem is that central government deals with the violence reactively instead of formulating a long term plan.

Mr Mchunu believes that the unpopularity of the SANDF among the IFP is not an issue, since people whose lives are in danger - as opposed to the politicians behind these complaints - are not concerned with whether the police or army are deployed, but whether the violence is stopped.

He dismissed the IFP's emphasis on the lack of consultation between politicians over policing:

"We are talking about 10 year old violence - not about consultations...Even if there is no consultation and we stop violence in the province, is that not more important?"

Beyond the political solution

Statistics suggest that politics has an important effect on violence levels. There is also some indication that violence in certain areas is organised. Politics is central to the violence and thus its resolution, but if the opinions of leaders are anything to go by, we cannot rely on politicians to end the violence.

For the IFP there is little way forward unless issues they regard as fundamental to their position, such as international mediation, are resolved. Until the IFP government in KwaZulu-Natal is accepted as legitimate, progress is unlikely.

The IFP is not prepared to tackle violence on the ground immediately, but it is unclear to

what extent the ANC would include and accept their participation, given that the IFP is seen as illegitimate and incapable as a government.

While both parties believe that policing must be improved, the IFP contends that better policing alone will not solve the problem. Instead, political issues which could take months, if not years, to decide must first be tackled. At the other end of the spectrum, the ANC believe the conflict can only be resolved through security force action.

Without a political solution, there is little certainty that violence will not persist in the long term. But both sides are still caught up in the language of blame, which reduces the chances for settlement.

Ultimately, as was the case in Gauteng's East Rand region before the election last year, the responsibility for restoring peace will rest most heavily with the security forces.

In KwaZulu-Natal, however, policing is a politicised affair and a large, *ad hoc* deployment of military and even police personnel, may result in violent opposition from the IFP.

Already, self protection unit commanders have warned that more than 8 000 trained members are reading themselves to protect the lives of chiefs and IFP leaders (*The Mercury* 31 August, 1995).

Community policing, or similar efforts, holds the answer. Ordinary people must be given the power to act against perpetrators of violence. This means educating people about the freedoms of association, speech and movement which democracy affords them. They must be able to exercise these rights in safety, by building trust in the police and the justice system.

Without this, it is unlikely that those entities who use violence to further their interests will be stopped. **UPA**

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The Secret to Successful Policing?

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Community policing is the widely accepted answer to our legacy of authoritarian, state driven law enforcement. This article cautions against being seduced by the qualities of community policing without considering how these will be institutionalised in the complex South African context.

The doctrine of community policing in South Africa has come a long way in a short space of time. By mid-1995 there is growing consensus on the desirability and feasibility of this policing model. The debate around community policing has affected our understanding of policing quite considerably. We no longer commit the conceptual error of equating policing with the work of the state police only.

On the contrary, in our pluralist narratives we now confess that a variety of constituencies are involved in peace keeping and peace making, and that the production of social order is really everybody's business. This shift from authoritarian policing characteristic of apartheid's worst years has developed in a mere five years.

A widely accepted model

Why has community policing, like a kind of secular religion, conquered so many souls? How have senior police management, new political masters of the South African Police Services (SAPS), policing consultants and the variety of activists and community leaders concerned with policing come to

concur on the virtues of community policing?

It is in thinking about the seductive quality of community policing that a number of reasons come to mind. Let me briefly consider a few:

Accountability

From 1990, community policing provided a political programme of action which stipulated what many wanted from the police but rarely enjoyed under apartheid: transparency and accountability of the police to the society it served, and a close relationship ('partnership') between police and their clients.

The notion of community policing seems to capture the new ethos of democracy

Complete restructuring

Community policing also provided a strategy for comprehensively restructuring the police. For the new political elites, community policing translated into a programme of social engineering. And while the plan administers pain through panelbeating the SAPS into a more acceptable shape, it promises that policing will be more pleasurable in future.

The restructuring is captured in the organograms which advisors to the Ministry of Safety and Security routinely use to portray the substance of police transformation. These clinically outline what is in reality, a bumpy ride towards police reform, dictated by a changing set of constitutional, statutory, organisational and social rules.

The project of institutional engineering is ambitious, although much has already been achieved, for example:

- Progress towards the amalgamation of 11 police forces into one single national police institution.
- The redrafting of selection procedures and training programmes.
- Changes in promotion policy.
- The adoption of the principles of employment equity, lateral entry and affirmative action.
- The creation of new mechanisms of social accountability.
- Streamlining of internal disciplinary procedures.

