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## CRIME PREVENTION, PARTNERSHIP POLICING AND THE GROWTH OF PRIVATE SECURITY: THE SOUTH AFRICAN EXPERIENCE<sup>1</sup>

*As with worldwide trends for the private security industry South Africa has also experienced rapid growth in this industry. Additionally among the issues associated and being debated around this growth have typically been about negative perceptions of the private sector industry inter alia: claims of corruption, fraud, incompetence, gross misbehaviour, staff having criminal records and complicity in civil violence. However, there has been very little research (or major inquiries, such as are common with the police) to establish the extent of crime or misconduct within the private security industry, especially in comparison with other occupations. Existing research and published studies do indicate that there are problems, although the magnitude is unclear. A further critique against the private security industry has also centred around perceptions about their replacement of conventional policing where governments have ostensibly allowed these services to run down, i.e. only the wealthy are able to afford their services. However, much of the criticisms of impropriety within the industry too readily blame the whole industry indiscriminately. In addition, some of the accusations are driven by the self-interest of police officers trying to deflect efforts by private security companies to enter their (policing) domain of operations. Part of the criticisms has also dealt at length on the need for regulatory models for the provision of security by private sector companies. Furthermore, a central issue in these debates has also been that of the extent to which private security has impinged on the traditional domains of public policing and the debate has increasingly looked at how private policing can be outsourced as either a public service provider of security or in partnership with local police perform some of the functions of regular policing. In South Africa there have also been ongoing efforts by the authorities to increase the regulation of the industry but this has met with considerable resistance or reluctance from the private industry. One of the problems has been in defining the parameters of powers that can be delegated to private security officers in any crime prevention policing operations. This paper is an examination of various aspects of this debate, in particular the growing infiltration into traditional policing areas of crime prevention, the associated outsourcing of such services, the concept of partnership policing, and traces some of the growth in service provision directly linked to crime prevention as opposed to merely offering a commercial (paid for) private or personal security service.*

### INTRODUCTION

To introduce the context of this paper an attempt will be made to briefly outline the current regulatory model, indicate the current size of the broader private security industry, refer to the size of the South African Police Services (SAPS) in relation to the number of private security officers, and the changing forms of public-private policing in South Africa post-1994. It is, however, not intended to rehash or restate the debate and arguments concerning public versus private policing, or the reasons for the incremental growth in the size, extent and services of the private security industry.

The focus of this paper is rather to briefly discuss the issues of outsourcing, privatisation and partnership policing in the South African context in order to outline where such provision of policing and crime prevention by the private sector is already occurring; the implications of this "infiltration", some would say "usurpation", of public policing obligations and whether this change in policing and crime prevention can be termed "partnership policing".

With reference to private policing, in this paper, the term is used interchangeably and synonymously with that of private security. Although in the past a differentiation has traditionally been made between in-house security and so-called contract security – the former usually referring to "personnel who conduct policing activities within an organization" while the latter to security guards hired (contracted) by an organization "to secure and protect assets and personnel", they both provide a form of private policing.<sup>2</sup>

Furthermore, while there is a great diversity of specific security services provided by the private security industry, within these security functions modern security requirements dictate that 'policing' activities very similar to those of the public or state policing agencies, namely managing security risks (potential crime), risk (crime) profiling, risk (crime) analysis (identifying vulnerabilities), risk reduction, investigating any breaches of security and collecting information/intelligence as well as evidence of breaches in the provision of security (which might well be the perpetration of a crime against the organization/company) and the protection of assets, property and people, do occur. Modern security managers might also be concerned with computer crime and information security as part of their private policing activities.

However, there is a great distinction between private policing and guarding operations. The majority of the security industry is involved in purely guarding functions whereas the term policing implies an overall role of guarding, reaction and investigations. Private security does not generally have all these under one umbrella but they do exist in separate forms.

The first point that needs to be accepted is that traditional forms and definitions of policing no longer suffice as an argument for the exclusion of private security practitioners from any forms of policing. In effect these days public and private policing serve similar interests. While private security/private policing serve the narrow interests of a contracting organization or client and public policing the interests of the wider public at large, both broadly aim to reduce crime and prevent client losses (victims of crime or security breaches/ theft of property). In essence then both aim to maintain order and protect their respective clients. Accordingly the role of private and public policing has become increasingly blurred.

The similarities do not end there. Many security personnel also wear uniforms and drive vehicles similar to those of law enforcement. Moreover, some of the functions such as securing premises, patrols, responding to alarm calls or crime reports and crowd management are very similar for both forms of policing. Moreover, private policing involves more than just patrol and guard duties. Many of the allied activities to these two functions involve asset or people protection – establishing perimeter security and other protective barriers and security measures – and are essentially also designed to prevent insiders and outsiders from committing crimes. Furthermore, many security companies have developed investigative capacities and collect information, evidence, interview suspects and develop a criminal case (which is usually handed over to the authorities for prosecution) in the process of investigating 'incidents'.

The second point is that the rapid growth and expansion<sup>3</sup> of the private security industry in South Africa<sup>4</sup> is now an accepted fact that cannot be ignored, argued or wished away. Thirdly, the large scale involvement of this sector in the public policing sphere is also a given, even if at times denied or hidden. Additionally, this involvement has both negative and positive aspects, many of the latter being of mutual benefit, not only to the clients that the private security sector serves but also to the police and therefore indirectly to the public the latter serves and protects. This so-called 'privatisation of crime control' has in the last five years become far more evident in the South African situation. The public in many of the more affluent neighbourhoods complain about the disappearance of 'visible' policing from their neighbourhoods, i.e. they only see the personnel of private security companies parked on the street corners or undertaking patrols, while the SAPS would appear to be conspicuous by their total absence from residential neighbourhoods. In some areas private security is busy replacing or has replaced public police. These private security companies often 'sell' or market themselves not only as a replacement but also as a supplementary service to the SAPS. A case in point has been the provision of armed response services to private alarm systems.

Finally there has been uneven acceptance or tolerance of this involvement of private security personnel in policing and crime prevention activities with certain quarters showing a great deal of antipathy with a number of arguments for and against private security playing any role whatsoever.<sup>5</sup>

In the South African context there was an early realization that the growing private security industry could not be allowed to operate unregulated or unfettered and only being controlled entirely by market forces. However, the early pre-1994 legislation was viewed in some quarters as merely being to supplement the old South African Police (SAP) in order to free them up to concentrate on keeping the Black population under control and to suppress the burgeoning political unrest of the 1980s. Alternatively the legislation was also seen as protecting the economic interests of a white-dominated and controlled industry. Post-1994 legislation was seen by some as a response by the new government to a manifest need for stricter regulating of this industry. There was also the view that certain operators in the industry might possibly be behind some of the political unrest of the late 1980s and early 1990s. A final position of some commentators was that stricter regulating was needed to reign in and control a powerful and growing industry which it was feared posed a threat to the fledgling democracy. The latter perception arose in some quarters because of the fact that large numbers of former white apartheid police and defence force officers – some regarded as having strong rightwing sympathies - were now operative and in some cases owning security companies. An adjunct view to the latter was the suspicions from police quarters that there was a growing involvement in criminal activity of members of the security fraternity.<sup>6</sup>

In brief the applicable legislation<sup>7</sup> for the South African security industry is set out below:

## **CURRENT SOUTH AFRICAN REGULATORY MODEL FOR THE PRIVATE SECURITY INDUSTRY**

In the late 1980s the State had already become aware of the growth and expansion of the private security industry in South Africa and the fact that it was largely un- or under-regulated. Moreover, the added recognition by the state that this industry was increasingly performing duties previously within the ambit of the public police led the

state to the conclusion that the industry needed a greater degree of regulation and control.

As a result in the late 1980s *The Security Officer's Act 92 of 1987* was passed. The Act established the Security Officers' Board (SOB) to deal with and exercise control over the career occupation of security officer and to maintain, promote and protect the status of the occupation of security officer. The Act applied to all companies and individuals providing "Security Services" for reward, i.e. monetary gain. In defining such services the Act used the terms "for the protection or safeguarding of people or property". The service could also include the provision of "advice" for the above purpose.

The primary regulatory mechanisms established by this Act were therefore:

- The registration of security companies and individual security officers
- The regulation of minimum training standards; and
- The creation of an inspectorate to enforce regulations.

In recognition of some of the regulatory shortcomings<sup>8</sup> of the 1987 Act, and the opposition by certain sectors to being regulated inter alia the payment of registration levies and industry representation (vested interests) on the Board which was supposedly there to regulate the industry itself, but also the State's response to ongoing flouting of good labour practices and exploitation of personnel the Act was amended by the *Security Officers' Amendment Act (No. 25 of 1990)* and the *Security Officers' Amendment Act (No. 119 of 1992)*. Both were an attempt by the government and the industry to institute some form of stricter regulation of the industry, inter alia to institute better training standards, enforce registration of every practicing security person and operating company (to try and exclude 'fly-by-night' type of companies) and get more widespread inspection of labour practices and service provision.

In 1997 the legislation was again amended<sup>9</sup> and *The Security Officers Amendment Act (104 of 1997)* was passed. This amendment provided for the establishment of an Interim Security Officers' Board, thereby replacing the former SOB (which had become largely made up of people with a vested interest in the industry.) and more crucially was the inclusion of the in-house security sector into the Act.

