

Enforcement or development? Positioning government's National Crime Prevention Strategy

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Introduction

After falling from favour under Mbeki's government, the National Crime Prevention Strategy (NCPS) is being reinvigorated under the new Minister of Police. The institution tasked with reviving the NCPS is the Secretariat of Safety and Security (or the Secretariat of Police as it has been renamed). The secretariat is the body responsible for civilian oversight over the South African Police Service (SAPS). It too has seen its fortunes wane over the past decade, but is also undergoing a turnaround with the appointment of a new secretary (a post vacant since 2005), new legislation and institutional reform. The question is whether the NCPS can be revived and whether the Secretariat of Police is most suited to drive the process.

In 1994, a new government dispensation aggressively sought the transformation and organisational restructuring of the police 'force'. Rising crime levels highlighted the need for an urgent and holistic approach to address the underlying causes of crime. The government responded by creating the NCPS.

The NCPS signalled a move away from the reactive crime control approach through enforcement to one that was far more proactive and participative. Its creators recognised that crime could not be addressed by the police alone. They understood that a multipronged approach was required, which needed to incorporate public and community participation. The NCPS required all spheres of government to

work together in an integrated and coordinated manner to address both the factors driving crime and more effective policing and judicial processes. The strategic location of the NCPS within the secretariat, and away from the SAPS, reiterated the idea that crime had moved beyond the scope of the police and policing. With various new legislative acts cementing the changes, it appeared that the government was committed to a new era of policing.¹

However, it was not long before the strategy began experiencing problems. By 1999 a newly appointed Minister of Safety and Security and National Commissioner of Police began advocating a tough approach to crime. This was strongly geared toward law enforcement and signalled a move away from the ideas underpinning the NCPS.

The NCPS suffered a debilitating blow when the government adopted the SAPS National Crime Combating Strategy (NCCS): a high-density, cordon, search-and-seizure operation to combat crime in hotspots. The ideas underpinning the NCPS survived in the work of civil society organisations and some local government departments, but the strategy itself became largely defunct.

Now with new blood being injected into the secretariat, the NCPS is set to become a strategic priority. This paper asks two questions: first, what will prevent the NCPS from suffering the same fate as before; and



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second, is the Secretariat of Police the most suitable home for the NCPS or should it be located elsewhere? It argues that the NCPS can be revived to great effect, but only if it is located elsewhere within government. Implementing the NCPS will also require improvements to the way government functions, how best to achieve effective governance and the role of oversight. The paper briefly discusses the history of the NCPS and the reasons for its failure. It goes on to discuss the SAPS NCCS, which was a trade-off for the NCPS, and the challenges that arose from this process. The paper concludes with a discussion on the process required to ensure the success of the NCPS.

National Crime Prevention Strategy

The NCPS was without doubt one of the outstanding achievements of the new dispensation. It sought to solve the crime problem holistically, taking into account international experience.

It was based on four pillars, namely:

- an efficient criminal justice system;
- crime reduction through environmental design;
- public values and education; and
- transnational crimes.²

Several government departments were identified to participate in the strategy. These included: Safety and Security; Justice; Correctional Services; Welfare; the SAPS; the South African National Defence Force (SANDF); the National Intelligence Coordinating Committee; the South African Secret Service; the South African Law Commission; the departments of Education, Health, Home Affairs, Foreign Affairs, Sports and Recreation, Trade and Industry, Provincial and Local Government, and Finance; the South African Communication Service; and the South African Revenue Service. The diversity of the institutions demonstrates the over-arching reach of the strategy.

The NCPS, however, encountered several difficulties, including the following:³

- The strategy was too broad and too ambitious.
- There was a wide disjuncture between policy and actual implementation vis-à-vis proposed national programmes and the implementation thereof.
- There was confusion regarding the role of consultation, partnerships and coordination of all the departments and the three levels of government involved in support of the NCPS strategy.
- There was a lack of dedicated funding to implement the NCPS, which required departments identified as key partners to allocate existing funding and resources to implement the strategy.
- There were insufficient information systems and project management skills to support implementation.
- There was poor articulation of the key pillars of the NCPS and the crime priorities of the time, which resulted in an over-focus on the NCPS and less focus on the structures and processes of crimes.

Key people involved during the implementation phase of the NCPS – such as first secretary of Safety and Security Justice Azhar Cachalia, head of the National Crime Prevention Centre (NCPC) and lead person responsible for directing the NCPS Dr Bernie Fanaroff, and a manager based at the secretariat shortly after its establishment Eric Pelser – all agree that there was no political will to drive the NCPS process forward. The primary problems were legal and institutional.

Fanaroff maintains that the biggest problem was that 'the Secretariat was not able to use the Act effectively'.⁴ While the SAPS Act conferred sufficient powers and duties on the secretariat, Fanaroff argues that the secretariat was unable to take full advantage of the powers.⁵ He further maintains that the NCPS was too broad and too ambitious, and that departments were not committed to working together unless they benefited directly.⁶ This view is supported by Pelser who argues that:



the mistake was to put the NCPS within the secretariat. The secretariat was an advisory service not an implementing agency. It had no mandate to coordinate government activity. It also did not and could not have enough political clout or sufficient resources to either ensure or entice collaboration.⁷

Gareth Newham, an expert on crime and policing, notes that 'the institutional arrangements and required state capacity [were] not in place, which undermined the extent to which [the NCPS] could have been implemented'.⁸ With the absence of any force compelling government to contribute to the objectives of the NCPS, its demise was inevitable.