Democratic conduct

Part of community policing's attraction lies in its apparent association with a democratic style of governance. Thus, our thirst for community policing has been an integral aspect of the democratisation of South Africa. Just as the batons wielded by the Riot Squad symbolised the old South African policing style, so the notion of community policing seems to capture the new ethos of democracy.

Responsive policing

In sharp contrast to the history of 'colonial policing' - the *kragdadige* imposition of 'law and order' in the interests of the dominant minority - community policing evokes the comforting image of being soft and finely tuned to the needs of everyday people.

At a rhetorical level it is orientated toward problem solving - as the jargon goes - and the collective mobilisation of resources across a range of social institutions such as welfare, justice, police and developmental bodies.

Viewed in these terms, community policing no doubt provides a welcome reprieve from the historical reality of policing in South Africa: hard, nasty and brutal as many people's experiences would bear out.

Community policing evokes the comforting image of being soft and finely tuned to the needs of everyday people

Calming fears

There is a sense in which community policing acts as a social sedative for our many fears of crime, appeasing the panic attacks induced by a prevailing discourse which portrays crime as the 'Number One Enemy' of the new South Africa (See Nina in the previous issue). In the face of such an enemy, community policing is a doctrine on which we pin our hopes for making our lives safe and secure.

Adaptability

Part of the seductiveness of community policing lies in the flexibility of the concept itself - it embraces a range of different and even conflicting definitions. Consequently, community policing can be interpreted from different experiential angles. As John Crank (1994: 347) argues, notions of community policing are easily embraced by both conservatives and liberals despite (or is it because

of?) 'the virtual absence of consensus over the definition of the term'.

United communities

Community policing plays on the politically attractive notion of communities as cohesive entities exerting a measure of control over the state. In the Western Cape where anti-crime committees are taking on the characteristics of a social movement (see Kinnes in the previous edition), the mobilisation of people under the community policing banner may facilitate community cohesion.

Such examples invite one to consider the extent to which community policing may act as a source of integration, binding people in a geographical area into a thickly woven tapestry of resistance against the forces of violent crime.

Employment

At one level, support for community policing has something to do with the employment opportunities it creates. Community policing may provide an economic means of survival for many non-governmental organisations and the facilitators and consultants attached to them.

Judging by recent developments, even sections of the militarised youth - self protection and defence units - have a prospect of future employment as police reservists. This invites reflection on the extent to which the commitment to community policing is fueled by basic economic considerations.

International standards

Perhaps we are seduced by the rhetoric of community policing because it is fashionable in the West and part of our colonial mentality thinks the 'West knows best' (Brogden and Shearing 1993). For the SAPS, community policing provides an entry ticket to the international policing community.

Through the incantation of policing vows concerning regular community consultation, transparency,

service delivery, problem solving and so forth, the police are at last demonstrating their worth to the international policing community.

Community policing plays on the politically attractive notion of communities as cohesive entities

Shared responsibility

Lastly, from the state's point of view, community policing is attractive as a model of co-responsibility which removes the onus from the state as the sole provider of law and order, safety and security. Policing has indeed become everybody's business.

Questioning assumptions

Considering why community policing is so popular helps instil a spirit of critical detachment in our debates on policing. As the sales rhetoric of community policing increases, so too does the danger that community policing as ideology will end up propelling itself, bearing little resemblance to the harsh reality on the street.

Critical distance is required to break through the rhetoric and uncover the difficulties and potential hazards of institutionalising community policing. To do this, an assessment of the assumptions underlying community policing is necessary.

Community-police relationship

Part of the problem is the conceptual vagueness in our debates on community policing. In one short breath we easily talk of community policing, partnership policing, self policing, alternative policing, popular policing, and privatised policing.

Too often these terms are used interchangeably without considering the exact nature of the relationship - whether it is conflictual, consensual, or characterised by parasitical interpenetration - between the state and other agencies in the policing field.

For example 'people's policing', like 'popular justice' implies a conflictual relationship between the state and the people. In contrast, 'community related policing' is based on consensual relations between state and society.

Our discussions on community policing must examine more closely the precise nature of the relationship between state and non-state agencies. Such relationships are not cast in stone. On the contrary, during political transition the boundaries separating state from civil society, and their respective obligations in keeping order, are bound to change.