In 2001 the final piece of legislation regarding the further regulating of the private security industry was passed as the *Private Security Industry Regulation Act (56 of 2001)*.<sup>10</sup> Essentially this Act set up the Private Security Industry Regulatory Authority (PSIRA) as well as obliging every security company inclusive of in-house security to register as a 'security service provider' and to have its personnel<sup>11</sup> registered as well. The Act incorporated provisions for a new Code of Conduct and the Improper Conduct Regulations. Furthermore it established an inspectorate with increased powers of inspection of all registered security service providers with powers of prosecution and reporting of charges of misconduct. Finally, the Act defined security service providers as a "person who renders a security service to another for remuneration, reward, fee or benefit".<sup>12</sup> Furthermore, the Act describes a "security service" as meaning the following services or activities:

- protecting or safeguarding a person or property in any manner;
- giving advice on protection or safeguarding of a person or property, on any type of security service ... or on the use of security equipment;
- providing a reactive or response service in connection with the safeguarding of a person or property in any manner;
- providing a service aimed at ensuring order and safety on the premises used for sporting, recreational, entertainment or similar purposes;

- manufacturing, importing, distributing or advertising of monitoring devices
- performing the functions of a private investigator;
- providing security training or instruction to a security service provider or prospective security service provider;
- installing, servicing or repairing security equipment;
- monitoring signals or transmissions from electronic security equipment;
- performing the functions of a locksmith.<sup>13</sup>

However, neither of these two Acts stipulate nor mention any involvement in policing (joint or partnership policing) or crime prevention (other than where this would involve the provision of security to a client by means of monitoring electronic equipment, installing alarm systems and providing an armed response service). Crucially no mention is made of any of the additional powers or Peace Officer privileges as requested in the 1997 submissions to the Amendment Act. It therefore still remains the prerogative of the SAPS to enter into formal agreements for co-operation, outsourcing or joint policing operations with the private security industry. The National Commissioner of the SAPS may still under the Criminal Procedure Act No 51 of 1977 delegate in certain circumstances the powers of a peace officer to private security officers.

This lack of any formal framework for the Private Security sector to become involved in traditional policing activities, albeit in a subsidiary capacity, would appear to be at the root of much of the problems, resentments and distrust between practitioners in the two fields of public and private 'policing'.

At the root of much of the distrust and resentments lies the tremendous growth of the private security sector, as well as the SAPS view on how it fulfils its constitutional obligations for public (state) policing. Be that as it may the above did not prevent a vigorous debate to arise concerning the role, if any, of the private security sector in either assisting or direct involvement in purely policing functions. Allied to this debate was one on privatisation, outsourcing and partnership policing. However, all these debates occurred within the wider debate on how the new SAPS would police South Africa.

## **CHANGING POLICING APPROACHES**

Since the attainment of full democracy in 1994 and within the policy debate around police transformation and changing approaches to policing in South Africa quite a robust and vigorous debate has arisen among police, academics, policy-makers and politicians concerning the future role of the private security industry.

Broadly the debates have centred around what exact role private security practitioners can play in practical terms to either assist the SAPS or even replace some of their policing and crime prevention functions.<sup>14</sup> The debate has also fallen within the constitutional, political and crime combating/prevention debate about the role of the police in South African society.

An important factor or issue influencing this debate was the operational changes made to the way the SAPS policed society. Post-1994 the South African Police was changed from a "Force" to a "Service". To assist this transformation and to move away from the apartheid era whereby the police were used by the state as an instrument of oppression and repression it was envisaged that a strong oversight and co-operative role would be played by communities whereby Community Police Forums (CPFs) would be established in each community to assist and advise the police on how to police their com-

munity. This type of policing was encapsulated within the acceptance by police management of a new policy on Community Policing. However, as the operational limitations and implementation obstacles became apparent there was a subtle move to redefine community policing and the SAPS policy makers began to make use of the term "visible policing" to define the way that they were dealing with crime at the community level, i.e. instituting more foot patrols and being in closer contact at street level with communities. In time this was further adapted to become "Sector Policing"<sup>14</sup> which has been described as the practical result of the original SAPS policy of community policing and an extension of the concept of "visible policing". According to Dixon and Rauch the most important aspects of sector policing are its "local geographic focus, problem-solving methodologies and community consultation".<sup>15</sup>

Within these policy changes there were persistent calls by the private security industry to be allowed to play a larger role in assisting the police to combat and prevent crime or at least to outsource certain services still being provided by the SAPS which could very easily be outsourced without compromising any strictly policing functions of the SAPS.

Accordingly since 1994, with reference to private policing, two policy debates emerged, namely whether any 'policing activities' should be either outsourced, privatised or civilianised; and alternately whether private security could become more directly involved in policing by means of so-called 'partnership policing'.

## **PRIVATISATION, OUTSOURCING AND CIVILIANISATION IN THE SAPS**

After 1994, and within the context of transforming the newly amalgamated South African Police Service, the demands for improvement in service delivery led the SAPS to investigate the various possibilities for not only outsourcing but also privatisation, contracting in of specialist services and so-called partnership policing.

Outsourcing<sup>16</sup> being taken to mean the contracting out of certain services to either an external company or individual contractor and payment for those services being rendered. Such a person is taken to being not part of the contracting organisation i.e. not on their payroll. Essentially outsourcing meant getting rid of a specific function, i.e. the organisation no longer performed or offered the service. They now paid for it to be done by someone outside of the organisation.

The possibilities for outsourcing in the SAPS had been brought to the fore by a number of factors. These were the retrenchment packages that were offered to a number of senior and older members (loss of expertise and experience); the high number of annual resignations; the moratorium on new recruitment; and the change from the old policing style of repression and policing apartheid laws to a more community oriented approach. Moreover, the modern demands for specialised expertise in fighting new forms of crime (transnational crime; syndicates and organised crime; cybercrime etc.) re-emphasised the need to utilise existing members' expertise and skills. But it was the drop in operational strength that provided the biggest impetus to policy changes in terms of outsourcing.

It was the need to make optimal use of existing trained police personnel that largely overcame the reluctance of police management to even consider the use of outsourcing. Outsourcing was approached as a tool to release previously desk-or office-bound trained police officers. These personnel were in some instances performing non-policing functions. In outsourcing their non-core policing duties the argument was

that such released police officers could so-to-say 'go back to the streets' and fight crime. In other words such outsourcing would allow the SAPS to concentrate on their core business of combating crime, upholding law and order and protect the communities they were serving.

The arguments for and against outsourcing, and deciding on which services could be outsourced were embedded within the wider arguments about the issues of privatising and/or civilianising. In these arguments a distinction was made between outsourcing, the privatisation of policing and the civilianisation of certain functions within the organisation. The former being defined as the contracting and paying someone outside of the policing organisation to undertake services not of a policing nature. Privatisation referred to the paying of a private individual or company to undertake essentially policing functions, while the civilianisation was broadly the employment of civilians in certain posts within the police. Both privatisation and civilianisation also broadly looked at the substitution of trained police officers other than merely outsourcing their functions. Accordingly all three processes were investigated concurrently to examine the efficacy of implementing them.

The so-called civilianisation involved the appointment of qualified civilians to certain posts/functions within the SAPS that were previously filled by police officers. For example in Human Resources Management, Training or Crime Analysis. The objective of this approach was to appoint civilians i.e. those persons not having police training but with the requisite specialised expertise. This was done by means of a process commonly known as 'lateral entry', i.e. usually to quite senior posts within the structures of the SAPS. Most of these persons were in fact appointed under the Police Act and not the Public Service Act. Public Service Act appointments were largely confined to the appointment of such support staff as administration and provisioning clerks, messengers, telephonists and secretaries. These posts in the police had always been civilian with appointments made under the Public Service Act. They were not in the same category as the lateral entry posts which were usually into middle and high management positions.

The second approach was that of privatisation of policing (as opposed to the concept of public or state policing). This involved an investigation of which purely policing functions could be privatised. This in the sense of clients paying for policing. While a whole evaluation of the possibilities of what was then termed 'partnership policing' and the role the private security industry might play in such privatised policing was undertaken in 1997,<sup>17</sup> it was realised that the SAPS could not abrogate its constitutionally imposed responsibilities. The South African Constitution (Act 108 of 1996) is very specific about the objectives of the Police. Section 205 (3) of the Constitution stipulates that:

the objectives of the police service are to prevent, combat and investigate crime, to maintain public order, to protect and secure the inhabitants of the Republic and their property, and to uphold and enforce the law.

Broadly the main function of the South African Police Service is to protect the public at large. In comparison the Private Security Industry operates on a profit motive and is accountable directly to the individual citizen only as a client and certainly not to the public at large. They are in fact accountable only to the client insofar as providing a security service and to their shareholder in terms of making money for them.

