

DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

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EXECUTIVE SUMMARY

DRAFT NATIONAL POLICING POLICY

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INTRODUCTION

Section 206 (1) of the Constitution provides that the Minister of Police (Minister) must determine the National Policing Policy (NPP) after consulting the provincial governments and taking into account the Policing Needs and Priorities (PNP) of the provinces as determined by the provincial executives. Section 206 (2) further provides that the NPP may make provision for different policies in respect of different provinces after taking into account the PNP of the provinces. This Policy seeks to give effect to Section 206 of the Constitution and the PNPs of the nine provinces have been considered in the development thereof.

KEY CHALLENGES IMPEDING EFFECTIVE POLICING

Section 205(3) of the Constitution provides the South African Police Service (SAPS) with the constitutional mandate to prevent, combat and investigate crime; to maintain public order; protect and secure the inhabitants of the Republic and their property; and uphold and enforce the law. Over the years, several policies have been developed giving direction on the implementation of the policing mandate. Notwithstanding, the country continues to face serious challenges in the policing environment.

The key challenges hampering effective policing are as follows:

a) High levels of crime due to high inequality and unemployment:

The total number of reported crime decreased from 1.7 million 2016/2017 to 1.3 million in 2020/2021. The number of crimes for murder, attempted murder, sexual assault, and carjacking have increased nationally during the same period. The decline in reported crimes is not necessarily a true reflection, as many of the crime incidents are not reported to the SAPS. The findings of the 2020/2021 Governance, Public Safety, and Justice Survey revealed that only 63% of hijackings, 51% of assaults, 56% of housebreaking/burglary and 56% of home robberies were reported to the SAPS. The inability to effectively deal with the increasing crime challenges further contributes to the rising number of crimes being reported. It must however be acknowledged that crime is exacerbated by factors that extend beyond the purview of policing.

b) Criminality and corruption:

This occurs even at the highest echelon of the SAPS. This creates leadership instability and results in low morale amongst police members and low levels of trust by the public;

- c) **Low levels of public trust of the SAPS:** The survey conducted by Afrobarometer in 2021 found that only 26% of respondents trusted the police 'somewhat' or 'a lot', which shows a decrease of 19% from the 45% recorded in 2018. Most citizens think a significant number of police officials are corrupt, and a small number of citizens report having to pay bribes to obtain police assistance or avoid problems with the police. The Victims of Crime Survey conducted by Statistics South Africa shows that the percentage of households who were satisfied with the police services in their area decreased from 57,3% in 2016/17 to 54,2% in 2017/18;
- d) **Low employee morale:** The SAPS **Organisational Climate Survey, 2021** shows that the low morale in the SAPS is primarily due to a lack of communication, poor recognition at work, lack of motivation and job satisfaction, lack of feedback, lack of adequate rewards, benefits, and promotion opportunities;
- e) **Police negligence and ill-discipline:** During 2020/21 financial year, the Independent Police Investigative Directorate (IPID) received a total of 6 122 cases which included 4 228 assault cases, 830 on complaints of discharge of an official firearm(s), 353 cases of deaths as a result of police action followed by 256 cases of torture. The number of recorded cases shows an overall increase of 9% from 5 640 in the 2019/20 financial year. The SAPS paid out R367,2 million on civil claims during the 2020/21 financial year. It must be noted that not all cases referred to IPID for investigation results in criminal and/or departmental charges.
- f) **Lack of synergy in creating safer communities** across the spheres of government, civil society, business, some ineffective Community Police Forums (CPFs) in some provinces, and the absence of Community Safety Forums (CSFs) in the majority of municipalities contribute to some level of the ineffectiveness of policing in the country;
- g) **Barriers to the reporting of crimes:** particularly cases of sexual offences and domestic violence. This includes the design and implementation of policing services, location of services and distances to major public transport, service times, availability of information, language and medium of communication at stations;
- h) **Ineffective transformation of the institutional and governance architecture for policing:** the institutional and governance challenges include partial cooperation by the SAPS, in some SAPS' resistance to subject itself to civilian oversight by the CSPA and inadequate implementation of oversight recommendations, SAPS executing non-policing functions, non-implementation of the institutional reforms for policing clearly articulated in the 1998 White Paper on Safety and Security and 2016 White Paper on Policing;
- i) **Skewed distribution/allocation of resources:** In some instances, resources within the SAPS are distributed in a way which may unintentionally undermine the minimum requirements for effective service delivery, for example, the migration of trained uniform police members into support functions takes the valuable policing resource and skills

away from core policing and is detrimental to the delivery of effective and efficient policing services;

- j) **Slow progress on the modernisation of the SAPS and inadequate integration of Information and Communication Technology Systems:** The SAPS have not been able to translate information and crime data into real time operational intelligence resulting in the immense paper-based bureaucracy leading to an administratively burdened police agency. Furthermore, the SAPS crime systems are not fully integrated for the administration of justice, and effective and efficient implementation of the Integrated Criminal Justice System.