Who is involved?

Conceptual clarity will show that the terrain of community policing is more densely populated than the present tendency to focus on community police forums would have us believe. Part of the reason for our preoccupation with this new institution lies in the status of such forums in the Interim Constitution and the recently promulgated South African Police Service Bill.

Community policing may spawn both benevolent and sinister forms of self policing

The guidelines for local policing in the Interim Constitution refer explicitly to the establishment and functions of community police forums at police station level. This restrictive focus obscures the other structures participating in policing such as neighbourhood watches, anti-crime committees, self defence units, commando structures, private security firms and community courts.

Furthering democracy?

There is no necessary link between community policing and democratic governance. Community policing may spawn both benevolent and sinister forms of self policing. In our own policing history, vigilantes have been put to many political uses. Furthermore, while people can be organised around

community policing, this may deliver division and fragmentation rather than integration.

The establishment of community police forums may encroach on the terrain of other structures like community courts and anti-crime committees. This raises the question of who 'the community' is to which community policing so easily appeals.

Communities embrace potentially diverse interest groups, such as the young and old, men and women, rich and poor, whites and blacks and so forth. Which groups may lay claim to the policing mandate on behalf of 'the community'?

Lastly, if community policing evokes a comforting image of policing we need to be reminded that there is a coercive core to all policing which is best not overlooked.

Challenges

To consider the challenges facing community policing, one has to invoke both the historical legacy of policing in South Africa and the structural dynamics of our society.

Policing legacy

Many of our community policing ideas are borrowed from societies abroad which differ dramatically from our own, both politically and economically. In the affluent enclaves of Britain and the Netherlands there is no colonial heritage to contend with.

In these societies a social contract between the state and public has long been in existence, and the police have a fair share of public favour. Crime rates are also low and less violent than in South Africa.

South Africa's political history, by contrast, has been shaped by the forces of colonial domination with all its concomitant effects. Wrested from a liberal context and implanted in South African soil, community policing may well bear fruit of a somewhat different texture.

Structural legacy

Another challenge is the structural legacy known as under-development, class inequality and racial divisions in which we find ourselves. Increasingly, commentaries on crime in South Africa assert that the problem is structurally located, and that as a result there are no quick fixes.

The solution to the high crime rate, we are told, requires addressing poverty, creating jobs, entrenching respect for the law, and reinventing that moral fibre without which society gives way to anarchy. But what happens to the call for service delivery and problem solving in policing, when the problems are so intricate and the services required of such magnitude?

We have to guard against a romantic vision of community policing as something that is intrinsically good

We often hear that without safety and security there can be no reconstruction and development. But the reverse is also true: without reconstruction and development there can be no safety and security. In this sense, much of community policing's success will be shaped in terrains other than policing - in the broader sphere of societal development, social welfare and restorative justice.

De-romanticise

We have to guard against a romantic vision of community policing as something that is intrinsically good. Perhaps it is best to have a Hobbesian understanding of politics. In the end the goodness of any policing model will be decided by the political philosophy guiding it - the checks and balances created to curb its abuse of power.

If we insist on a structure of deep accountability for the state police, so too do we need to devise structures of accountability within the popular policing terrain. Communities are not inherently innocent, and neither are states inherently evil.

Accept some coercion

Lastly, we must come to terms with the coercive core which underlies what policing is ultimately about. We do little justice to community policing to think that it is all velvet glove, and that its success lies in persuasion and skillful mediation only.

Policing in the last instance depends on the sanction of coercion. In this regard the wisdom of the British scholar Robert Reiner is useful:

"Policing is not about the delivery of a straightforward service to people demanding it. It is about the regulation of social conflict and the representation of social authority, through the use in the last resort of legitimate force. Policing is a largely coercive activity, even if physical force is comparatively seldom resorted to.

"Disputes about the appropriate priorities and styles of policing cannot be resolved by expertise alone. They are decisions about the purposes and justification for getting some people to do what they do not want to do."
(Reiner and Spencer (eds) 1993: 175)

This quotation is sobering, forcing once again an appreciation of the essence of policing. It is that essence which we will have to return to when the chips are down,

The challenge is to negotiate the precise terms of the power sharing agreement between the state and civil society

and the restoration of law and order takes precedence over the soft production of safety and security.