Efforts were made to salvage the NCPS, but these were not enough to keep the strategy alive. Measures included:

- apportioning R174 million from the government's Reconstruction and Development Programme fund to coordinate the NCPS from the national secretariat;
- reengineering pillar one of the NCPS, the criminal justice system, as it was being weighed down with various transformation demands;
- pushing through the White Paper on Safety and Security in 1998. This was a guide to government's approach to the crime problem and a policy framework for government's provision for safety and security until 2004; and
- advocating in the White Paper for the establishment of a national crime prevention centre to house research and learning around crime.⁹

Some projects were implemented effectively. Fanaroff cites the Integrated Justice System and the Border Control Coordinating Committee as successes. Most of the projects, however, eventually split up and died or were never provided with enough resources to get off the ground.¹⁰

By 1998, changing dynamics in the political arena dealt a final blow. Crime levels were

on the increase and the second general election was pending. After their appointments new Minister of Safety and Security Steve Tshwete and Police Commissioner Jackie Selebi had other visions for dealing with the crime problem, which precluded the NCPS and many of the related stipulations in the White Paper. According to Justice Cachalia:

The combination of both Tshwete and Selebi decided that the secretariat had no function and saw its role as superfluous – as a result they moved the NCPS to the police.¹¹

NCPC staff were moved to a subordinate role in the police's Social Crime Prevention Unit and the secretariat was effectively disempowered.

Back to square one?

The National Crime Combating Strategy (NCCS) was adopted in March 2000 and promised to 'deliver a more immediate and visible impact'.¹² The NCCS identified three priorities, namely:

- short-term priority: stabilisation of the crime problem from the period 2000 to 2003, particularly in hotspot high crime areas;
- medium-term priority: normalisation of the crime rate from 2000 until 2005; and
- long-term priority: socio-economic development from 2000 to 2020.¹³

Its operational priorities included serious and violent crimes, crimes against women and children, and service delivery to communities.¹⁴ Organisational priorities included human resources, budget and other resource management.¹⁵ The SAPS budget and personnel numbers were also increased substantially year on end.

The NCCS approach steered the criminal justice sector agenda in a different direction. While other departments within the criminal justice system were focused on strengthening restorative and integrated justice practices, the police went on the

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offensive. The shift back to hard-core policing introduced with the NCCS signalled the end of the developmental crime prevention approach as envisaged in the NCPS. It was a return to the old style of policing with the police now determining their own policy and policing priorities – a function which was solely that of the secretariats. The new approach sparked off an increase in arrest rates and expanded the prison population.¹⁶

Justice Cachalia maintains that by sidelining the NCPS 'government took its eye off the ball; crime prevention became less of a government priority, and President Mbeki took the simple view that crime would look after itself'.¹⁷ The inference here is that by allowing the NCPS to fall by the wayside, government was off target on the best and most efficient way to address the crime problem.

Ten years on, government's response to crime is again in a state of flux. A new state leadership under President Zuma and new police leadership under Minister Nathi Nthetwa and Police Commissioner Bheki Cele are heralding an even more radical style of policing. The soft approach provided by the Belgians during the police transformation process is being replaced by a harder, more rigorous style of policing. The new approach is evident in areas such as the policing of protests and demonstrations, as well as with the establishment of new task teams. The changes are symbolised by renaming the Ministry of Safety and Security to the Ministry of Police and renaming the Secretariat for Safety and Security to the Secretariat of Police. Other changes include:

- transforming the 'service' ethos of the police back to that of a 'force';
- revising Section 49 of the Criminal Procedure Act; and
- adopting a militarised ranking system.¹⁸

There are several reasons for the changes. The evidence suggests that the previous strategy was not successful in many areas: violent crime has been on the increase

since 1994; the intensity of violence during the commission of crimes has increased; and people's fear of crime has increased year on year.¹⁹ President Mbeki's denial of the crime situation and Commissioner Selebi's silence on the matter may also have encouraged the new police administration to opt for fresh tactics in policing. The fear, however, is that despite the re-training provided to a handful of police members, including training by the French *Gendamerie* and French Police, the SAPS will not be able to cope with the more aggressive approach. Once again, however, the underlying causes of crime risk being neglected.

A positive outcome of these changes is a greater role for the secretariat. The implication is that while policing tactics may be getting more rigorous, the oversight body is simultaneously being strengthened to do its job. This demonstrates responsible and insightful behaviour on the part of the Minister of Police. If the process is implemented effectively it stands to significantly strengthen policing in South Africa, as strong oversight will ensure strict execution of police action.

Given the discussions on the proposed revival of the NCPS by the new Secretariat of Police, it is imperative to clearly define its appropriate role and identify its previous weaknesses.

