



## The Challenges of Recruitment: A Crisis of Professionalising Law Enforcement Agencies

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### **Abstract**

Law enforcement agencies across the globe are struggling to recruit and hire police officers who are skilled, professional and have high discipline. Even in South Africa there is no exception, incompetent individuals without qualifications relevant to law enforcement are recruited. This study attempts to evaluate the challenges of recruitment and the crisis of professionalism in the law enforcement agencies. This qualitative article adopted the non-empirical research design: Systematic review. This study is completely based on the secondary data. A systematic review was done in detail for the collected literature. The key findings indicated that the current recruitment system is not effective and functioning properly as it allows for corrupt police officers, the recruitment system allowed everyone to qualify even when they do not have relevant qualifications. The findings further indicated that recruitment was done for job creation and it was not professionalised which led to nepotism and political interference. Based on the findings, the author provided, possible recommendations such as: the development of the new recruitment system which will endorse education and specialised skills in the service, adopt new policies and recruitment systems from developed countries such as UK, USA, and Australia.

**Keywords:** *Recruitment; Professionalisation; Law Enforcement Agencies; South African Police Services; Policies and South Africa*

### **Introduction**

Identification, attraction, interviewing, selection, hiring, and on boarding of personnel are all included in the recruitment process (SmartRecruiters, 2022). Additionally, it covers everything from identifying a staffing requirement to satisfying it. Law enforcement agencies should design a thorough recruitment program based on a defined recruitment plan in order to respond to the dynamic set of factors that affect the labour pool and find the suitable people to fill open jobs, even for small agency (Police Executive Research Forum, 2019). Even in South Africa, where officials are frequently hired solely on the basis of job creation rather than qualifications as is the case in affluent nations, the recruitment of competent and highly disciplined law enforcement personnel is a big challenge. Because the system or institution has officials that lack in-depth knowledge, abilities, and attitude, the victims of crime do not receive justice. Comparatively speaking to other nations, South Africa has a high rate of crime. In order to

accommodate skilled candidates and professionalize the institution, it is crucial for the South African Police Service and other law enforcement agencies to ensure that recruitment policies are modified. The South African government needs to give hiring law enforcement officers first priority. Instead of using job creation mechanisms, it should concentrate on hiring qualified individuals with degrees, which will close any holes in corruption. Recruitment should only focus on finding highly qualified people to fight crime. Since employees are an organization's main asset and the critical factors involved in the employee selection process are not well understood, organizations have begun to pay close attention to the recruitment and selection process in this highly competitive environment. The modern economy depends on the value created by human resources (Rozario, Venkatraman and Abbas, 2019). Additionally, prior research on the recruiting and selection process has been conducted primarily to examine employee performance and the factors that attract the right people, resulting in employee retention and organizational effectiveness. The success of the criminal justice system depends on law enforcement personnel because they are the ones conducting investigations when a crime is committed. The South African Police Services and other law enforcement agencies' existing recruitment strategies are insufficient for bringing in competent, qualified, and disciplined employees who can help them fight crime. At its most basic level, recruiting is a fairly straightforward process that involves finding candidates and hiring them to fill open positions. However, effective recruiting involves a blend of art and science that calls for the implementation of repeatable procedures that will produce reliable results on the one hand, and sophistication to think creatively outside the box in order to find your ideal candidates on the other (SmartRecruiters, 2022). In South Africa, political meddling, nepotism, and corrupt practices are all present in the hiring of police enforcement personnel. Taking action against law enforcement agency' s corruption is of paramount importance for government to formulate policies which could strengthen the law enforcement agencies to deal decisively with corruption and those who are caught in corrupt activities need to face the law and account for their corrupt activities as they compromise the effectiveness of law enforcement agencies and safety of society. This article aimed to evaluate the challenges of recruitment and the crisis of professionalism within the South African Police Services and identify the existing challenges of combating this problem and suggest practical solutions based on international standards and procedures.