It is under such difficult conditions that one needs a clear division of coercive labour - who bashes whom in terms of which rules? Without this, community policing with its multiplicity of contenders and guarantors of social order will not facilitate democratic governance, but endanger it, which we can ill afford.

Institutionalise

The present challenge is to institutionalise a system of community policing which, despite its organisational diversity, does not violate the principles of truly democratic governance. It must also bind state and popular forms of self policing into contractual obligations.

Albie Sachs is quite right when he says that 'modern policing requires a form of integrated power sharing between organs of the state and organs of the community' (Brogden and Shearing 1993). The most vital challenge is to negotiate the precise terms of the power sharing agreement between the state and civil society.

Specifying these terms will not be easy. Even if it is not possible in the short term, it is necessary to

entrench truly democratic governance. It is the 'constitutional framework of restraint' (Brogden and Shearing 1994) that will make or break the spirit of community policing in future. To accomplish that, we will need structures of legal, political and social accountability.

There is growing consensus that community policing is the way forward, but we should not take the community or the state, or the job of policing at face value. Judging by recent intellectual debates, the public-private distinction which we so easily invoke in our discussions on community policing, is also under attack.

The fading of such a distinction is due to the emergence of new modes of governance and fundamental changes in the character of the state (Shearing and McMahon 1995). If this is all true, then the theory and practice of community policing must be considered with much more care than is presently the case.

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Kids or Crooks?

Jane Hudson

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Street children's begging and petty theft irritates the public and deters tourists. But the long term problems are more serious. The authorities' harsh response has, at best, produced a new batch of alienated criminals, committing far more dangerous crimes. Solutions must first recognise that these are children, and then aim to rehabilitate, not eradicate.

He lies, he steals, he is violent and he resists authority. This sounds like the profile of the average dangerous criminal - the sort of person society should lock up. There is, however, another side to his story.

He is 10 years old, he is hungry, he is cold, he has been abused emotionally, physically, sexually and mentally. He is addicted to solvents, alcohol and nicotine - supplied to him by adults, and he has no family support. Every adult he has ever trusted has let him down. The only respect he gets is from his friends, and the only role models he has are criminals.

How is it possible in this day and age that our society can allow this to happen to our children? Besides being inhumane, it is simply unintelligent:

□ We complain bitterly about the high crime rate in our cities, and yet we allow the youth of the nation to enter universities of crime through sheer neglect.

□ We complain that human life seems to have no value in our society, and yet we allow our children's lives to be so devalued that they become invisible.

Most street children end up on the street because of a family breakdown of some description. It is a rare child who rejects his family when his needs are being met. According to Christine Noble (1994), herself a former street child in Dublin:

"Home and family are fundamental to most people. But if a child's home is filled with neglect and violence and pain and indifference, then sometimes he takes the enormous step of leaving his family."

"The child is then free not only from the family but from all the restraints and rules and conventions that society places on him. The child is challenging society's most basic values. And the structure of government, that is, the police, welfare and social organisations, is geared towards pressurising the child to repent".

Noble reminds us that 'To them, home is not love and security and warmth and food; to them home is fear and pain and beatings and repression'. Conditions in South African society are certainly not conducive to the preservation of a healthy family life. Grinding

poverty, unemployment, overcrowding, political tensions and substance abuse contribute to the destruction of family units.

Coupled with rapid urbanisation and a hopelessly under-funded welfare and social security system, this is a recipe for disaster. The stresses placed on South African families are enormous - it is not surprising that the children end up bearing the brunt of it. It is also not surprising that they leave. What should be surprising is the number of children who do not leave.

Profile of a street child

What do we know about street children? The data presented here is from the Human Sciences Research Council (HSRC) Social Dynamics investigation into the phenomenon in 1993. Research currently being undertaken in Durban is revealing a similar picture:

□ In South Africa, most of the children visible on the street, parking cars or sleeping in doorways, are boys. About 10% are girls, but their means of earning a living are less visible.

□ They range in age from six to 18 years, although they do not disappear from the streets once they reach the magical age of 18. They just lose what little protection the status of a child has to offer.

Yesterday I held a four month old baby boy in my arms. He lives on the street. His young parents were street children. Young Sifiso will probably be one too. Two weeks ago I saw Jabulani again after a long time - he has just come out of jail. He looks very thin and is worried that he is sick. He is about 23 years old and I have know him since he was 14. He is still on the street, still trying to learn to write his name - he has dyslexia - and still desperate.