The Secretariat for Safety and Security

According to the Constitution of the Republic of South Africa of 1996, the Minister of Safety and Security/Police is responsible for policing in general and is accountable to cabinet and parliament.²⁰ The constitution also provides for the establishment of a civilian secretariat for the police service, which is to function under the direction of the cabinet minister responsible for policing.²¹ The following three structures fall under the Minister of Safety and Security, namely the:

- Secretariat for Safety and Security;
- Independent Complaints Directorate; and
- SAPS.

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In terms of the SAPS Act 68 of 1995 the functions of the Secretariat for Safety and Security are to:

- a) advise the Minister in the exercise of his or her powers and the performance of his or her duties and functions;
- b) perform such functions as the Minister may consider necessary or expedient to ensure civilian oversight of the Service;
- c) promote democratic accountability and transparency in the Service;
- d) promote and facilitate participation by the Service in the Reconstruction and Development Programme;
- e) provide the Minister with legal services and advice on constitutional matters;
- f) provide the Minister with communication, support and administrative services;
- g) monitor the implementation of policy and directions issued by the Minister and report to the Minister thereon;
- h) conduct research into any policing matter in accordance with the instructions of the Minister and report to the Minister thereon;
- i) perform such functions as may from time to time be assigned to the secretariat by the Minister; and
- j) evaluate the functioning of the Service and report to the Minister thereon.²²

The past ten years have demonstrated that the national secretariat has not functioned optimally despite its constitutional mandate. The institutional reforms and the delineation of roles and functions outlined in the White Paper have not been fully implemented.²³

Examples include the weak role of monitoring and evaluation, and disempowering of the National Crime Prevention Centre. Since 1998 the role of both the minister and the secretariat has also whittled away.²⁴

The dysfunction of the secretariat emerged during Thabo Mbeki's presidency, when Tshwete and Selebi were at the helm. According to Pelsler:

[I]t was an Mbeki-led committee that approved the White Paper, but when Tshwete took over as Minister of Safety and Security things changed: Tshwete didn't want to understand the White Paper; he regarded it as Mufamadi's²⁵ paper.²⁶

This infers dissension within the political party and a disregard of each other's contributions.

There was a very considered role under Mbeki's administration to unfetter policing.²⁷ Tshwete and Selebi made no attempt to understand oversight and questioned the need for an institution outside of the police to advise them.²⁸ The thinking, according to Pelsler, was political: both the new minister and the new national commissioner were very senior African National Congress (ANC) figures – both were more senior in the ANC than the secretary who was to advise them and monitor their activities. Given their seniority, neither saw the need for advice independent from that of the police. This was ironic given that the original thinking behind the establishment of the secretariat was to provide the minister input on policing that did not come from the police.

From the late 1990s onwards the secretariat's clout declined progressively. In 1999 Minister Tshwete downgraded the post of the national secretary from director general to deputy director general. The post was further downgraded to chief director, but since 2009 has been upgraded to deputy director general. Downgrading the post in effect meant that the national commissioner held a more senior rank than the secretary, to whom the national commissioner was accountable.

In the same year, when Selebi took over as National Commissioner of Police he subsumed control of the secretariat's cost centre. Selebi's control of the budget undermined the secretariat in the most fundamental way. The primary policy tool in government is the budget, which determines each department's activities.²⁹ When Selebi became responsible for signing off on finances of the body meant to oversee his performance, he could also

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determine its agenda. Soon afterwards the NCPC – the institution responsible for implementing the NCPS – was moved from under the ambit of the secretariat to the Social Crime Prevention Unit in the SAPS, further disempowering the national secretariat.

A study undertaken by the Institute for Security Studies in 2004 on the effectiveness and efficiency of the national and provincial secretariats highlighted the dysfunction within the national secretariat.³⁰ The authors argued that the restructuring of the national secretariat had resulted in such a diminution of its role that it appeared to exist only to advise the Minister of Safety and Security.³¹ They found that neither the national nor provincial secretariats were carrying out all the functions provided for in the legislation and were not using the full extent of the powers available to them.³² They also found that the provincial secretariats were dissatisfied with the national secretariat; that they had 'a negative view of the overall functioning and effectiveness of the national secretariat'.³³

Specifically, the provincial secretariats were confused about roles and accountability given the placement of the national secretariat under the SAPS.³⁴ They attributed these problems partly to a lack of effective national leadership, noting that the '... the national secretariat appears to suffer from a lack of national coordination and vision, and [is] limited by severe capacity constraints in some areas'.³⁵

The NCCS, which in essence replaced the NCPS, was also unsustainable in the long term. This was primarily due to its neglect of the drivers of crime. While dedicated police work and high-density police operations may limit the space for organised crime and can act as a deterrent for some crime, they have no impact on the socio-economic and other conditions that lie at the root of crime, and the approach did little to stem rising crime levels.³⁶ In most cases operations simply displaced criminals, who often returned once operations ceased.³⁷ Increases in personnel and budgetary allocations also did not improve the situation. The NCCS assumed that the

police alone could contain crime, which is against all international evidence.³⁸ As one commentator noted:

