

corruption
watch



CORRUPTION IN UNIFORM

WHEN COPS BECOME CRIMINALS



CONTENTS

| | |
|--------------------------------|---|
| INTRODUCTION | 2 |
| THE MOST AFFECTED AREAS | 3 |
| NEITHER SERVING NOR PROTECTING | 5 |
| CONCLUSION | 9 |



INTRODUCTION

We live in a time where we have to keep our guard up every living moment and it seems farfetched to think of a time in history where the momentary lapse in concentration was forgivable. These days, if you relax your vigilance in South Africa, you may well become a crime statistic.

For those who can afford it, their troubled minds find comfort in the knowledge that their loved ones, belongings and premises are protected by a well-paid security corporation. The privileged among us know that every mobile phone in their possession is configured with a panic button, outside walls bear a buzzer and camera for guests or pests to announce themselves, entrances and exits are remotely accessed, fences are wired with live copper, and neighbourhood streets are patrolled by armed guards in vehicles.

Meanwhile, the less fortunate, the downtrodden, the poorest, are resigned to believing that the ever-thinning veil of the South African Police Service (Saps), with 1 146 stations manned by almost 193 300 men and women, will protect everyone, regardless of class, race, gender or sexual orientation, against crime and corruption.

This is despite the fact that the very same institution's conscience may still be battling past demons, when it operated as a paramilitary force to subjugate the majority of citizens. Its present-day reputation also leaves much to be desired as it is rocked year in and year out by scandals of impropriety, shady dealings with the criminal world, and patronage steeped in political factionalism.

For this reason, our first edition of the sectoral report focuses on policing. We, as Corruption Watch, wish to share with you a snapshot of the corruption reports we have received since inception in early 2012 up to the end of 2018, wherein ordinary people have spoken out against the questionable actions of Saps. It is a tragic story to tell, but it is one that needs to be heard because, as much as it is our mandate as a civil society organisation to collect these accounts, so too must we ensure that these accounts find expression in our multifaceted advocacy approaches.

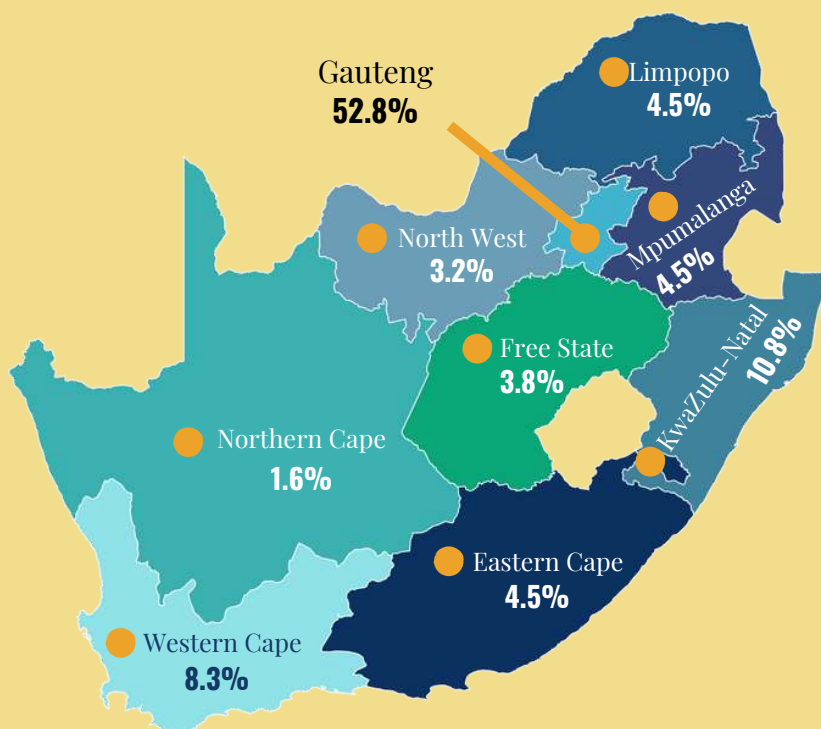
We firmly believe that when these issues are taken seriously and all people's complaints are treated fairly, justly and equally, it will lead to the restoration of the police system in South Africa. Hence, as we work towards our goal, we should not only ensure that all complaints receive a uniformly attentive approach, but also take a uniform stance against corruption, working with the same objectives in mind.