- The children are predominantly African. This must not be viewed as an indication of a lack of caring on the part of African families but rather as evidence of the tremendous pressure being placed on these families.
- Personal experience indicates that many of these children are exceptionally bright although no specific study of this facet has been done to my knowledge. The majority of children, despite their evident intelligence, have a very low standard of education.
- They soon become part of a kind of social organisation on the streets which has norms and rules. It has a language and code of conduct all of its own. Consequences for breaching this code are often very harsh.

There is evidence that many of the children end up in relationships with adults who run gangs in true 'Fagin' style. Clearly the children will become involved in increasingly serious crimes.

I have a close friend who was recently brutally attacked in her home. She has worked for children's rights for many years, but the men who attacked her were adult. One of them was fatally shot by the police in the ensuing chase.

I have another close friend who phoned me in tears after identifying the body of a young man she had been trying to rescue from the streets for years. He had come out of prison just days previously and had been profoundly depressed at his lack of prospects. I remember him as an irrepressible 15 year old. With horror I realised that the two stories were connected.

Adults' responsibility

A society which fails to provide safety nets for its children eventually ends up reaping the harvest of angry, criminalised youth. As adults, we have ourselves

to blame, and as adults, we are responsible for the solutions.

We can arm ourselves to the teeth, we can build high walls, buy attack dogs, and so forth. None of this will, however, stem the increasing tide of youngsters who are so battered by society that they no longer feel part of it.

Any city concerned with attracting tourists and stimulating economic growth has to pay attention to the plight of street children because they really do have an impact on the quality of life in a city. Durban is a case in point. The large number of children on the street seriously interferes with both business and tourism. These problems will only become worse if intelligent action is not taken.

People who work with street children in Durban have discovered the following three categories of children. Investigations both nationally and internationally confirm that this is the case in many large cities experiencing rapid urbanisation:

- There are the children who have completely cut all ties with their families and are fully committed to the street.
- There are the children who essentially come to the streets to work and return to their families at fairly regular intervals.
- There are also the children whose parents are homeless and living on the streets, and who the get absorbed into street life.

Because all street children are not the same, they cannot be lumped together when it comes to managing them. What is required are some basic standard services which reach the child on the street, and engage him in beginning a trust relationship with an adult.

This is where programmes for street children often fail. The adults involved are well meaning and often - but not always - have the best intentions in the world. What they lack is skill. These children are

not easy to deal with, and sometimes love is just not enough - although it always helps.

Clearly then, part of the solution is a concerted effort to improve the support systems for families and thereby prevent children from leaving home. This solution is essential, and the only long term permanent one, at least until the economy is strong enough for people to survive on their own. But what about the children who are already living on the streets?

Solutions for the future

Unfortunately, in many cities, service organisations are compelled to provide services which 'clear the streets' or 'eradicate the problem'. This has been the approach for years. Children have been arrested, beaten, attacked by dogs and forced into institutions which were not designed to cope with their particular needs. It is obvious that these strategies have not worked.

Many children end up in relationships with adults who run gangs in true 'Fagin' style

There is also a worrying idea that these children, 'for their own good', should be removed to remote rural locations and raised in *kibbutz* style farms. This might work for some children but certainly not for all. We must guard against imagining that thoroughly urbanised children will accept a rural lifestyle. I often wonder is this line of thinking holds so much sway because these are African children.

We also need to show these children how to live a healthier life in the city. We need to ask ourselves if we are not considering these options because they remove children - even if temporarily - from the sight of tourists and businesses in the cities.

In the early 1980s, South African service organisations were criticised for providing services which lay people thought would attract children to cities. As a result of this

attitude, these organisations have battled for funding and have not been able to develop as they should have.

Authorities during this time, resorted to punitive measures - the net result being a steady increase in the number of children on the streets, and an escalation of crime in cities.

It must be borne in mind that those children of 10 or 11 years old in 1980 are now 25 years old. Many of them have served more than one term in prison. They have had numerous experiences which have alienated them from society and made them almost beyond rehabilitation. Why are we then surprised at the crime rate?