It was like trying to treat a brain tumour with Disprin. What government failed to realise was that policing is a part of crime prevention; the police [cannot] be principally responsible for crime prevention.³⁹

The new Secretariat of Police

Following the appointment of a new secretary, the minister has undertaken several steps to strengthen the Secretariat of Police and has officially indicated that the basis of his policy is the White Paper on Safety and Security.⁴⁰ A new legislative document is being drafted to address loopholes in the existing legislation.⁴¹ Institutional reforms such as realigning the provincial secretariats with the national department are also being considered given the existing break in the line function and accountability roles between the two levels of oversight.⁴²

A proposal to appropriate the cost centre of the secretariat away from the office of the national commissioner to its rightful location at the national secretariat has also been mooted.⁴³ Other long-standing concerns such as staff and resource shortages have already been addressed with the appointment of three chief directors in the three new components, namely: policy and research; monitoring and evaluation; and partnerships. Indications are that existing vacant posts and new management positions will be occupied by the end of June 2010.

The restructuring of the secretariat is one of the most exciting developments in policing in many years. Areas of concern remain, however, which require that rigid mechanisms be put in place. These include the following:

- **The secretariat's power to influence policy.** The role of the secretariat is to advise and support the minister on policy matters and to follow up on advice provided, but it cannot compel the minister to act. As long as the



minister cannot be persuaded to act, the position of the secretary will remain largely ceremonial. The SAPS Act is therefore important and must be followed seriously.⁴⁴ The minister must realise that advice from the secretary is to his advantage and if any conduct is unbecoming or disadvantageous to the ministry, the SAPS Act will be used against him. Similarly, if any action of the minister is illegal or unconstitutional, the law will be applied.⁴⁵ This requires that the secretary be formidable enough to use the SAPS Act against the minister when there is a problem. Hence, the new legislation of the secretariat must be tightened to address this. This level of political independence and forthrightness is at odds with the experience of the secretariat as we know it, and if used as legislated can go a long way in ensuring adherence to the law. The White Paper on Safety and Security on which the Minister of Police is basing his policies is 12 years old and has been outdated since 2004. While many facets of the paper remain applicable today, a new white paper is needed.

- **The independence of the secretariat.** There is as yet no mechanism in place to prevent the new secretariat from being co-opted by the SAPS. The new legislation must address this weakness and/or defer any significant changes in the secretariat (such as its funding and mandate) to parliament to decide. The post level of the secretary should also be graded back up to director general to ensure that input and directives from the secretariat are taken seriously by the national commissioner. As it stands, the current working relationship between the secretary and national commissioner only exists at the will of the minister. In the long term, and under new ministerial leadership, this situation may not endure.
- **Its mandate.** The long-term sustainability of the secretariat will only be possible if there is political will and clear ministerial direction. Once again, the new legislation has to be clear on the role of successive ministers and the functioning of the secretariat. It must

also ensure that ministers are not allowed to interfere with its ability to fulfil its mandate.

The new Minister of Police has thus far amply demonstrated his support for the secretariat, but questions remain over its future given his parallel hard-line policing approach.

The time has come for government and the Minister to quite honestly say if he wants a Secretariat that is responsible for policing policy, otherwise they must remove it, instead of limping on.⁴⁶

An emphasis on leadership and good governance in the body is required if the secretariat is to take a stronger policy-making role. While senior management positions in government are generally political appointments, positions within the secretariat should be based on merit and not at the expense of efficiency and effective performance. Where political appointments are unavoidable, they must be publicised; and incentives and sanctions to check the influence on merit must be secured. Derek Powell, an expert of intergovernmental relations, makes several additional suggestions regarding the secretariat:⁴⁷

- **Recruit and appoint the best possible managers.** Exceptional performance is a requisite of government leaders. Where there are gaps in capacity, government should ensure that there is mentoring and training to address management failings.
- **Put in place the right incentives for strong, accountable public management.** Managers must have better performance contracts. They must also disclose financial interests with bearing on their jobs. Failure to adhere to either without good cause should constitute grounds for suspension, disciplinary action and possible dismissal.
- **Let managers manage and reward the best.** Managers should be allowed to spend less time on administration and more time in the field overseeing operations. Current practice sees

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managers spending more time at the office attending meetings and signing memos than out of the office supervising actual work. Government must emulate the best managers and invest in growing talent with a continuous replenishment of skills and knowledge.

- **More muscle in public oversight.** Greater efficiency can only be achieved with greater public accountability at every level of government. This can be achieved through rigorous parliamentary review and democratic local government, and with the energetic involvement of civil society.⁴⁸ While there are good guidelines for parliamentary oversight of the executive, in the absence of strong research capacity and good data, parliament's portfolio committees are reliant on information provided by the departments they must oversee. External research and studies from non-governmental organisations and community-based organisations should be sourced in these instances.