Accordingly, in deciding to outsource any function the SAPS made a principled decision in the mid-1990s that no strictly policing functions (as determined by the SAPS themselves) would either be outsourced or privatised. In other words only those



functions i.e. non-policing activities, which could safely be outsourced without affecting the policing activities of the SAPS, would be outsourced. This decision led to an internal debate on which functions could safely be regarded as non-policing and which were fully policing functions (fulfilling the constitutional requirements imposed on the SAPS). It raised a number of questions (some of which remain unanswered) about certain functions. For example is the guarding of awaiting trial prisoners in courts a strictly policing (i.e. crime combating and crime prevention) function or merely providing security that could very easily be provided by armed guards?

A second broad guiding principle for the SAPS with regard to the outsourcing of any non-policing function rested squarely on the following position: that if it cost the organisation more to hire people to do a specific job than what it currently cost to do the job themselves i.e. not cost effective, such outsourcing would not occur. In other words, only if the organisation (SAPS) would benefit financially from the outsourcing would it be done.

Finally, outsourcing was also approached from a policy angle, namely the government's Reconstruction and Development Policy (RDP) and economic empowerment of small emerging black owned companies. In line with these policies such companies and individuals from previously disadvantaged communities were encouraged by the SAPS to tender for local outsourcing contracts or the provision of non-policing services like building maintenance, cleaning, catering and gardening services.

In the late 1990s the debate concerning outsourcing had continued within the SAPS. A wide range of functions being performed by police members were put up for consideration. However, many of them were rejected and the debate was largely closed on the perception that the outsourcing of certain services was leading to speculation about the continued existence of certain functions, units or posts within the SAPS. This also created rumours within certain sections of the SAPS about being outsourced and further contributed to low morale.

As a result over the last few years only a limited number of selected functions and services were outsourced. Among these were the following:

- Guarding of government buildings
- Provision of certain security services (e.g. access control to SAPS buildings, parkade guarding etc.)
- Maintenance of buildings
- Laundry services at police training colleges and single quarters
- Cleaning services at police offices and buildings
- Gardening services
- Catering services
- Provision of meals at police training colleges and single quarter accommodation mess halls/canteens
- Feeding of prisoners in custody at police station cells
- Certain functions around vehicle fleet management
- Provision of IT services (maintenance of equipment; provision of hardware and software)
- Airwing (pilots and maintenance)
- Expert consultants/specialists
- Vehicle Pound safeguarding
- Handover of administering of state mortuaries to the Department of Health
- Travel and accommodation booking done by external travel agencies

None of these specifically addressed the issue of the role of the private security industry in the provision of security or their co-operation with the police in any law and order functions. While the SAPS were not averse to outsourcing of certain non-policing functions<sup>18</sup> (as above) to the private security industry they were more concerned with the better regulating of the private security industry as a whole. Accordingly from the late 1980s onwards the SAPS, as the control department of the former Security Officers Board (SOB), initiated a revision of the relevant legislation (as outlined above).

However, while the concurrent process of regulating the industry more strictly was taking place, the SAPS, in an effort to try and accommodate calls<sup>19</sup> from the industry for more co-operative crime prevention, coined the term "partnership policing" whereby it was hoped to somehow allow for private security to either assist or be directly involved in certain crime prevention aspects of public policing. But this so-called 'partnership policing' was to be only on the SAPS terms i.e. strongly controlled and directed by police managers at police station level.

### 'PARTNERSHIP POLICING'

As the transformation of the SAPS took hold during 1995-1996 the private security industry also came under pressure to become more accountable and relevant to crime prevention functions. These changes were also within the context of state moves to increase regulation of the industry (as outlined above). Accordingly in 1995 and 1996 the SAPS were approached by a number of individual security firms with requests for the formation of partnerships with them on an ad hoc basis. Although partnerships with the private sector is provided for within the 1996 National Crime Prevention Strategy (NCPS) programme on environmental design and maintenance, and such partnerships are also in line with the support initiatives put forward by Business Against Crime (BAC) and other private sector roleplayers, currently there are still no fixed policy guidelines as to how such partnerships should be formalised. There are also a number of practical and legislative constraints to the operationalisation of any such partnerships on a formal basis.

While the 1998 White Paper of the Department for Safety & Security emphasises the role and involvement of other new roleplayers outside of the SAPS within a framework of social crime prevention programmes,<sup>20</sup> this White Paper does not spell out how this will be implemented in practical terms for the private security industry in South Africa. In terms of partnerships the White Paper merely states that, with reference to visible policing, the "capacity to implement visible policing be augmented through partnerships with local government"<sup>21</sup> (underlined for emphasis). The implication here is that this would be done in conjunction with the proposed metropolitan or municipal policing structures.

Furthermore, the White Paper does not provide a practical guide to private-public policing even though it explicitly mentions the private security industry in terms of being a 'partner' against crime:

"Another important element of safety and security in democratic South Africa is the necessity to enhance the spirit of voluntarism in our country. There are many important partners in the fight against crime. These include, among others, organisations of civil society, particularly business and community organisations, citizens who volunteer for service as Police Reservists as well as the private security industry which performs a useful role. The role of such players is, in principle, one of partnership with the State. For this reason, greater attention will

be paid to their role in the safety and security environment in future policy processes."<sup>22</sup> (underlined for emphasis)

Finally, the White Paper refers only to areas of intervention to ensure effective crime prevention by way of Community Crime Prevention where:

These interventions involve communities taking responsibility for crime prevention in their own neighbourhoods. Such interventions involve localised programs, which mobilise a range of interest groups to address crime prevention on a town or city basis. Projects could include improving surveillance through schemes such as car guards or community marshals...<sup>23</sup>

It would appear then that the above created some sort of opportunity for the private security industry to engage in crime prevention exercises at a community level. However, as in the past, no legal or regulated framework for such initiatives was established or proposed at all. The implication within this omission is that any such action would actually occur in a legal and practical vacuum.

In addition, there remains uncertainty in a number of quarters precisely what kind of support/co-operation or service would be provided by the security industry to the police. Moreover, the wide diversity of services provided by the general private security industry in South Africa further complicates the matter. Although a number of so-called joint or co-operative partnership initiatives have already been launched between certain companies/individuals and police stations at a local level these have proceeded without the formal recognition or approval by the South African Police Services management and also without due acknowledgement to the legal implications<sup>24</sup> of such actions.

There is in fact no formal national co-operation agreement in existence between the SAPS and the Private Security Industry.<sup>25</sup> Accordingly the outsourcing of some of the operational functions of the SAPS is at best problematic. There is also no mandate from the South African Police Service that supports or gives any proposed guidelines regarding the expected standard service delivery in terms of outsourcing any policing functions to the private security industry. Moreover, there are no clear guidelines regarding the role of the Security Industry and the police or any clear-cut instructions defining the exact relationship between these two entities.

While in a number of areas successful partnerships were launched these were on an ad hoc basis and dealt largely with co-ordinating response to alarms, sharing information coming to private security company control rooms, vehicle tracking and recovery, operating CCTVs in CBDS (currently largely limited to the main metropolitan areas of South Africa) and in some cases providing transport for shared visible policing patrolling of residential neighbourhoods. This then is the main extent of any 'partnership policing' in South Africa.

Some neighbourhoods have taken 'partnership policing' to mean the provision of resources to their local police station. In actual fact this has often involved setting up a Section 21 Company (not for profit) so that Treasury regulations can be circumvented in terms of the SAPS accepting donations, equipment and resources. These 'donations' have been more in the form of equipment such as fax machines, two-way radios and computers, as well as purchasing vehicles for police use so that the SAPS can police better and deliver an improved service. To this end BAC and its affiliates have provided specialised management courses to members of the SAPS in selected police stations.

In certain areas the SAPS and specific security companies launched Community Police Forum (CPF) sub forums (e.g. "Together Against Crime") to co-ordinate and

co-operate in anti-crime initiatives, crime combating and prevention exercises. Some of these sub forums have in fact adopted formal constitutions outlining missions, goals, functions and duties/activities, membership and procedures.

A more recent development (2000) has been initiatives like the City Improvement District (CID)<sup>26</sup> in Cape Town where the city managers instituted a whole programme of urban renewal for the urbanized areas of Cape Town. One objective was to concentrate on the effective provision of services inter alia security, in order to reduce crime and thereby create an environment in which business can thrive. In these district initiatives property owners agree to an additional assessment to raise funds to pay for a variety of services. Most of the Cape Town CIDs<sup>27</sup> have opted to contract private security companies to perform the security service in their area. According to Berg because of the security demands and the hiring of security companies by the various CID managers the SAPS and the private security companies were unintentionally forced to co-operate in the provision of policing and security services in these CID areas.<sup>28</sup> Before the implementation of the CID areas in Cape Town there apparently existed "very little standardized co-operation ...between the SAPS and private security in the Western Cape".<sup>29</sup> As a result of the CID initiatives a form of informal agreement emerged between the SAPS and the security companies hired by the CID managers. In the Berg study of the Western Cape CIDs, it was found that the nature of this agreement was largely "co-operative and interactive".<sup>30</sup>

In the Cape Town CIDs it would appear that the security companies are also subordinate to the SAPS. Private companies interviewed by Berg did not take over the duties of police officials rather they supplemented the police in that they provided additional manpower while concurrently having access to better resources, such as vehicles and more sophisticated equipment, that are used to assist the SAPS. But within this relationship there is a strong element of constant communication not only at street level but also by means of regular meetings between the two groups held at the local police stations, private sector participation in the Community Police Forums (CPFs), and the establishment of linked radio networks. In addition, operationally there are jointly organized operations and roadblocks and general sharing of information and intelligence (the sharing is reciprocal with the security companies sometimes phoning the SAPS to offer their services while at times the police would phone them to ask for assistance). Some of the SAPS members interviewed by Berg openly acknowledged that the better-equipped private companies are certainly of significant assistance to the police who are usually under resourced and burdened with high case- and workloads. But as Berg noted, these relations between the two sectors has largely relied on the personal efforts of individuals from both sectors.<sup>31</sup>

Irrespective of the lack of a formal framework for "Partnership Policing" there has occurred a substantial growth of private policing functions, which has accelerated over the last few years. Below are outlines of selected examples of this private security 'infiltration' into the sphere of policing.