## ***Methodology***

The research's technique was qualitative in nature. The material was gathered from pertinent sources and contextually assessed without necessarily using any quantitative procedures. The researcher reviewed a summary of the relevant literature from January to September (a nine-month projection), doing so to assess the following aspects: the difficulties in recruiting new members and the professional crises facing law enforcement organizations. Based on the type of data needed for this study, the offered discourse mostly drew from secondary data sources to compile pertinent information. Documented and historical facts were taken out of relevant publications, magazines, regime gazettes, and other sources during this process. Through content and context analysis, data obtained from these sources were condensed and critically analysed, and pertinent and practical information was extracted from the collections. As a result, the deductive synthesis was used in this approach. According to the discourse's stated aims, synthesised analytical outcomes are offered in this study as several sections.

## **Challenges of Recruitment in the Law Enforcement Agencies**

### **Nepotism**

The fight against nepotism and the requirement to maintain impartial recruiting practices have never been more crucial in the South African context due to the ongoing decrease in the public's trust in

public bodies. The Employment Equity Act 55 of 1998 and the Constitution of the Republic of South Africa of 1996, among others, were adopted as a result of the country's political environment changing from one characterized by racially divisive apartheid policies to one that is democratic (hereafter referred to as Employment Equity Act). Equal rights are enshrined in law for all South African residents under the Constitution, and the Employment Equity Act mandated the adoption of affirmative action policies that outlaw unfair discriminatory labour practices in both the public and private sectors. Both the public and commercial sectors' hiring and selection procedures were significantly impacted by these actions. A new framework for human resource management that places a strong emphasis on the development of human resources is introduced by the White Paper on Human Resource Management in the South African Public Service (1997). This highlights the requirement that public institutions across all levels of government hire qualified personnel and put them in positions where they can enhance service performance. Cappelli (2008) contends that when an institution's complexity changes, competency becomes a focus. This means that the ability of public organizations to discover and hire competent job candidates has a substantial impact on their ability to provide high-quality services. As a way of achieving institutional goals and objectives, recruiting is a necessity for all public institutions (Motsoeneng, 2011). Additionally, it is possible to view recruitment as being essential to the state's ability to carry out its mandate, which is to provide services to the citizens of the Republic of South Africa. Without effective recruitment policies and practices, the state is likely to fail to provide quality services, particularly to the underprivileged. Public administration must be development-focused, broadly representative of the South African people, and responsible, according to the South African Constitution. Furthermore, according to this clause, hiring decisions and personnel management decisions must be based on merit, objectivity, justice, and the need to correct historical inequities in order to achieve broad representation. The National Development Plan 2030 calls for a State that is capable of playing a transformative and developmental role in order to do this and ensure that the nation can solve the twin crises of poverty and inequality (Public Service Commission, 2015). Additionally, to achieve this, State institutions must be efficiently managed, staffed by qualified public servants who are dedicated to serving the public interest, and capable of providing consistently high-quality services to all South Africans. There have been several unsettling media stories in South Africa in recent years alleging that there's a lot political meddling in the recruitment of law enforcement officials. In addition, favouritism describes situations in which people are assigned to jobs without regard to their qualifications because of their personal connections to those who have the power to decide. Law enforcement agencies must have standards for hiring new employees, and all applicants must be given the same chance without discrimination or using unethical tactics. Although cronyism seems to be widespread, formal regulation of cronyism is less likely in work organizations where antinepotism norms are common (Jones and Stout, 2015). By definition, policing is the use of coercion (through penalties like the loss of one's job) in an effort to reduce or eliminate targeted behaviours. Policing is also, by definition, discriminatory on the basis of the most fundamental social category family membership and that is, an antinepotism policy. Organizations use broad antinepotism policies (Jones et al., 2008) that prohibit the hiring of close kin. Nepotism in law enforcement is a serious problem because many people get admitted to the system due to friendship, family ties, or even political connection. Favouritism and nepotism within the law enforcement community. It is imperative for law enforcement agencies to have mechanisms in place to root out nepotism and favouritism in their agencies and hire officials based on their qualifications. A lack of merit-based recruitment is one of the factors that significantly contributes to incompetency in the law, according to Congress of Local and Regional Authorities of the Council of Europe (2019), which also stated that the principle of fairness in the selection of public employees is directly related to the level of public trust in the institutional ability to serve the public and has deeper organizational implications that determine the ethos in the public service domain. Independent Broad Based Anti-Corruption Commission (2022) claims that a lack of adequate levels of pre-employment screening, vetting, and post-employment revalidation has resulted in numerous concerns with candidates' backgrounds not being thoroughly investigated.