Parliament and its oversight role

Parliament has a constitutional obligation to ensure effective performance of government leaders and their compliance with policies. Parliament's core objective is to make and pass laws, but also to scrutinise and oversee the executive – that is, the president and cabinet action.⁴⁹ Parliament has a responsibility to keep the government accountable to the people by:

- asking parliamentary questions;
- having parliamentary debates about important issues;
- proposing and voting on motions; and
- requiring the executive and state institutions to report to parliament.⁵⁰

Parliament and its committees have strong powers, but it has often failed in its role with respect to policing. Parliament can, for example, summon any person to give evidence or to produce documents and can require any person or institution to report to it. The Portfolio Committee on Police of the

past failed in its oversight role by allowing the previous police leadership free reign. It also failed to halt the stagnation of the national secretariat and failed to ensure that the provisions of the NCPS were implemented.

The current parliamentary committee on police has a critical role to play. Many operational changes to date – such as the change in police ranking and the adoption of a rigorous policing approach – have been made without much input from parliament, suggesting that it has yet to assume this responsibility. Only rigorous scrutiny and stringent accountability from parliament can ensure the survival of institutions and strategies. Parliament must ensure that the new secretariat is able to engage meaningfully on oversight and policing issues, and that the NCPS is provided the necessary support to be implemented effectively.

Implications for the NCPS

The new Secretariat of Police has plans to revive the NCPS and views it as one of its key long-term priorities. New Chief Director of Policy and Research at the national secretariat, Irvin Kinnes, argues that:

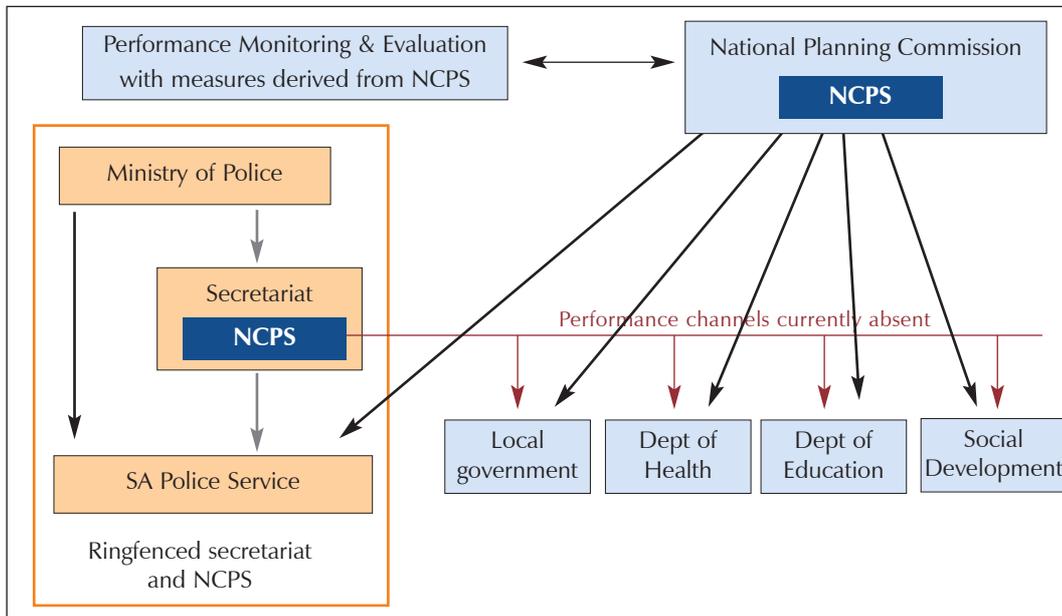
the opportunity in government is open for reviving the NCPS because government is bereft of ideas at the moment, and because there is competition between the different departments. Reviving the NCPS is an opportunity to show the population that this is the way to do it.⁵¹

Kinnes maintains that the minister would need to drive the process, especially since the latter has officially indicated that the basis of his policy is the White Paper on Safety and Security.⁵² This in essence means that the minister envisages law enforcement, crime prevention and institutional reform as fundamental to addressing crime in South Africa.

Reviving the NCPS would entail several steps for the Ministry of Police. It would require the buy-in of the Justice, Crime Prevention and Security (JCPS) cluster, as



Diagram 1: The current position (in orange) of the NCPS within the secretariat without authority over the other departments; and the NCPS located within the NPC having authority over all other departments with performance measures set by the Performance, Monitoring and Evaluation Ministry.



The NPC is strictly a planning agency but it is well-placed to oversee the implementation of the NCPS.

well as the support and commitment of various cabinet members.⁵³ A committee of officials would then have to be set up to take the process forward.⁵⁴ It would also require allocation of the necessary resources.

Given the enthusiasm within the new secretariat and the political support provided to it by the Minister of Police there is a good chance that efforts to revive the NCPS will be successful, but the secretariat may not be best placed to oversee the process. Implementing the NCPS may be too big an undertaking for the secretariat given its own restructuring and wider mandate.

Even more importantly, locating the strategy in any body related to policing risks overshadowing the multisectoral nature of the NCPS; the strategy could again be reduced to 'law enforcement' rather than 'development' as was intended.

Moreover, while positioning the NCPS within the secretariat might provide some measure of implementing authority over the SAPS, the secretariat's authority does not extend to the other ministries involved in the NCPS, such as the departments of Education, Social Development, Justice and others due to their independence as

ministries and because the secretariat has no line function authority over the other departments (see Diagram 1).