## **GROWING INVOLVEMENT IN PUBLIC POLICING**

In the post-1994 period feelings of insecurity and fear of crime among most South African citizens continued to permeate public perceptions (this is confirmed by a number of public surveys by the Human Sciences Research Council). As a result an ever-increasing number of South Africans are making use of private security companies to protect themselves and their owners. According to Jenny Irish by 1999 the

South African private security industry was increasingly "performing functions which used to be the sole preserve of the police."<sup>32</sup>

Furthermore, with the refocusing of the policing approach of the SAPS in the post-1994 period more and more SAPS resources were also channelled into crime priority areas such as drug trafficking, car hijacking, violent crimes using illegal firearms and the activities of criminal organisations, which in turn lessened resources available for visible policing in residential areas (particularly the more affluent previously white neighbourhoods). Accordingly many people (private security industry, municipal authorities, businesses, the public and the police) in some form or another utilised and made use of the resources offered by the private security industry in the fight against crime. In particular such security services revolving around security villages, gated neighbourhoods/enclosed areas and armed patrols of residential areas by private security personnel.<sup>33</sup> The private security industry have almost entirely taken over the function of responding to private alarm activations (see later section).

Accordingly, since 1995 the Private Security Sector in South Africa has grown rapidly, initially expanding by 30 % a year.<sup>34</sup> The biggest growth in South Africa, particularly over the last five years, has occurred in the guarding sector. This sector has also seen the largest increase in the number of vehicles where currently almost 40 000 (response) vehicles are in use. The alarm and response sector is the second biggest with just under 25 000 vehicles. The largest number appear to be in the in-house sector (which includes municipalities, large mining houses, oil companies and banks) followed by guarding services and the alarm response sector.<sup>35</sup> By 1 June 2004 the whole private security industry had approximately 750 000 persons registered<sup>36</sup> with the Private Security Industry Regulatory Authority (PSIRA) of which only 265 000 were termed as 'active security officers'.<sup>37</sup> In addition PSIRA had 3 553<sup>38</sup> service providers registered with them (inclusive of security training centres countrywide).<sup>39</sup> There were also 22 security associations looking after the interests of particular parts of the private security industry.

In contrast to the private security industry on 1 June 2004 there were approximately 132 000 people employed by the SAPS. Of these approximately 98 000 were uniformed police officers performing policing functions.<sup>40</sup> Accordingly the comparison currently in South Africa would be a ratio of almost 3:1 private security officers for every uniformed police member.<sup>41</sup>

Among the more visible replacement of police in certain security functions have been those of responding to alarms; provision of CCTV services in CBDs; certain types of investigation services; security services at gated neighbourhoods/enclosed areas and security villages, and vehicle security and tracking.

## RESPONDING TO ALARMS

Responding to burglar alarms (private homes, businesses and factories) is strictly speaking viewed as part of the police's activities in combating and preventing crime. But over the last number of years this has more and more devolved down to private security companies. In essence, one could say that this function has become outsourced although not for the account of the SAPS. However, the 'takeover' of this function by private security companies is more by default than by design.

In the alarm response field what has happened over the last few years in South Africa is that various private security companies have established their own armed reaction

units or a reaction ability specifically regarding alarm systems. As this sector of the private industry expanded in the early 1990s most private alarm systems linked installed alarms not only to the radio-control centre of the security company providing the system or their rapid armed response service but also directly to the local police station. (Alternatively telephones were programmed to automatically dial the local police station if the alarm was activated). This was done since legally the SAPS have a responsibility to attend to alarm occurrences. Hence if an alarm is set off the police are obliged to respond. In reality what the police have found is that a large percentage of such call outs are false.<sup>42</sup>

As a result some local police stations have insisted on either being delinked or that the private security company first screen every alarm activation and only forward positive calls (or panic/emergency calls) to them for the SAPS to actually attend to such a call out. In essence such practices have lessened the burden on the police to respond to every alarm activation by transferring the onus of first response to the private security company providing the service.

An extension of the linking of alarms to security companies control rooms has been the implementation of a linked communication and information reporting system. This system was first piloted in 1997 in the city of Durban but relaunched in 2002 and is called 'Securinet'.<sup>43</sup> This system directly links security companies in the city to the police (SAPS and Durban Metro Police) and the protection services of the city (ambulances, fire brigade, civil protection and municipality). This is all about spreading information with serious crimes reported to the police being passed on to security personnel of the companies linked to the Securinet network. In essence, the business sector would act as additional "eyes and ears" by potentially linking 35 000 security guards in KwaZulu-Natal to this communication and information network. In this way they could play a significant role as a deterrent and thereby combat crime by alerting the police whenever they spot any suspects on the reported list supplied by the police. Securinet uses a computer (e-mail) and cellphone system whereby the police radio control rooms send out e-mails and SMSs (via internet and GSM cellular network) to the security companies on the network.<sup>44</sup>

In Johannesburg another scheme to harness cellphone technology was launched in 2001 as eBlockWatch whereby a network system using cellular telephones can send crime alerts via SMS to signed-up members' cellphones. These crime alerts are everything from attempted hijackings to burglaries. Its founder, Andre Snyman, stated that he wanted to use the system as a "crime fighting" tool.<sup>45</sup>

## **SURVEILLANCE IN CENTRAL BUSINESS DISTRICTS BY CLOSED CIRCUIT TELEVISION (CCTV)**

The 'outsourcing by default' has extended to the provision of CCTV surveillance in a number of Central Business Districts (CBDs) in South Africa.<sup>46</sup> Such outsourcing and the funding of installation and running costs has been a boon to the SAPS in that while they do not impinge on policing functions on the ground they provide an additional support service for them without requiring any financial outlay or expensive infrastructure. Accordingly, the police have encouraged such anti-crime surveillance and monitoring services without outsourcing or losing any policing functions.<sup>47</sup>

In the BAC administered control rooms a system has been developed whereby the CCTV operators<sup>48</sup> are trained in risk profiling, non-verbal communication (as exhibited by the public under surveillance by the CCTVs), surveillance techniques and

incident management – all supervised by an incident manager. Their control rooms, besides all the individual monitors, also have one big screen on which an individual monitor picture can be shown. Furthermore, each BAC Control Room also has one police officer from the SAPS on duty (assigned by the local police station) with a three eight hour shift rotation of different officers. In addition, the area covered by the CCTVs has a dedicated police vehicle assigned to it. If any incident is observed in the making by the CCTV operators the police officer on duty in the control room can radio the patrol vehicle immediately and dispatch it to the potential crime scene. Accordingly the BAC system allows for immediate ordering of a reaction and there is no communication problem or time delay in responding.<sup>49</sup> The BAC CCTV systems have led to a considerable reduction in reported crime in the CBDs where they have been installed. In the Cape Town case study the system not only replaced the use of 450 police officers patrolling the CBD with 25 police officers on three eight hour shifts (a considerable saving in manpower and costs) but in the first year of operation of the full 75 camera system led to a reduction of 38% in reported crime from the area with a predicted reduction of 80% by the end of the second year.<sup>50</sup>

## PRIVATE INVESTIGATIONS

There are other areas where the provision of private security has made inroads. It has become common practice in South Africa, for those who can pay, to hire private investigators to complete investigations i.e. do their own investigations, collect evidence and find suspects or even recover stolen goods. A number of high profile murder cases have been solved in this manner by hired private investigators. Often, since the SAPS detectives are so overloaded by cases they do not have the time to investigate every docket, victims are prepared to hire a private investigator. Sometimes these investigators have been provided with clandestine access to a docket and even make use of state resources such as criminal record and fingerprints files, supplied by contacts in the police, and then eventually hand over completed investigations to the SAPS for prosecution. In other cases private investigators are called in by companies to resolve internal fraud cases (without the attendant publicity and possible embarrassment of exposure). However, more and more companies in fact hand over the completed investigation to the SAPS, particularly because there has been such a low conviction and success rate in police investigated cases dealing with commercial crime. Many of these commercial crime cases are complicated fraud or embezzlement cases, or even computer fraud wherein the SAPS simply do not have the requisite forensic, technical and commercial expertise to investigate such cases properly. Many organizations also conduct their own investigations on so-called 'petty' crime. The Insurance industry also conduct their own investigations and only where fraud is proven do they hand over such cases for criminal prosecution. Some big mining and industrial conglomerates (like Anglo-American) even appoint their own legal experts via the National Prosecuting Agency (NPA) as prosecutors in certain cases where the company is involved i.e. pay for the prosecutor, in order to assist the state to get convictions.