## Corruption in the Recruitment Process

Corruption is the misuse of authority for personal benefit. In order to effectively tackle corruption and end the cycle of impunity, law enforcement institutions must be held more accountable. Corruption destroys confidence, undermines democracy, stifles economic growth, and makes inequality, poverty, social division, and the environmental problem worse (Transparency International, 2022). In addition, exposing corruption and holding the guilty accountable are only possible if people are aware of how corruption operates and the structures that support it. In law enforcement, corruption is a serious issue since it breeds incompetence and jeopardizes the goal of public safety. It permits offenders to escape punishment for their horrible actions while preventing the delivery of justice to crime victims. This enables law enforcement agencies to advertise positions for law enforcement officials to serve the people of South Africa, but this process is tainted by corrupt activities between those in positions of power within the law enforcement agencies and jobless applicants who are in desperate need of employment due to the high unemployment rate in the nation. Due to pressure to cover the gaps, the ministry's mass recruitment makes it more difficult for SAPS to hire just the best candidates. Worse yet, corruption infiltrates areas where prospective recruits, who aim to become competent policemen and women (Tshuma, 2022). In 2019, Human Resources and Training Components informed Parliament of the need to prioritize quality above quantity. Law enforcement agencies need to fill all the gaps for corruption within their agencies to counteract corruption during recruitment phase as unqualified people enter into the system and continue with corruption while qualified individuals are not given opportunities. Prospective police recruits pay money to be admitted to the police training college as it is not easy to enter into the system without corruption as it is reported in the news media houses. Police structures have been commonly viewed as one of the public entities most exposed to the risk of corruption since considerable powers are entrusted to police officers, it is generally assumed that these powers can easily be manipulated for private benefit or even political purposes (Council of Europe, 2015). Furthermore, reduction of corruption in law enforcement is a necessary precondition for pursuing tangible reforms and progress in achieving this long term goal also depends on the introduction of sets of anti-corruption mechanisms applied not only within law enforcement but also across the entire public administration. Corruption is one of the most convincing threats to security organizations because it is a problem related to ethical and is usually generated from outside by the action of people that from their own perspectives, recruit and corrupt public servants to serve for their purposes and in many cases these activities are done in secrecy and cannot be easily detected (Fernandez, 2013). Because of high unemployment in the country many people are desperate to enter into the job market and participate in the economy and to enter into the law enforcement agencies is one of the easiest way as they only need matric qualification and driver's license. This requirement allows many people to qualify and as a result it create opportunity for corrupt officials within law enforcement agencies to exploit candidates by requesting them to pay bribes to get jobs. A special task team to investigate corruption in the SAPS recruitment process has led to the arrest of several people, including police officials and members of the public in 2014 after getting the information from the public. The syndicate members would personally accept money or use agents to accept money from the victims and the victims would either pay personally or use the money market at Checkers/Shoprite (Mthupha, 2014). In other instances, the amounts involved, sometimes thousands of rand, would be paid in cash or in instalments and police believe that there are still members of the public or even employees of the South African Police Service who are victims of this recruiting scam. The South African Police Service (2019) states that the management of the police in Gauteng has taken note of acts of corruption that have surfaced during the national recruitment drive for the South African Police Service with worry. Additionally, in accordance with the SAPS Anti-Corruption Strategy unveiled in 2018, the provincial Anti-Corruption Investigating Unit on Monday, 14 October 2019 detained a 39-year-old Constable from Florida on charges of corruption and fraud after he was discovered selling application forms to prospective trainees for R3000 each. Two days later, the ACIU detained a 25-year-old man from Freedom Park, Soweto, after management at the Provincial Head Office were outraged. The Provincial Commissioner of Police in Gauteng Lieutenant General Elias Mawela has reiterated the province's zero