Another option

Given the cross-cutting nature of crime prevention, the responsibility for reviving and implementing the NCPS should be located away from Ministry of Police and the secretariat. The National Planning Commission (NPC) at the Presidency, under Minister Trevor Manuel, is possibly best suited to take the NCPS forward.⁵⁵ The opening words of the Green Paper on the NPC demonstrate the good fit between the goals of the NCPS and the vision of the NPC:

... We need a long-term perspective, focus and determination to realise our vision. Growth and development, strengthening institutions, nation-building and the making of a developmental state are long-term projects. They do not happen overnight...

... Lack of a coherent long-term plan has weakened our ability to provide clear and consistent policies. It has limited our capacity to mobilise all of society in



Reviving the NCPS will require political will and the strong commitment of leaders. It will not happen overnight and will entail many challenges.

pursuit of our developmental objectives. It has hampered our efforts to prioritise resource allocations and to drive the implementation of government's objectives and priorities. In addition, weaknesses in coordination of government have led to policy inconsistencies and, in several cases, poor service delivery outcomes.

This Government is determined to fix these weaknesses ... More focus on planning and more attention to coordination are related interventions to remedy what has not worked.⁵⁶

The NPC is strictly a planning agency but it is well-placed to oversee the implementation of the NCPS. Given its development objectives, its multisectoral status and its focus on high-level national strategic planning, the NPC provides the ideal home for the NCPS' developmental and cross-cutting agenda. The recent appointment of 24 members to the NPC attests to the seriousness of its objectives. The range of expertise on the team includes areas in finance, industry, telecommunications, biotechnology, energy, education, security and climate change.

The NPC has no legislative powers giving legal effect to policies, and according to the Green Paper none are envisaged as yet; however, it will be instrumental in determining the medium- and long-term objectives of government policy, including policy related to crime reduction. Thus, although the NPC might be unable to implement the NCPS itself, it is well placed to assume responsibility for the objectives of the NCPS and to see that they are implemented by the relevant agencies. As shown in Diagram 1, positioning the NCPS in the NPC firmly entrenches the developmental aspects of the NCPS and overcomes the accountability challenges of locating it in the secretariat.

Other institutions can assist the NPC in this task. The Ministry of Performance, Monitoring and Evaluation under the ambit of Minister Collins Chabane was established at the same time as the NPC. It is another key government department that is increasingly central to government delivery. This

ministry is intended to supplement the NPC, and is responsible for monitoring the performance of ministers and promoting accountability within government. By ensuring that the NCPS' long-term planning and budgeting goals become performance criteria, the Ministry of Performance, Monitoring and Evaluation could play a vital role in making sure that the crime problem is tackled holistically. Its cross-cutting scope would mean that, for the first time, the NCPS objectives beyond the JCPS cluster would receive adequate attention. Involving the Ministry of Performance, Monitoring and Evaluation in this way would solve the problem of the NPC's lack of legislative authority over other departments.

What needs to be done?

Several steps are needed to kick-start the implementation of the NCPS:

- **Step 1:** Establish a small dedicated team of experts at the NPC to manage and provide advice, such as the recently appointed Committee of Experts. Other civil society experts and identified governmental role-players (including a manager from the National Treasury to ensure dedicated budgetary allocations) are essential.
- **Step 2:** Appoint a high-powered deputy director general (or someone higher) to drive the process with a clear ministerial directive.⁵⁷ Strategic plans and all departmental budgets pertaining to the NCPS should be addressed at this level. The deputy director general should work the different spheres of government to clarify the role of the provincial and local governments given the cross-cutting facets of the NCPS.
- **Step 3:** Review and update the NCPS. This review should draw on extensive literature written by various experts and criminologists on the issues that led to the failure of the NCPS.⁵⁸ The revised NCPS should address the previous weaknesses to ensure a more resilient strategy. For example, the absence of dedicated funding for implementing the NCPS prevented inter-departmental



buy-in and must be addressed. The NCPS should have well-defined projects, be well resourced and driven with specific milestones.⁵⁹

- **Step 4:** The changes must be legislated in the form of a Crime and Disorder Act⁶⁰ such as that of the British Home Office, which legislates local level engagement with crime prevention. This would move developmental crime prevention away from being a policy reliant on the understanding and goodwill of a number of departments, to a law that must be implemented.⁶¹ It would ensure greater accountability as this would require the involvement of various portfolio committees. Legislating the NCPS would also illustrate that government is serious about addressing the crime problem.
- **Step 5:** Obtain dedicated buy-in from all departmental heads (ministers and director generals) as part of the Presidency's performance agreements. Hold relevant heads of department responsible and accountable for each of their allotted tasks.
- **Step 6:** Departments should be given a framework to incentivise them to participate.⁶²
- **Step 7:** Re-establish the NCPC. Dedicated NCPS funding should be allocated to the NCPC for project planning and implementation.