In terms of the private investigation field there has occurred the widespread use and hiring of private investigators so that these crimes can be solved. A number of purely investigative companies have been established in the last five years. These have largely been staffed by ex-police officers and are dedicated to the investigation of criminal and other cases for the specific aim of building cases that can simply be handed over for prosecution on completion.<sup>51</sup>

## VEHICLE TRACKING AND RECOVERY

With the growth<sup>52</sup> of the crime industry of vehicle hijacking in South Africa during the 1990s<sup>53</sup> and allied to the high rate of vehicle theft<sup>54</sup> there occurred the concomitant growth of vehicle tracking and recovery companies. As hijacking of vehicles escalated security companies installed more and more sophisticated electronic and immobiliser systems to thwart potential hijackers and car thieves. The way these tracking and recovery companies operate has in effect released police from dealing directly with a large proportion of hijackers and car thieves. However, this is only applicable to car owners that can afford the installation of the sophisticated systems and the monthly service retainer that all companies charge. Although special anti-hijacking police units were established to patrol the major highways in Gauteng<sup>55</sup> the major recoveries of hijacked and stolen vehicles were undertaken by vehicle tracking and recovery companies.<sup>56</sup>

Insurance companies have also encouraged owners to fit these tracking devices and for owners who do so, insurance companies reduce monthly premiums accordingly. Very simply the system works as follows.<sup>57</sup> A signal can be sent by the company that fits a tracking device in a motor vehicle via a network of satellite and high-site radio masts to switch on the tracking device in a stolen or hijacked vehicle. The car thief or hijacker will therefore be unaware that he was driving a tracker fitted vehicle and the company can activate its tracking and recovery team. Alternately some companies rely on a phone-in system, whereby the customer is required to advise the company of a theft or hijacking. At that time the control centre will activate the tracking device and proceed with the tracking and recovery operation.

The tracking systems are becoming evermore sophisticated with some companies having now fitted the capability to some vehicles for internet tracking. By utilising the latest in web-based technology tracking company customers are able to track the movement of their own vehicles (very handy for trucking companies or for positioning of a family vehicle if concerns arise about where such a vehicle might be) simply by logging on to the company website. Additionally this internet tracking can now also be accessed by means of a cellphone (the latter system utilises a combination of Global Positioning Satellite (GPS) and GSM (the cellular network) technology with the internet).

Most of the major tracking companies also provide an early warning system service to customers. With this system the car owner does not have to telephone the tracking company if the vehicle is stolen. The vehicle in fact is fitted with a remote arming device. If the unit is armed and any of the doors are opened, the ignition is forced or the vehicle towed away the unit will start to transmit a distress signal that the company's control centre will pick up either from the stationary position or from the moving vehicle. The control centre will then try to contact the owner, if they fail to make contact or if the owner is unsure of the status of the vehicle the company will respond and attempt to recover the vehicle. Some early warning systems also have a concealed panic button. If this is activated then the company will pick up a hijack panic signal and institute an emergency response to the hijacked vehicle.

Within this signal activation and response system all the major tracking companies have agreements with the SAPS in terms of responding to stolen or hijacked vehicles. While responding themselves to the activation of a signal the companies will at the same time communicate directly with the local SAPS radio control rooms so that any police units in the area can also respond to the stolen or hijacked vehicle and possibly set up their own roadblocks and give chase to the suspected stolen vehicle. The three



big national tracking companies all have control centres all over the country operating 24 hours a day. These centres co-ordinate the ground and air-recovery operations<sup>58</sup> and communicate and liaise with the police. One company in particular (Tracker) has a more formal co-operative agreement with the SAPS whereby they have sponsored the Police Tracking Computers (PTCs) that have been fitted to the vehicles and aircraft of numerous police units throughout South Africa.<sup>59</sup> Border posts throughout South Africa have also been equipped with such PTCs. Any of these vehicles, aircraft or border posts that are within range of a stolen or hijacked vehicle, is able to pick up the signal being emitted from the tracking unit activated either by the company, owner or the early warning system. This enables them to locate and recover the vehicle. Tracker have also provided the training in the art of vehicle tracking to police members in the units fitted with PTCs. Tracker also maintains and services the Police Tracking Computers installed in all the Police vehicles. This form of "partnership policing" has over the last few years worked well with a good working relationship being established achieving numerous successes in the recovery of stolen vehicles and the apprehension of suspects.<sup>60</sup> All in all the establishment of the South African stolen vehicle tracking and recovery industry in the early nineties has played a significant role in combating crime.<sup>61</sup>

There are a number of other instances where the private sector has evidenced a growing involvement besides the examples mentioned above. One of the more important areas has been that of protecting cash-in-transit and preventing bank robberies.<sup>62</sup> A number of specialist companies in this field have lead the SAPS in terms of providing more sophisticated equipment for the protection of money in transit. For instance hard skinned (armoured) vehicles now having the capabilities for rearview video camera surveillance, timed release of gas inside the vehicle after penetration, dye release on opening cash boxes, etc. - all in an effort to better protect and stay ahead of the criminals and foil would be cash-in-transit robbers. In addition, in 2002 the South African Banking Council set up a private company, the South African Banking Risk Intelligence Centre (SABRIC) (Pty) Ltd, to collect and analyse information on the modus operandi, location and type of cash-in-transit and bank robberies in order to come up with solutions and strategies to prevent this type of crime.<sup>63</sup>

Moreover, the sheer growth in the installation of more sophisticated commercial alarm and access control systems in factories, shops and shopping complexes; the expansion of guarding services at the shopping malls and in shopping car parks; the increasing use of more sophisticated equipment such as x-ray and even metal detector machines (even at restaurants that have been robbed or had their patrons held up at gun point), risk-analysis software packages (incident reporting and management) and the development of intelligence gathering (by private organisations) capabilities has all pointed the way to greater involvement in crime prevention and crime fighting by the private sector across the board. With the growth in tourism there has also been a large increase in the number of trained and professional VIP protection officers (close protection) in order to provide assistance and protection to foreign tourists, celebrities and film makers now coming to South Africa.

But as outlined above, most of this growth has occurred within the absence of any formal and legal framework for operating, specifically within any form of "partnership policing" let alone in specific crime prevention policing operations even though such co-operation does occur at some levels. There is no national co-ordination of the latter initiatives and this growth and involvement in such activities obviously needs to be regularized and better directed and utilised. But this can only happen on the lead and

initiative of the government representatives, namely the Department of Safety & Security and the SAPS (inclusive of the various Metro Police services).

## **PRIVATE SECURITY AND CRIME PREVENTION POLICING**

One of the arguments put forward concerning the privatisation of policing is that private security could well fill the 'gap' that is supposedly left by the inability of police to combat crime. However, the perceived 'gap' should not be used as an argument for the replacement of state policing by private policing. Instead what should be examined here would be how the private security industry can assist and support public police to overcome the so-called 'gap' or vacuum in policing efforts. It is extremely dangerous for any society to even contemplate the possibility of replacing public police in its entirety by private policing. This brings into question the very basis of a democratic, civil society that professes to support the underlying fundamentals of upholding law and order.

The danger of privatising policing in neighbourhoods which can afford it is obviously that independent forms of security may arise which have nothing or very little to do with state policing, and therefore little accountability to central government. Wealthy neighbourhoods could well become exclusive zones with controlled forms of access. Adequate security only being provided to those who can afford it. What in effect has arisen is a situation of dual policing whereby security can now be bought and sold on the market. However, this is all well and done for the wealthy and those who can afford it but what about the poor who cannot afford it.

A wider ramification is that better-off neighbourhoods would then tend to "buy" or "pay" for their security with the consequent further marginalisation of policing in these neighbourhoods leading finally to their redundancy in the sphere of policing neighbourhoods. Furthermore, if the crime preventative and combating functions are being paid for private companies might well be able to afford paying even better salaries and become a further lure for police personnel to quit the service and take up employment in the private security sector.

Overall, in terms of developing and extending 'partnership policing' between the SAPS and the South African private security industry, inclusive of a crime prevention role, this will obviously only occur within the parameters of where they play a secondary and subservient role in providing logistical support and in co-operation and co-ordination of policing activities. However, whether the South African security industry will be allowed a more permanent position and take over more functions performed by the police remains a moot point. Furthermore, in question here is lines of accountability. If some sort of partnership relationship between private security and the police comes about and is mutually compatible and accepted then there can be no argument that public regulation of the industry (in terms of private policing with aspects of civilian oversight and monitoring greater than the current inspections implemented by PSIRA, with a clear process for reporting and dealing with complaints against registered members of the industry) is a prerequisite for its efficient and effective functioning. Such a partnership does hold its advantages: private security could release some police personnel in order for them to service communities where it is most required. Furthermore, the development of extensive systems of private security may shift policing responsibilities and where their main foci would be. In other words it could well determine how the police fulfil their future role.