CORRUPTION IN THE SAPS

The logo of the South African Police Service (SAPS) is centered between the words 'THE' and 'SAPS'. It features a circular emblem with a stylized torch and the words 'SOUTH AFRICAN POLICE SERVICE' around it, set against a background of radiating lines.

THE MOST AFFECTED AREAS

Our organisation operates nationally as we engage communities in every province on an array of topics related to corruption – part of our contribution to making our villages and towns, townships and suburbs corruption-free. It is not an easy feat, but we strive to attend to the grievances levelled in the almost 24 500 reports of corruption received during the seven-year period of our existence. Of these, the Saps cases account for 5.9% (1 440 reports). Simply put, over 1 400 ordinary people felt so aggrieved, let down and abused by the police that they saw Corruption Watch as their last vestige of hope.



Nationally, most cases of Saps corruption were received from Gauteng Province accounting for 52.8% of the total number of reports in the sector. The bulk of these – a touch over 59% – emanate from Johannesburg. The provincial capital Tshwane contributes 16% of the cases received between 2012 and the end of 2018. Though a bitter pill to swallow, the most plausible explanation for these figures is that the province and the highlighted cities have the largest population numbers and that our main activities take place in this area.

A similar argument can be made for KwaZulu-Natal (KZN) which counts for almost 11% of the reports of corruption received in the same period. eThekweni Metropolitan Municipality contributed 73% of the reports of corruption received from the province. Proportionately, the city's figure is similar to Western Cape's Cape Town, which generated 84% of the reports of corruption from that province. The Western Cape contributed slightly over 8% of reports of corruption received countrywide.

City of Johannesburg

31.2%

City of Tshwane

8.5%

**eThekweni Metropolitan
Municipality**

7.9%

City of Cape Town

7%

Ekurhuleni

6.2%



NEITHER SERVING NOR PROTECTING

We think of corruption as the abuse of entrusted power for personal gain, and this understanding could not better describe the graft that occurs under the authority of some of the men and women in uniform who have been entrusted with the lives of a nation. People from all walks of life have come to Corruption Watch to tell us the most harrowing and heart-breaking stories. We have heard of 271 police officers' refusal to file cases, reluctance to act upon a complaint levelled against a fellow officer, solicitation of bribes from those who want their matter to receive priority or a docket to disappear, or officers' vile and inhumane behaviour towards victims of crime and corruption.

Most noticeable among the accused are detectives and investigating officers who are aided by other colleagues, and collectively, 26% of the mentioned persons occupy such positions. Station commanders who are assisted by others come in at 15%, while third on the list, at 12%, are captains who are also helped by colleagues to commit atrocities.

26

PERCENT

DETECTIVES +
INVESTIGATING OFFICERS



FIFTEEN %
STATION COMMANDERS
WITH THE ASSISTANCE OF OTHERS



CAPTAINS

with the assistance of others

12
PERCENT



10
PERCENT

CONSTABLES WITH THE
ASSISTANCE OF OTHERS

WARRANT OFFICERS
WITH THE
ASSISTANCE OF OTHERS



8 %

SERGEANTS WITH
THE ASSISTANCE
OF OTHERS



These Saps members and their accomplices are accused of a number of criminal and corrupt activities. According to whistle-blowers, these range from procurement irregularities to exerting pressure through violence, if necessary, when a bribe is sought. If the accounts are anything to go by, those who have blown the whistle paint a picture of unruly officers who are a law unto themselves. These souls, courageous though they may be to have come to us with their stories, are fearful and distrustful of the institution that should protect them.



BRIBERY
33%



ABUSE OF POWER
23%



FAILURE TO ACT
18%

Take bribery for instance, which counts for 33% of the corruption cases the organisation received – there are reports of officers soliciting bribes from motorists for arbitrary reasons and the amounts run into the tens of thousands of rands. In a case from Gauteng, where bribery stands at 47%, a complainant stated that a police vehicle followed her and her partner from a social gathering with friends and as they approached home, which was 2 km from the event, they were stopped, accused of driving under the influence, without being tested, and asked for R1 000. In other random stops and searches, motorists are asked to pay thousands of rands to continue driving their vehicles that are not roadworthy.

| TYPES OF CORRUPTION | PERCENTAGE |
|-------------------------------|------------|
| Bribery | 33% |
| Abuse of Power | 23% |
| Failure to Act | 18% |
| Abuse of Government Resources | 5% |
| Threat of Violence | 4% |
| Employment Irregularities | 4% |
| Irregularities in Procurement | 3% |
| Other | 10% |