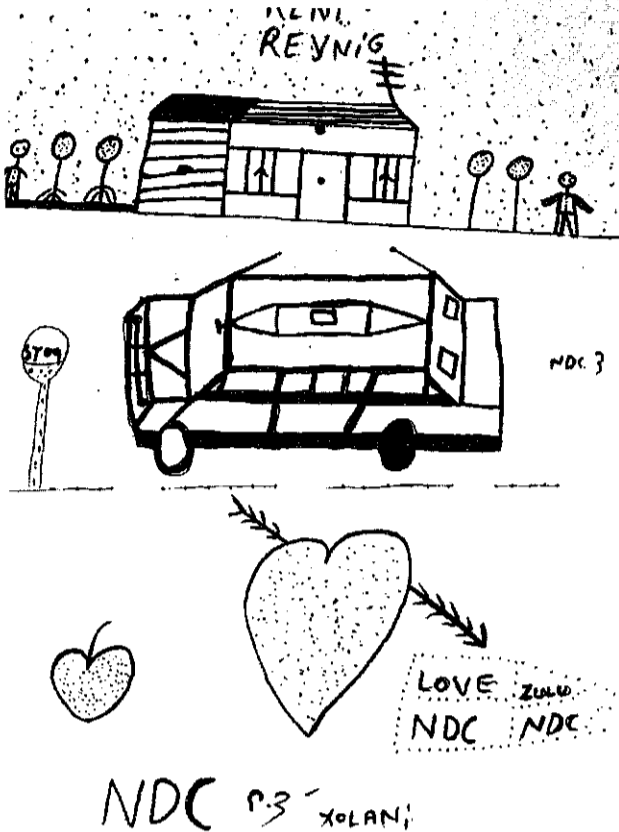
Hopefully, in these more enlightened times, our society has the grace to learn from past mistakes. We must urgently make up for the lost time and act decisively, before we contribute to a further deterioration of the situation.

Rehabilitation the key

The key issue in rendering services to these children is the provision of well skilled, appropriately qualified child care and outreach workers, who are experienced in working with children with problems. These employees deserve to be adequately paid, since it is not an easy job. Once again, the crux of the matter is money - money for buildings and more importantly, money for staff.

The objective has to be the re-entry of the child into mainstream society before it is too late. First prize is obviously the return of children to their families. Where this is not possible, there has to be a range of facilities with well developed resources and programmes, aimed at rehabilitation and not just custody.

Outreach workers must first interact with the children on the streets and begin the process of winning their trust. The next steps include in-depth counselling, contacting



This picture shows that Xolani's hopes for the future include living in a nice house with a television. He also wants to work for the Durban City Police (Vehicle registration numbers are NDC). This is not much different from many little boys.

Xolani is 13 years old, has no family, and is addicted to glue. He has never been to school and has already spent 3 months in jail. He is now 'protected' by a 25 year old ex-street child. Who knows what he is expected to do in return for that protection.

families and helping to reconstruct them, finding placements for children in community homes if possible, or accommodating them on a long terms basis if absolutely necessary. The point is the provision of a secure base from which the children can make their way in life.

A prerequisite to making a significant impact on the situation is a paradigm shift in the minds of the public and the decision makers. We need to stop seeing the children as the problem and start seeing them as symptoms of a greater problem which is not their fault. We need to start seeing these young human beings as children first, and on the street second.

We owe it to society and to the street children, to support the efforts being made to approach the matter both with pragmatism and with empathy. As a beginning, take the time one day to talk to one of the kids hustling you at an intersection. You may be surprised at who you find underneath that grimy exterior. A human being at the very least. **IDA**

What Happened?

By Jane Hudson

*I am a kid like your kid.
I beg from your car but I also
like to push a bicycle wheel
along with a stick.
I am a kid like your kid.
I steal your handbag but I also
like to kick a ball around.
I am a kid like your kid.
I smoke glue but I also like to
listen to stories.
I am a kid like your kid - what
happened?*

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About the Street Children's Forum

The Forum is an organisation comprised of most of the roleplayers acting in the field of street children in Durban. It's objectives are mainly to act as facilitator, coordinator and supporter of the efforts of its members. The coordinator of the Forum is Ms Busi Mlotshwa, and applications for membership can be acquired through the office at:

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Targets of Public Anger

Jeanette Schmid
Director, NICRO Johannesburg

Juvenile offenders can no longer be imprisoned for more than two days. The public, police and others involved, reacted with hostility to this development. This article argues that much of this anger is misdirected, since most of these youths are not dangerous criminals. They will soon be part of society again, and attention must be focused on their rehabilitation.