The underlying principle then in establishing policing partnerships between the private security industry and the SAPS should not be whether the former replace policing

functions but rather where they can supplement and be supportive of overall policing actions. In addition, there can be no talk of the provision of security outside of the formal structures of the state. Furthermore, it is certainly not a question of privatising crime control but co-operating in the fight against crime and co-ordinating the joint efforts in this regard. The bottom line then being that in no way can the police afford or be seen to abdicate from their policing responsibilities and line functions. Moreover, one must also bear in mind that while the security industry has a vast amount of expertise and manpower they will only make it all available if there is a counter benefit to themselves (or they are paid for these services as is the case in most of the City Improvement Districts (CIDs) in Cape Town) and if such co-operative actions are covered/protected by the law.

In support of the above Nalla asserts that "the fact that personnel employed in private security, especially in recent years, far outnumber law enforcement officers and that they engage in pursuits similar to those of law enforcement, suggests that the police could have willing partners in cooperative efforts to achieve common goals."<sup>64</sup>

But to realize this objective there are a number of initiatives that need to be more thoroughly implemented. Without a doubt most professional security officers see themselves in essence as "crime fighters". In order to better utilize them in crime prevention there is a need to establish a more formal national Forum<sup>65</sup> where representatives from public police and private security can discuss and formulate solutions to their perceived problems in co-operating better. More importantly this Forum can provide the opportunity for the setting up of a national "Think Tank" to research, test and recommend policy which can lead to the development of a formal framework where partnership policing can operate in practical terms to the benefit of the community at large. The Forum can also assist the government in formulating the requisite legislation, in order not only to formalise the various ad hoc and informal co-operation that is occurring in some areas but also to establish appropriate structures for partnership policing to occur on a sustainable and effective level.

Unfortunately, in South Africa, given the current levels of distrust and suspicion with which any suggestions emanating from the private security industry are viewed in official circles, the lead for such an initiative will need to come from the Ministry and the SAPS. SAPS management currently feel it is sufficient to sit on PSIRA and regulate the industry through that channel using the existing legislation. But clearly there is a need to think 'outside of the envelope' when dealing with the private security industry's involvement in crime prevention and partnership policing.

Finally, allied to these initiatives should be a relook at the professional qualifications currently available to private security officers and bring them in line with making a more meaningful contribution towards that aspect of private security where they are involved directly in crime prevention and partnership policing.

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## ENDNOTES

- 1 This paper was peer reviewed by the following persons:  
Prof. Johan Prinsloo, Director: Institute for Criminological sciences, Department of Criminology, School of Criminal Justice, College of Law, University of South Africa  
Mr Kris Pillay, Head: Department of Security Risk Management, School of Criminal Justice, College of Law, University of South Africa  
Mr Charles Rogers, Senior Lecturer, Department of Security Risk Management, School of Criminal Justice, College of Law, University of South Africa  
Ms Julie Berg, Institute of Criminology, Department of Criminal Justice, University of Cape Town
- 2 For more discussion on the differences see M.K. Nalla (2002) *Police: Private Police and Industrial Security*. In: J. Dressler (Ed.) *Encyclopedia of Crime and Justice*, Vol 3. 2nd ed. New York: Macmillan Reference: 1112-1113.
- 3 The main reasons (see A. Minnaar & KP Ngoveni (2003) *The relationship between the South African Police Service and the Private Security Industry with specific reference to the outsourcing of certain operational functions in the police: Post-April 1994*. Paper presented to the International Conference on Policing and Security: In Search of Security. Montreal, Quebec, Canada. 19-22 February, for more detail on these reasons) for the growth in the private security sector have been postulated as:
  - that during the 1980s the South African police had substantially withdrawn from certain areas of policing to concentrate on combating political resistance in the townships, which neglect of crime prevention did allow for the initial expansion in the private security market
  - one reason (argument) relates to the inability of the state to police certain activities adequately and the consequent withdrawal of the state from these policing activities, a rapidly expanding public demand and an unresponsive criminal justice system whereby private security grew to fill the perceived vacuum or gap
  - growth in not only private home ownership but also business (shopping malls etc.) requiring the provision of security
  - public belief that the police have become ineffective particularly within the context of the continuing high levels of crime in South Africa. Within this perception they will seek other forms of securing their safety, namely private security, armed response and evermore sophisticated security systems
  - police personnel who have either resigned from the services, been demobilised or retrenched at the end of the 'Border War' or during the transition phase in South Africa have found a natural home in security industry
  - the state itself had made more direct use of private security firms through the National Keypoints Act of 1980, which provided for the declaration of installations of particular strategic importance as national key points. For private security companies protecting national key points was extremely lucrative while also emphasising their paramilitary nature. Of importance here was the subtle identification of private security interest with public policing objectives (See M. Shaw (1995) *Privatising crime control? South Africa's private security industry*. Institute for Defence Policy, Midrand. Unpublished research paper: 4-5 for detail on this aspect)
  - the growth in crime and violence during the 1990s has also ensured a greater role for private security companies
  - the high insurance losses and the insistence by insurance companies for adequate security measures (e.g. tracking of motor vehicles)
  - government making use of private security companies for certain functions (e.g. outsourcing, for more detail on this aspect see A. Minnaar & D. Mistry (2004) *Outsourcing and the South African Police Service*. In: M. Schönsteich, A. Minnaar, D. Mistry & K.C. Goyer. *Private muscle: Outsourcing the provision of Criminal Justice Services*. ISS Monograph Series No. 93. Brooklyn: ISS. January 2004
  - with the shifting of police resources from previously better resourced areas in traditionally white suburbs to the under policed, neglected and disadvantaged predominantly black townships (see Shaw (1995: 7) who estimated that at the time of the April 1994 elections 80% of policing resources were concentrated almost entirely in suburbs and CBDs. Consequently formerly black, so-called Coloured and Indian areas had to make do with the remaining 20% (African areas in fact only receiving 8% of the total) there again occurred the opportunity for

private security companies to fill the perceived vacuum in these more affluent neighbourhoods where the residents can in fact afford to pay for additional private security services.

- 4 The South African private security industry has broadly been divided into a number of security sectors namely: Security guards (Industrial, residential and commercial); Specialised security guards (Cash-in-transit); Security guards (Reaction service/armed response); Security guards (National key points); Security consultants; Special events security; Security training; Body guarding (inclusive of VIP Protection); Security control room operators; Security loss control (inclusive of crime risk analysts) and Entertainment venue control. Other sectors refer to small specialization such as locksmiths; security technology; installers of security equipment etc. Within the guarding sector industry specialization also occurs, for example, casino, airport, hospital, campus security etc.
- 5 For a more detailed discussion of these views see A. Minnaar (1998) Partnership Policing: Is there any role for the private security industry to play in assisting the South African Police Service in crime prevention. Paper presented to the Greater Johannesburg Metropolitan Council, Institute for Security Studies (ISS) & Secretariat for Safety & Security (SSS) International Conference for Crime Prevention Partnerships to Build Community Safety: Urban Safety -- Safety for All. Parktonian Hotel, Johannesburg, 28-30 October
- 6 For a more detailed exposition of some of these views see M. Schonteich (1999). Unshackling the crime fighters: Increasing private sector involvement in South Africa's criminal justice system. South African Institute of Race Relations, Johannesburg; J. Irish (1999). Policing for Profit: The future of South Africa's private security industry. ISS Monograph No. 39. Brooklyn, Institute for Security Studies; Shaw (1995); S. Blecher (1996). Safety in Security: A focus on the role of the Private Security Industry and the potential for violence. Network of Independent Monitors (NIM), Durban; D. Nina & S. Russell (1997) Policing "by any means necessary": Reflections on privatisation, human rights and police issues - Considerations for Australia and South Africa. Australian Journal of Human Rights, 3(2)
- 7 A more detailed description of the legislation can be found in Minnaar & Ngoveni (2003); and J. Berg. 2003. The private security industry in South Africa: A review of applicable legislation, South African Criminal Justice Journal
- 8 Specifically the main problem was its focus only on the guarding sector with the complete exclusion altogether of in-house security.
- 9 This third amendment came about as a result of a security forum that was created in 1994. The Forum established three task teams to look at different aspects of the industry.
- 10 The Private Security Industry Levies Act (23 of 2002) supplemented the above Act with the requirement of formal levies to be paid by every registered security service provider and for each of their registered security officer personnel.
- 11 Reference is now also made in the Act to previously excluded security service providers such as locksmiths, private investigators, security training or instruction providers, manufacturers, importers and distributors of monitoring devices, installers of security equipment, labour brokers, those who monitor electronic security equipment and those who manage or control the rendering of security services, that is, managers of companies
- 12 Private Security Industry Regulation Act (56 of 2001) s1(m): 10.
- 13 Ibid., s1 (a-j): 8.
- 14 See A. Minnaar (1999) Partnership policing: A role for the private security industry to assist the SAPS in preventing crime? African Security Review, 8(2): 43-59, for more detail on the arguments for and against a bigger role for the private security industry in crime prevention.
- 15 The 1998 White Paper on Safety and Security was the first official policy document to define sector policing describing it as "the division of areas into smaller managerial sectors and the assignment of police officers to these areas on a full time basis. These police officers regularly patrol their own sector and are able to identify problems and seek appropriate solutions." Sector policing encourages constant contact with members of local communities.
- 16 B. Dixon & J. Rauch (2004) Sector Policing: Origins and prospects. ISS Monograph No 97 March. Institute for Security Studies, Brooklyn: 1
- 17 See Minnaar & Mistry op cit for more detail on outsourcing in the SAPS. (The monograph containing this chapter can be downloaded from the website of the Institute for Security Studies at [www.iss.co.za](http://www.iss.co.za)).