Once the basics are in place, greater emphasis should be placed on the tools for effective oversight. A streamlined and effective reporting system needs to be set up.⁶³ This system should encompass all the departments involved in the implementation of the NCPS, including the head of the NPC. A monitoring and evaluation system should also be established to detect problems before they become failures. Part of this process should include building the capacity of the relevant role-players to collect high-quality information. In the spirit

of true oversight, civil society should play a role in the monitoring.⁶⁴

Reviving the NCPS will require political will and the strong commitment of leaders. It will not happen overnight and will entail many challenges. The political changes within the policing sector and recognition that policing alone cannot address the crime problem provide the ideal opportunity to implement a new approach. The time is right for government to revive the NCPS and to see it through.

Conclusion

The establishment of the Secretariat of Safety and Security as an oversight body in 1996 provided South Africans with much hope given the state of policing prior to 1994. The launch of the NCPS a few years later provided a similar expectation that government could deal with the country's crime problems. A decade on, and after repeated failures, there are discussions of the secretariat reviving the NCPS – once again creating much needed optimism vis-à-vis the staggering crime problem in South Africa.

This paper proposes that the secretariat has a fundamental role to play in police policy and oversight and will make a significant comeback with the new blood injected into it. However, the responsibility of overseeing implementation of the NCPS is too large an undertaking for the secretariat: apart from the enormity of the mission, the secretariat lacks the implementing or line function authority over the other departments involved in the NCPS. This paper proposes that the NPC be the alternative option for housing the NCPS, with improved governance structures: the failure of the government's Reconstruction and Development Programme⁶⁵ cannot be repeated.

That said, neither the new secretariat nor the NCPS must be seen to fail again. The electorate does not have the patience for it, and government is already walking a fine line on the crime issue.

The political changes within the policing sector and recognition that policing alone cannot address the crime problem provide the ideal opportunity to implement a new approach.



ENDNOTES

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- 7 Eric Pelser, personal interview, Cape Town, 16 March 2010.
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- 29 Ibid.
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- 33 Ibid.
- 34 Ibid.
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- 36 Burger, op cit.
- 37 Dr Bernie Fanaroff and Gareth Newham are of the same opinion.
- 38 Newham, email, op cit.
- 39 Justice Azhar Cachalia, personal interview, op cit.
- 40 Irvin Kinnes email to Bilkis Omar, Irvin.Kinnes@uct.ac.za to bilkis@cjcp.org.za, 6 March 2010, Cape Town.
- 41 Jenny Irish, workshop on reengineering the Secretariat of Police, February 2010, Pretoria.
- 42 Ibid.
- 43 Ibid.
- 44 Justice Cachalia and Dr Fanaroff both concurred on this point.
- 45 Justice Azhar Cachalia, personal interview, op cit.
- 46 Ibid.
- 47 Derek Powell was a deputy director general at the Department of Provincial and Local Government. He is now an independent consultant.
- 48 Hemson D & O'Donovan M, Putting numbers to the scorecard: Presidential targets and the state of delivery. In Buhlungu S, Daniel J, Southall R & Lutchman J (eds), *State of the Nation: South Africa 2005-2006*, HSRC Press, Cape Town, 2006.
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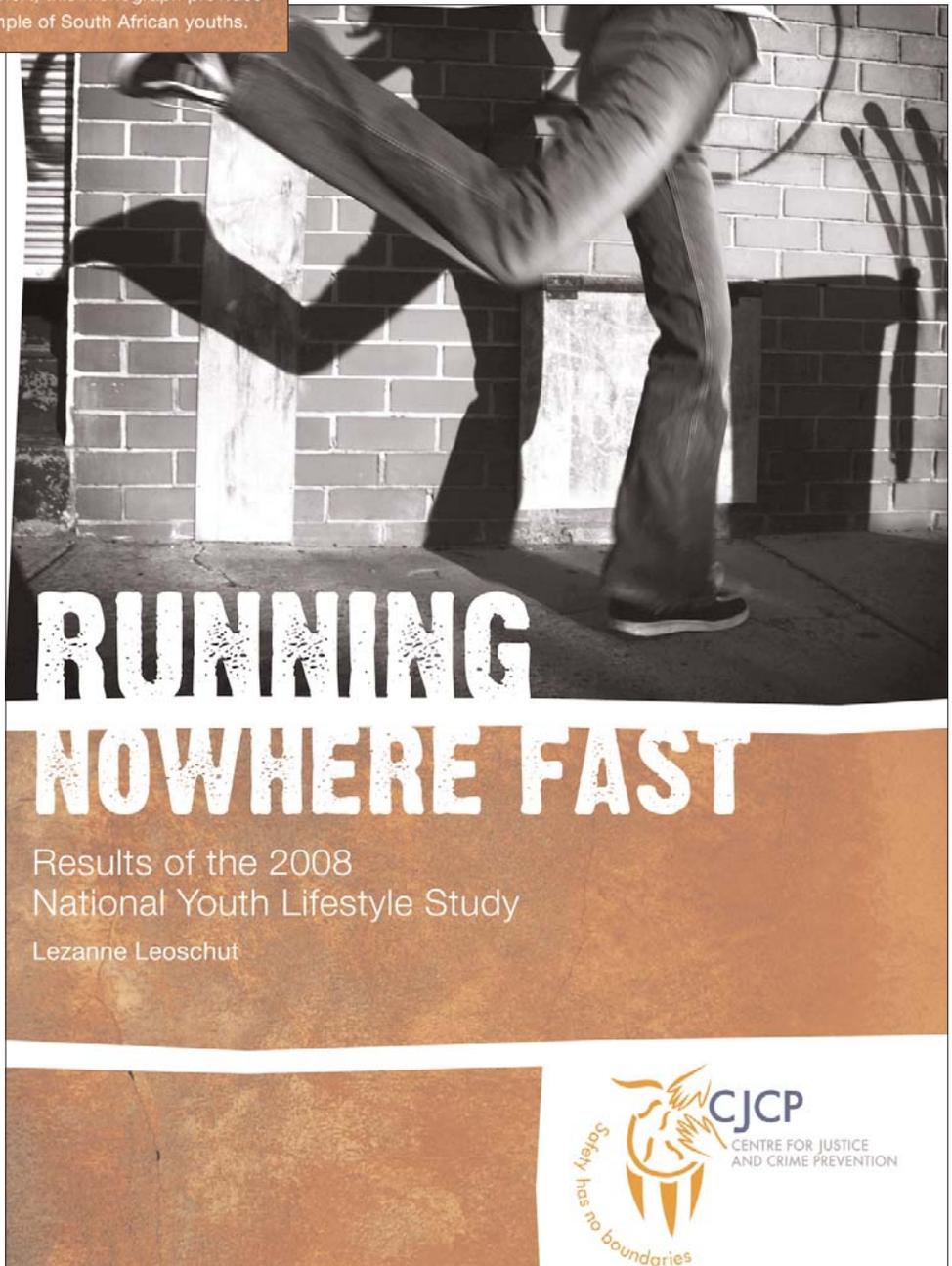