In a society which feels vulnerable and unsafe, young offenders have become the new target of public anger. Since the Correctional Services Act was amended in May 1995, preventing the detention of children for more than 48 hours, the abscondment and re-offending by some of these youngsters has consistently been highlighted in the media.

Some 700 children were immediately released from police and prison cells nationally. Of these, 203 were subsequently accommodated in places of detention in the Gauteng region. The Department of Welfare reported on June 6, that 36 of these youths had absconded. How many re-offended after their release is not known.

Juveniles coming into conflict with the law are seen as the scourge of our communities. To a large extent, these youths have become demonised. The public, police, juvenile officials and social workers remonstrate about juveniles who have committed adult crimes, and who should therefore be treated - or punished - like adults.

Rigidity and tunnel vision with regards to problem solving are often the result of anxiety and fear. There is an inability to see the whole problem, or to see it in perspective. It would seem that the hysteria created by the amendment has resulted in such crisis thinking.

A piecemeal solution

Clearly, prohibiting the detention of awaiting trial juveniles in prison or police custody was a necessary intervention. However, it must be acknowledged that this was a piecemeal alteration to a system which remains inadequate and unable to respond to the needs of young offenders or their victims.

Responses need to be found, not only for the children that were in custody at the time of the amendment, but for the youngsters coming into conflict with the law daily.

The fact that the prohibition on detention is a limited change is evidenced in the responses in the Gauteng region to the amendment. The reactions also demonstrate how a small, inappropriate intervention can have a significant unplanned impact.

Police officers apparently believed it was pointless to make arrests, feeling that children who could not be detained would abscond, making conviction difficult. There were rumours that police were setting dogs on juveniles or abusing them, although these could not be substantiated.

Due to the few arrests and a subsequent decrease in the number of court appearances, one of the two juvenile courts at the Johannesburg Magistrates Court

closed temporarily. Judicial officers felt disheartened, as the 48 hour detention period did not allow for remands in cases where police could not demonstrate that every effort had been made to contact relatives of the child.

They were also frustrated by the few court appearances, partly due to initial problems in transporting children from the places of detention - one of which is more than an hour away from the court it serves. Care officers felt intimidated and overwhelmed by having to deal with 'thugs' in an underresourced and often inappropriate environment.

Responses need to be found for the youngsters coming into conflict with the law daily

Initially it appeared that the crisis pushed the relevant departments further away from one another, with each feeling that the other had not adequately dealt with the young offender.

Meetings between departments and ministries at national and regional levels have since been established. These have for the first time provided the hope that a holistic and integrated strategy will be developed. The problem can only be comprehensively dealt with through a joint effort.

How bad is the problem?

Reliable information is required in planning an effective response. The paucity of data is a consistent problem in planning crime prevention strategies in South Africa, and the area of juvenile justice is no exception.

In developing a strategy one would need to know, for example, the number of serious versus minor

offenders, the number of first versus repeat offenders, in which regions and areas these children are located, and how they are all currently being dealt with in the criminal justice system.

The majority of youngsters who have disobeyed the law have not committed heinous crimes

There are several indicators which reflect the nature of the problem. Research by the Community Agency for Social Enquiry (CASE) showed that in 1992 there were just over 40 000 youths under 18 years of age who came into conflict with the law. The Hansard reported that in 1993, 30 000 children received whippings.

One would assume that the youngsters who were whipped had not committed serious or violent crimes, as they would then probably have received a prison sentence. In piecing together other information it would seem that about 8 000 young offenders would have been given prison sentences in that year.

The Minister of Correctional services, Siphso Mzimela, was recently quoted in the media as saying that only 8% of sentenced youth currently imprisoned had committed rape, murder or robbery. By implication then, the remainder would have been charged with less serious offences.

It thus appears that the majority of youngsters who have disobeyed the law have not committed heinous crimes. Any strategy that is adopted must therefore consider the needs of the first and second offender who is charged with a minor offence, as well as being responsive to the needs of those committing serious and violent crimes.

Prevent repeat-offending

It is important to point out that focusing on the needs of the particular child is not ignoring the needs of society. The central concern must be to identify how the child can be prevented from

recommitting an offence. This is, after all, what ultimately secures the safety of society.

Punishment tends not to achieve this objective, although the young person clearly needs to face the consequences of his or her offence. A solid, holistic programme aimed at breaking the cycle of crime is what is required.