- 18 See A. Minnaar. The South African private security industry and the police. (Information document prepared for National Policy & Strategy, SAPS.) SAPS Research Centre, Pretoria. 27 August 1996; and A. Minnaar. Partnership policing between the South African Police Service and the South African private security industry. (Information document prepared for National Policy & Strategy, Division: Management Services, SAPS.) SAPS Research Centre, Pretoria. June 1997.
- 19 The SAPS have retained a number of functions that could well be regarded as non-policing. Among these are the following: The transporting of prisoners to court from police holding cells and prisons; The guarding of prisoners in court & acting as court orderlies; SAPS Video Unit; Central Firearms Register; Criminal Records Centre; Foreign embassy protection; VIP protection; Protecting parliamentarians; Security for trains; Security at international airports; Security and crowd control at sporting and cultural events; Crime stats and analysis.
- 20 In their submissions in 1996 to the SAPS Task Team on Partnership Policing a number of private security industry roleplayers had requested the SAPS to investigate the possibility of extending various 'owers and rights' to security officers namely:
1. Permission be given to security companies for the purchase of automatic weapons
  2. Peace officer powers be extended to private security personnel
  3. Security officers be appointed as members of the Police Reserve but that their powers and duties be limited to matters concerning their employer
  4. Tracing/checking up on bail breakers
  5. Serving of summonses
  6. Transporting and guarding of prisoners in court
  7. Joint patrolling of neighbourhoods
  8. All alarm owners (i.e. homeowners who have an alarm system installed and linked to a local police station) be made to join an alarm company's reaction unit so that such reaction unit will answer/react to all alarms without the police having to go out on such a call. The police then only to be contacted if a positive alarm (not a false alarm) is found.
  9. That security firms be allowed to transport a suspect arrested by their personnel to the nearest police station. For example where a security guard has arrested a suspect in a shopping complex such a suspect be taken to the nearest police station and a statement be taken. This would release the police from the need to come out to the scene of the crime/arrest.
  10. Private security firms to handle all security needs at sports functions (i.e. no need for any SAPS presence at for example soccer matches).
  11. Privatisation of all guarding duties at government buildings.
  12. Recognition of police training, experience and qualifications, i.e. of ex-police members now employed by private security firms, by the SOB.
  13. Allow police officers to work with security personnel and in security company vehicles (e.g. holding of joint patrols using security company equipment and vehicles. This, however, has legal implications for the SAPS if such police personnel were to be injured while undertaking such duty.)
  14. Extension of SAPS liability cover to security personnel assisting police in the execution of their duties.
  15. Payment for the provision of information by security officers leading to an arrest or conviction.
  16. Remuneration for specific services rendered on contract or by man-hours.
  17. Setting up a centralised computer security information database network for crime prevention i.e. access by the security industry to SAPS crime information database/other government information databases which information to be pooled with information from the business community on a centralised database.
  18. Security company vehicles be classified as emergency services vehicles (allowed to have a flashing orange light).
  19. Alternatively the use of blue lights on SAPS patrol cars be extended to security "rapid response" vehicles for use when security company vehicles respond to a call out and such vehicles be allowed to exceed the speed limit in times of emergency.

While some of these requests could and were already accommodated by the powers as extended to the public in the Criminal Procedure Act, and in recent times others have been accommodated by the outsourcing of these services, many appeared to be unwarranted (in the view of SAPS management) interference by the private security industry in the work of the police. There also arose the question whether the extension of some of these 'powers and law enforcement/crime prevention privileges' to private security officers was both necessary and desirable or would make public policing as a whole more effective. In other words was there anything in it for the police or were the private security companies merely wanting to protect their own commercial interests. Certainly, on the face of it a number of these private security industry requests appeared to have self-interest as the only motivating factor. Those requests centred around the sharing of police powers with the private security industry also foundered on the thorny issue of civil and public liability.

- 21 Dept. of Safety & Security (1998) White Paper of the Department for Safety & Security, In Service of Safety: 1998-2003, May: 5
- 22 Ibid: 13
- 23 Ibid: 7
- 24 Ibid: 17
- 25 Briefly these legal implications refer to civil and public liability, as well as 'peace-officer-powers'. For the private sector to provide assistance to the police beyond just the provision of information or being the eyes and ears for local police is still legally guided by the existing powers extended to members of the public, i.e. they have no additional powers legislated specifically for this industry. For a more detailed discussion of these issues see A. Minnaar. Partnership policing between the South African Police Service and the South African private security industry. (Information document prepared for National Policy & Strategy, Division: Management Services, SAPS.) SAPS Research Centre, Pretoria. June 1997.
- 26 There are, however, ad hoc agreements for co-operation between individual companies and the SAPS. One notable example is that of the Tracker Vehicle Recovery company (see later section).
- 27 The concept of inner city partnerships for the improvement of security has been extended to other metropolitan areas. In 2001 the Kwano (a Sotho word meaning "walk together") Forum was established in Pretoria. Among the Forum members was the Pretoria Inner City Partnership (PICP), a partnership between CBD businesses, the community and the Tshwane Metropolitan Council. Two security companies are under contract to the Kwano Forum to provide guards to protect in particular tourists especially along the official tourists routes used by them and shoppers in the CBD (Anon. Securing Pretoria. Pretoria News. 22/6/2001).
- 28 Only one of the CIDs (Wynberg) opted for community police officers or CPOs instead of private security. These CPOs are trained police reservists who have been given police training, uniforms and weapons, but are paid from the CID raised funds. However, they have the same powers as SAPS officers but with a more community-orientated approach to their policing by providing a community service J. Berg (2004) Challenges to a formal private security industry-SAPS partnership: lessons from the Western Cape. *Society in Transition*, 35(1): 7
- 29 The Central City CID, the largest of the Cape Town CIDs, paid for and appointed (in October 2002) 160 permanent security officers that patrolled the Central City CID area in shifts with 10 horse-mounted patrols and five dedicated patrol vehicles. This enabled round-the-clock surveillance and response with one roving/backup vehicle. In addition, in full co-operation with the SAPS a central 24-hour operations control centre serving a 72-camera surveillance network was established. These security personnel were backed up by 45 SAPS personnel from the Caledon Square Police Station. Anon. 2002. Safety stepped up further in Cape Town's central city. *Security Focus* 20(10): 28 & 36
- 30 Ibid: 6-7
- 31 Ibid: 8
- 32 Ibid: 9
- 33 Irish op cit: 1
- 34 For more detail on the growth, impact and crime reduction role played by gated neighbourhoods and security villages see K. Landman (2002) Gated communities in South Africa: Building bridges or barriers. Paper presented to the International Conference on Private Urban Governance. Mainz, Germany, 6-9 June; K. Landman (2002) A national survey of gated communities in

South Africa. Boutek, Council for Scientific and Industrial Research (CSIR), Pretoria; K. Landman & M. Schonteich (2002) Gated communities as a reaction to crime. South African Security review 11(1): 71-85; B. Naude (2004) An evaluation of public road closures to reduce crime. Presentation to an Institute for Security Studies Seminar: Gated Communities. Pretoria, 24 March