CJCP Monograph Series No. 6

Local and national media reports persistently draw attention to the prevalence of violence and crimes committed against children and youth. In 2005, the first ever National Youth Victimization study provided compelling evidence to suggest that young people in this country are disproportionately at risk of falling prey to crime. This monograph documents the findings emerging from the second sweep of this study that captured the experiences of 4391 young people across the country between the ages of 12 and 22 years.

Although overall victimisation rates have decreased over the past three years, this study shows that young people continue to be more susceptible to crimes, and particularly violent crimes, when compared to their adult counterparts. Susceptibility to crime was associated not only with the conditions that characterise the social spaces that young people occupy but also the behaviours that they engage in voluntarily during their search for their individual identities. In short, this monograph provides a glimpse into the lifestyles led by a sample of South African youths.

Recent CJCP publications



CJCP Monograph Series No. 7

Crime, and particularly violent crime, is one of the priority concerns for South African policy makers. Of particular concern the fact that young people constitute a considerable component of both victims and perpetrators of crime in the country.

Strategies and interventions aimed at reducing the levels of crime often aim to reduce the levels of risk that exist within the country, rather than building the resilience of young people in adverse circumstances to crime and violence.

This monograph documents the initial findings of the Youth Resiliency Study – a project undertaken to identify and prioritise those factors that are most influential in enhancing young people's resilience to crime, within a South African context. These findings are based on interviews with offending youth, their caregivers and siblings, as well as non-offending youth, caregivers and siblings, from specific communities in four provinces.

The research highlights amongst others, the importance of education, positive and healthy family environments and positive role-modelling for young people in determining healthy and pro-social behavioural outcomes.



WALKING THE TIGHTROPE

Youth Resiliency
to Crime in South Africa

Patrick Burton, Lezanne Leoschut
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Some of her research studies and reviews include: organisational and institutional restructuring of the police, management of stress in the police, public order policing and crowd management, police inspections and evaluations, and crime prevention and related issues.

CJCP mission

The Centre for Justice and Crime Prevention (CJCP) is dedicated to developing, informing and promoting innovative evidence-based crime prevention focused on the groups identified as being vulnerable to victimisation or offending. The CJCP does this by:

- conducting rigorous research into issues of relevance to policy makers, public service officials, development partners and crime prevention practitioners;
- facilitating the implementation of crime prevention projects;
- providing sector-specific and accredited training in crime prevention for policy makers, public sector officials and non-governmental organisation practitioners; and
- disseminating the results of its research and lessons learned to relevant audiences.

About this paper

After falling from favour under Mbeki's government, the National Crime Prevention Strategy (NCPS) is being reinvigorated under the new Minister of Police. The institution tasked with reviving the NCPS is the Secretariat of Safety and Security or the Secretariat of Police as it has been renamed – the body responsible for civilian oversight over the South African Police Service.

The secretariat too has seen its fortunes wane over the past decade, but is

undergoing a turnaround with the appointment of a new secretary, new legislation and institutional reform.

This paper asks two questions: what will prevent the NCPS from suffering the same fate as before; and is the Secretariat of Police the most suitable home for the NCPS or should it be located elsewhere? The paper argues that the NCPS can be revived to great effect, but only if it is located elsewhere within government.



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