Worse still, people have approached Corruption Watch with reports of officers accepting bribes to “make dockets disappear”. This leads to cases being thrown out of court and perpetrators of horrid crimes, such as murder and rape, returning to communities that they terrorised. If this is not alarming enough, the 23% of corruption cases related to abuse of power tell a more shocking and disheartening story. The allegations we have received, especially the Western Cape’s high figure of 40%, reveal officers’ propensity to be overbearing and violent – especially to women. In a report, a victim of assault recounts a dark episode with a detective while she was locked up in a holding cell after her abuser filed a case to oppose hers. The detective then questioned her continuously on whether she had tattoos and where they were etched on her body. When she became reluctant to answer, the detective threatened the victim with a body search, stating that he was entitled to strip search her and that there was “nothing anyone could do to stop” him.



However, such ill-treatment does not end with incidents of sexual harassment and sextortion, for in other cases citizens say that officers use their authority to bully and intimidate complainants. Whistle-blowers have alleged that officers on the payroll of criminal syndicates, such as drug dealers, will visit their homes under the pretext of conducting investigations, but the true reason would be to instruct whistle-blowers “to keep quiet if they don’t want trouble”. This appears to be the least threatening approach for these rogue officers, for it is alleged that in other cases the criminals are given confidential and personal information of whistle-blowers.

The third highest form of corruption is dereliction of duty, which counts for 18% of the overall number of corruption cases in the country and 60% of cases in Northern Cape. The stories we’ve heard are just as tragic and sordid as the ones mentioned before. Reporters of corruption tell us that investigating officers are reluctant to follow up on leads regarding cases or to perform administrative tasks. When these cases are escalated to the officers’ superiors no action is taken and the most common excuse provided is that suspects are uncooperative. This lacklustre, incompetent and negligent behaviour was part of the experience of a victim of domestic violence. The investigating officer initially told her that he could not find her case file and following several subsequent inquiries made by the victim, the file miraculously appeared. But the officer claimed that the matter could not be pursued because of an administrative glitch due to a clerical error.



CONCLUSION

To have to re-emphasise that the function of any policing institution in a democratic society is to serve and protect its citizenry would sound as though one is undermining many people's intelligence. Yet, in the face of such despair caused by such atrocities, in the absence of ethical authority and the lack of moral consciousness, it would be remiss of us to not reiterate these words. The abuse of a single life for any reason, let alone for greed, is good cause for us to ask:

- Who is protecting and serving us?
- How is he/she doing it, if the priority is lining their pockets with ill-gotten gain? and
- What does it mean for our society and generations to come if we turn a blind eye to the status quo?

Sadly, the answers to some of these questions lie in the numbers and personal accounts of the people who have fallen prey to a brutal and cruel institution in their hour of need. The other answers can be found in our own experiences and the experiences of those we encounter daily – the man and woman on the street, our colleagues, our friends, our families.

Therefore, to think of a solution is to think of the strengthening of a democratic society as work in progress with a shared responsibility for all. Ours is to keep vigilant and hold those in power accountable at all times. We must think of ourselves as the persons to safeguard our democracy and its society to a safe, accountable and corruption-free nation, as envisioned in our Constitution.

As for the police institution entrusted with our lives, it is for the men and women who wear the blue to bear in mind at all times what sort of society they are helping to build, nurture, protect and serve. These thoughts should be constantly guided and accompanied by a re-examination of the institution's relationship with members of the public, whether citizens or residents. This collective mindset will illustrate to all that there is a concerted effort to stem out the few rogue elements who undermine some of the great work that is done by others in service.

The authority that all Saps members wield needs to be an exercise of power to promote fairness and equality, done gracefully and with dignity – but most importantly, the intention should always be to promote human rights. When that becomes a cultural practice, the collective mindset of those in service will cease to be of officers in a force, but rather an institution of public service. In time, hopefully, the rule of law will triumph over violence, sexual harassment, crime and corruption.

Author: Melusi Ncala
Editor: Janine Erasmus





POOR POLICING COSTS LIVES AND UNDERMINES PUBLIC SAFETY

REPORT CORRUPTION IN THE POLICE SERVICES



www.corruptionwatch.org.za

011 242 3900

WhatsApp: +2772 013 5569