- 35 In 1990 the private security industry was valued at R1,2 billion and by 1997 this figure was put at R6-billion (T. Reynolds (2003) South Africa's security business is booming. Pretoria News 24/7/2003) but by 1999, inclusive of vehicle security and tracking and in-house security (large mining houses, banks, insurance companies etc.) the value of the private security industry was estimated to be R9-billion. In January 2004 this value was estimated to be more than R14-billion with estimates as high as R18-20 billion also being mentioned (D. Albert. 2004. New security company identifies niche market. Security Focus 22(1): 56).
- 36 Exact figures for each sector cannot be provided although estimates in the order of 175 000 for in-house, 165 000 for guarding services and 50 000 for alarm response sectors were made by Irish (1999: 1, 6 & 7). This was before the new legislation was implemented requiring the registration of every service provider and security officer (inclusive of in-house security personnel). The current PSIRA registrations do not give a breakdown of the various sector registrations.
- 37 This is the total of registered persons whose names are contained in the PSIRA database. Approximately 25-30 000 new trained security officers enter the market every year. According to Berg (2004: 6) between December 1999 and June 2003 102 168 new security officers entered the industry. The number of active security officers increased from 115 331 in 1997 to 210 000 in 2002 (I. Smit (2003) South Africa's guarding industry: Challenging future ahead. Security Focus, 21(1): 10). However, because there is such an oversupply of lower end security officers and working conditions are poor with low pay there is a large turnover of personnel in this industry with a large number become inactive (unemployed) or leave the industry every year.
- 38 Information provided by Mr Stefan Badenhorst (National Manager Private Security Industry Regulatory Authority (PSIRA). Telephonic communication, 28/6/2004.
- 39 A peak of 4 437 registered security providers was reached in 1997 but the reduction in number (for instance almost 1 000 installers had been reduced to 300) was due mainly to buyouts and mergers (Smit op cit).
- 40 PSIRA website at [www.pkira-sa.co.za](http://www.pkira-sa.co.za) (accessed 28/6/2004). As of 1 June 2004 of this total 554 had been suspended. Included in this total were 673 Security Training Centres.
- 41 Information provided by Mr J. Schnetler (Head: Strategic Research, Management Services, SAPS). 28/6/2004.
- 42 Take note that this ratio would have provincial variations where a high density province like Gauteng not only has the highest number of police officers (approximately 28 000) but also the highest number of registered companies and security officers (approximately 125 000).
- 43 From a number analyses (see Minnaar, 1997 for more detail) of time spent by SAPS reaction units in attending to false alarms it became obvious to the police that a great deal of time and money is wasted on this. In certain areas a large percentage of alarm occurrences proved to be false, in some areas as high as 90% have been found to be false.
- 44 Securinet is the brainchild of KwaZulu-Natal branch of the Professional Security Council (PSC) of South Africa.
- 45 Anon. 2002. Security industry in novel partnership with SAPS. Security Focus 20(10): 5
- 46 Information accessed on 1/6/2004 on [www.eblockwatch.co.za](http://www.eblockwatch.co.za)
- 47 CCTV cameras funded by Business Against Crime (BAC) have been installed in the CBDs of Cape Town, Johannesburg, Pretoria, Durban, Port Elizabeth and Kimberley with a number of smaller municipalities installing their own smaller systems. The BAC CCTV in Cape Town started with a pilot 12 camera project launched in December 1998 while a full 75 camera footprint covering Cape Town City Centre was commissioned in December 1999; a fifteen camera pilot system in the Johannesburg CBD was commissioned in April 2000 and has subsequently been expanded considerably to cover most of the CBD of Johannesburg. These cameras are linked to a BAC controlled monitoring room to which the SAPS have access. (For more detail on the implementation of BAC's CCTV surveillance systems in CBDs see Penberthy, J. Surveillance technology: International best practice and securing a standard – a national priority. Presentation to the 2nd World Conference on Modern Criminal Investigation, Organized Crime & Human Rights.



- ICC, Durban. 3-7 December 2001. This paper can be viewed at under publications/Papers of the 2nd world conference papers...) In Durban the CCTV project known as "Eye-in-the-sky" is a joint project between the Durban Metro Police, BAC and the SAPS. In 1998 it consisted of 15 cameras along the beachfront, 23 in the CBD and 15 around the International Convention Centre. A pilot CCTV surveillance system was installed in the Pretoria CBD in 2000.
- 48 BAC's stated intention in the field of Surveillance Technology is "to work with the lead law-enforcement agency, the South African Police Services, in the first instance, in order to provide the technological tools that will assist the SAPS and other law enforcement agencies in ensuring the most economic and effective use of manpower." (Penberthy op cit:1)
  - 49 Paid for and trained by the commercial company set up by BAC to install and finance the CCTV systems operated by them.
  - 50 Information supplied by Mr Charles Rogers (Senior Lecturer, Department of Security Risk Management, School of Justice, College of Law, UNISA). 25/6/2004.
  - 51 Penberthy op cit: 7
  - 52 Interestingly, two of the biggest such companies are those headed by a previous National Police Commissioner (1994-1999), George Fivaz (Fivaz Associates) and Commissioner Basie Smit (National Investigation Associates), a former National Head of Detectives. Another big company Justicia Investigations makes specific use of intelligence gathering capabilities and polygraph testing for the purposes not only of pre-employment and applicant screening but also for "statement verification, locating hidden assets, obtaining investigative leads, narrowing a list of suspects and obtaining evidence for use in criminal or labour courts" (Justicia Investigation website at, accessed 15/6/2004).
  - 53 For the period 1995-2003 an average of approximately 15 000 motor vehicles and 5 000 trucks were hijacked annually in South Africa for a ratio of 35 (cars) and 11 (trucks) per 100 000 of the population – the highest rate in the world. (SAPS website at [www.saps.gov.za](http://www.saps.gov.za)) (Accessed 1 June 2004).
  - 54 For detail of vehicle hijacking in South Africa see A. Minnaar (1998) Vehicle hijacking in South Africa: An expression of the general post-April 1994 increase in crime or syndicated operations. Paper presented to the Technikon SA: World Conference – Modern Criminal Investigation, Organized Crime and Human Rights. Sun City, South Africa. 23 September; and A. Minnaar & R. Zinn (2000) Vehicle hijacking in South Africa: An examination of victimisation patterns and an evaluation of current prevention/interventionist strategies with specific reference to Gauteng Province, South Africa. Paper presented to the Xth International Symposium on Victimology: Beyond boundaries: Research and Action for the Third Millennium. Montreal, Canada. 6-11 August
  - 55 For the period 1995-2003 an average of 98 000 motor vehicles were stolen in South Africa giving an average ratio of 240 per 100 000 of the population (SAPS website at [www.saps.gov.za](http://www.saps.gov.za)) (Accessed 1/6/2004).
  - 56 Seventy percent of all hijackings occur in this province – being the economic heartland of South Africa with the highest level of car ownership as well. Coincidentally it is also the centre of hijacking syndicates being conveniently close to major routes to borders where hijacked vehicles are smuggled over the borders into neighbouring countries.
  - 57 The three major companies that dominate the South African market – Tracker (became operational in October 1996), Netstar and Matrix – claim a high recovery rate for their clients' vehicles. One of these companies, Tracker, recovered 20 000 vehicles over a seven year period (1996-2003) which also resulted in almost 4 500 arrests including bringing down more than 80 syndicates and over 120 'chop shops' (panel beating or second hand parts workshops where vehicles are cut up). Just the Tracker recoveries represented a saving of almost R2-billion (cost of replacement of stolen vehicles) to the South African economy. At the same time this company had approximately 260 000 vehicles on its books (. Accessed 17/6/2004). On average tracking companies in South Africa recover between 10-15 000 vehicles every year.
  - 58 Technical details of the various systems can be obtained from the websites of the Tracker, Netstar and Matrix companies at [www.tracker.co.za](http://www.tracker.co.za); [www.netstar.co.za](http://www.netstar.co.za); and [www.matrix.co.za](http://www.matrix.co.za). Information accessed on 17/6/2004.
  - 59 Response and recovery teams usually consist of highly trained recovery personnel that are able to respond at immediate notice. Basically each team would consist of a driver and a tracker, who uses mobile tracking equipment to locate the signals from a stolen vehicle. These teams will

retrieve stolen vehicles from any location in South Africa. Whilst they may at times work in conjunction with the SAPS, they do not rely on the overburdened SAPS to recover their customer's vehicles. The ground recovery teams (in the case of the 'big three') are usually backed up by Air Recovery Teams largely making use of helicopters but also having fixed wing aircraft around the country. The air recovery teams consist of the aircraft pilot and the airtracker. The tracker is responsible for locating the signal, guiding the pilot and the ground crew to the stolen vehicle, and communicating with the control centre. With the use of the sophisticated tracking equipment that replicates a network, the aircraft is able to track and locate vehicles that may have left the urban communication signal network. The boast of these tracker companies being that they are on average able to recover vehicles in under an hour.

- 60 These are units such as the Anti-Hijack Unit, the Dog Unit, the Airwing, the Highway Patrol, the Vehicle Theft Unit and the Flying Squad.
- 61 Where arrests are made by tracking company personnel they are immediately handed over to the SAPS with the security personnel involved submitting an 'arrest' statement with the opening of the case docket by the police.
- 62 The industry has assisted the SAPS in reducing the number of annual vehicle thefts from approximately 107 000 in the 1998/99 financial year to just over 93 000 in 2002/03 ([www.saps.gov.za](http://www.saps.gov.za))
- 63 Between April 1996 (the first year this crime was listed in the SAPS Crime Statistics as a separate crime from bank robberies) and March 2003 an annual average of 265 cash-in-transit robberies occurred in South Africa. Coincidentally the highest annual number of 374 occurred in the April 2002/March 2003 financial year. At the same time over the same period an annual average of 417 bank robberies occurred with the highest number of 561 occurring in the 1996/97 year, while the lowest annual number of 127 occurred in the 2002/03 year – an indication that improved security measures at banks was having an affect. ([www.saps.gov.za](http://www.saps.gov.za). Accessed 17/6/2004).
- 64 For more detail on this private sector involvement in policing and preventing this specific crime see: P. Steyn (2004) Bank robberies and cash-in-transit robberies: Are there solutions? Paper presented to the Institute for Strategic Studies, University of Pretoria Security 2004 Conference. University of Pretoria, Pretoria. 5 May 2004. Steyn is Managing Director of the South African Banking Risk Intelligence Centre (SABRIC) (Pty) Ltd
- 65 Nalla op cit: 1110
- 66 This Forum to be other than the PSIRA board which is not a forum in any sense but rather concentrates on professionalising the industry by setting training standards, sending out inspectors to check on registrations and working conditions, and implementing the Code of Conduct etc.