VISION AND OBJECTIVES

This policy envisions that by 2030 South Africa enjoys a police service that elicits respect and that is committed to ensuring that all people in South Africa and feel safe and secure, by way of the police effectively executing their constitutional mandate. This policy further envisions a police service that is professional, well-resourced and highly skilled, and that has a firm understanding of the challenges, internally and externally, that impacts on the organisation. Grounded on building legitimacy and trust, this police service will through the provision of quality policing services play an effective role in protecting all people including vulnerable groups. The police service will be underpinned by an approach which is community-centred and rights-based, and held accountable through an effective institutional and oversight architecture.

The policy objectives are as follows:

- a) To provide the posture, philosophy and doctrine for policing in a democratic state;
- b) To provide the basis for the development of related policies on policing as per the Constitution;
- c) To facilitate the capacitation of the police service towards effective police service delivery;
- d) To improve effectiveness and efficiency in the delivery of policing services;
- e) To provide the basis for the development of different provincial policing policies aligned to the individual policing needs and priorities of the provinces.

KEY POLICY PROPOSALS

In order to determine the policing philosophy, posture and approach, the NPP also seeks to enunciate the following key policy proposals for effective policing service delivery. The following four (4) pillars underpin the key policy proposals:

a) The creation of a professional and quality policing:

- i. SAPS officers that are professional, knowledgeable, responsive, objective and empathetic, ethical and accountable, uphold and enforce the law, adhere to human rights, and are also at the same time themselves protected and treated fairly as citizens;

- ii. Recruiting and selecting candidates must therefore be free from biasness and corruption to promote the legitimacy of the SAPS and promote trust;
- iii. Strengthening police culture to instill the best possible discipline and ethos associated with a professional police service aligned to the fundamentals of a democratic police service. This includes implementing and/or enforcing the SAPS Professional Code of Conduct and Practice; and
- iv. Implementing strict integrity management in support of building a professional police service.

b) The provision of efficient and effective policing service delivery:

- i. Adopting and promote community-centred and integrated policing approach;
- ii. Effective crime prevention, combatting and investigation to reduce the high level of crime and create safer environment for development;
- iii. Fast tracking the use of advanced technology in fighting crime and criminality. This includes a coordinated implementation of the Integrated Justice System;
- iv. Strengthening specialised policing units to manage public disorder, organised violent crimes, commercial crimes, gender-based violence and high risk incidences;
- v. Addressing barriers to the reporting of crimes (especially sexual offences and gender-based violence);
- vi. Developing criteria (norms and standards) for recruitment, selection and appointment including the development of a two-stream system of recruitment (i.e. basic and officer streams) in order to attract competent, skilled professionals to contribute to effective policing;
- vii. Making effective and efficient use of resources to address criminality; and
- viii. Provision of effective victim support services in in line with the Victims Charter.

c) Improving the legitimacy and community-police trust relations:

- i. Building sustainable community-police relations and partnerships towards fighting crime and violence;
- ii. Full implementation of the Community Policing Policy (CPP) especially on the establishment of functional Community Police Forum (CPF); and
- iii. Strengthening of the oversight functions of CPF to improve policing service delivery and accountability.

d) Building a strong and ethical leadership, management and governance architecture:

- i. A diverse SAPS led by competent leadership and management at all levels of the organisation with the required skill set, knowledge and appreciation to police different communities each with its unique safety challenges; and

- ii. Adjusting and updating legislations to ensure alignment between the NPP and other legislations.

The implementation of these policy proposals will ensure effective policing and contribute towards the realization of the developmental goals of the country. Furthermore, these policing policy directives provides the Ministry of Police with the opportunity to enhance policing and policing oversight for a safe and secure South Africa.

CONCLUSION

Significant progress has been made in transforming policing in South Africa, with a number of important reforms put in place over the years. The next step for the SAPS is the consolidation and strengthening of these processes. This policing policy embraces democratic policing principles for people to be and feel safe and must be underpinned by dedication to the service.

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Submissions may be directed to NPPsubmissions@csp.gov.za

Closing date for submissions: **30 November 2023**

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