Youths tend to become involved in criminal activities because of economic need, family problems, boredom, educational difficulties, a lack of vocational opportunities, peer pressure and a lack of problem solving and conflict resolution skills.

Interventions need to address these concerns and should identify opportunities for prevention, such as strengthening educational support for poor learners, creating job opportunities for school leavers, boosting families and providing adequate recreational opportunities.

Community based options

It would seem from the above indicators that there is a need to develop the capacity for dealing with approximately 35 000 young perpetrators of minor offences in a community context. Community based programmes can currently only cater for around 2 000 children.

Such programmes should include victim-offender mediation, community service, and group work programmes. These should be offered both as conditions for suspended sentences and as diversionary options. Such alternatives allow young offenders to be diverted from the court process, thus avoiding the imposition of a criminal record.

This is where the bulk of the resources needs to be allocated, not only because these youths represent at least 75% of the juvenile offending population, but also because this is the stage at which prevention is most effective. One thus requires a significant shift towards community based sentencing and diversion.

A corps of tracers should be formed to assist with placement after arrest. Such persons could be allocated the task of finding relatives, and also of ensuring that young people indeed appear for their court hearings and/or for mediatory procedures. It does not make sense for police officers or social workers to carry out this task.

Interventions also need to be considered for serious offenders awaiting trial in places of detention, and those serving their sentences in custody. Again, the lack of data means there is no clear indication of how many young offenders commit serious and violent crimes, and therefore how many should serve their sentences in secure facilities.

Minister Mzimela's statement would suggest that the problem, while a matter of concern, is not as serious as it is publicly perceived to be. There are probably a maximum of between 1 000 and 2 000 children requiring custodial sentencing annually.

The central concern must be to identify how the child can be prevented from recommitting an offence

Supporting the youth

Support programmes for those awaiting trial should include educational and vocational components, with the goal of either sustaining the youngster's schooling, or reintegrating them into an educational environment.

In addition, programmes should include structured recreational components - seen as separate to leisure time pursuits - as well as lifeskills training and counselling.

For maximum participation, these components must be offered on a modular basis, as periods of detention vary from a few days to a few months. More in-depth and therapeutic programmes based on the same components should be offered to sentenced youngsters.

Programmes both for awaiting trial and sentenced youngsters in prison,

must be built on the principle that a person younger than 18 years is recognised in all international codes as a child. Custody in prison and police cells is inappropriate, because the environment and daily routine is not geared towards children.

The place of detention must therefore ensure that it does not inadvertently replicate a prison, but that both the environment and regime are conducive to the rehabilitation of youngsters.

This does not mean that a 17 year old should be managed in the same manner as an 11 year old. Neither does it mean that the youngster should be absolved of all responsibility. But it does mean that one needs to engage the teenager in a specialised programme.

The constitutional rights of the person awaiting trial are also important: they cannot be assumed to be guilty, and should not be treated as offenders, until this is proven.

A further principle is that interventions must ensure that the offender is not likely to repeat-offend, and that community safety is upheld.

The place of detention must ensure that it does not inadvertently replicate a prison

Any place of detention or facility serving sentenced juveniles should ideally be small, and located close to the community from which the youngster originates. This facilitates contact with relatives and the reintegration into the community. A smaller unit also tends to limit some of the negative effects of institutionalisation.

Staff must receive the appropriate training and support, as working with troubled youngsters is exhausting and demanding. Personnel should also consist of mature and competent care officers, who are secure in themselves and will not be easily intimidated by a teenager or even a gang of teenagers.

Reconsider imprisonment

Imprisonment for juvenile offenders should be abolished and replaced with the type of facility described above. Before creating

additional facilities for children in trouble with the law, there needs to be a thorough examination of the current and potential role of schools of industry and reformatories.

Such facilities already, in theory, accommodate the troubled youngster. Often this is a child who has committed minor offences or is generally perceived as being 'delinquent'. These institutions could become responsible for the sentenced youngster.

Unfortunately, many of these schools are placed in remote areas, and a punitive perspective often prevails. Such issues would have to be considered carefully before prohibiting the placement of sentenced youth in prison.

We should be careful to avoid a further crisis by continuing to respond to the existing problem in a haphazard and limited fashion. The matter must be dealt with urgently before the public resort to 'cleaning the streets' approaches.

In making young offenders the new pariahs of our society, we should not forget that the phenomenon of youth in trouble with the law is an indictment on the adults in this society, not the children. **IPA**



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