tolerance to corruption and commitment to rooting out any corruption within the SAPS ranks, this was after an administration clerk from Jabulani Police Station tried to bribe a recruitment officer based at the Provincial Head Office to favour her children’s applications for the new trainee’s recruitment drive (South African Police Service, 2022). Additionally, on June 30, 2022—the deadline for submissions for the Basic Development Learnership Program recruitment—the administrative assistant entered the recruitment offices and gave a recruitment officer an envelope containing applications. When the officer opened the envelope, another envelope containing R10,000 was inside. The recruitment officer reported this to her commanders, and the administrative assistant was demoted. According to the researchers, there are numerous instances of corruption in law enforcement agencies, particularly when it comes to the hiring of police officers. It also appears that bribing the police to get a job with the police has become the standard.

**Categories of Corruption**

| Categories of corruption  | Description   |
|---------------------------|---|
| Bribery                   | The act of dishonestly persuading someone to act in one’s favour by a payment or other inducement. Inducements can take the form of gifts, loans, fees, rewards or other advantages (taxes, services, donations, etc.). The use of bribes can lead to collusion (e.g., inspector’s under-reporting offences in exchange for bribes) and/or extortion (e.g., bribes extracted against the threat of over-reporting). |
| Embezzlement              | To steal, misdirect or misappropriate funds or assets placed in one’s trust or under one’s control. From a legal point of view, embezzlement need not necessarily be or involve corruption.   |
| Facilitation payment      | A small payment, also called a “speed” or “grease” payment, made to secure or expedite the performance of a routine or necessary action to which the payer has legal or other entitlement.  |
| Fraud                     | The act of intentionally and dishonestly deceiving someone in order to gain an unfair or illegal advantage (financial, political or otherwise).   |
| Collusion                 | An arrangement between two or more parties designed to achieve an improper purpose, including influencing improperly the actions of another party.  |
| Extortion                 | The act of impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to influence improperly the actions of a party.   |
| Patronage and clientelism | Patronage at its core means the support given by a patron. In government, it refers to the practice of appointing people directly.  |

Sources: (Anderson, 2015)

## The Importance of Professionalised Law Enforcement Agencies

The challenge for all law enforcement is maintaining the highest levels of professionalism in a society that is becoming more violent while making sure that the applicant pool is large enough to satisfy the needs of the communities they serve (Smith, 2022). A professional leadership that can direct the police officer of the future to be even more successful and effective is also something that opponents and supporters of law enforcement frequently, though unintentionally, agree on the necessity for more training in. All the technical progress, elevated sensitivity, cultural awareness, enhanced training, and bolstered leadership will be for naught if there are no qualified applicants to hire. As a result, it is crucial to develop an effective recruitment strategy to start addressing a serious shortage at the entry level of law enforcement. Police officers have a wide range of duties, from securing crime scenes, protecting witnesses, and maintaining road safety to investigating and prosecuting offenses related to cybercrime, drug trafficking, and terrorism. They also uphold the law, protect the community, assist citizens, and keep society in order (Careerfaqs, 2022). It's also a demanding job with a strict application process, but if you're the kind of person who cares deeply about society, order, and helping people, it can be among the most meaningful careers there are. It is crucial for law enforcement organizations to become more professional in order to hire the top people to serve and protect communities from crime in order to succeed in this line of work. The movement to professionalize Furthermore, characteristics of a profession include a professional association, cognitive base, institutionalised training, licensing, work autonomy, colleague control, a code of ethics and high standards of professional and intellectual excellence. To support above, professionalisation requires the alignment of various aspects of professional practice and government support as well as Civil Society Organisations and all other major stakeholders in public safety. Tertiary education and the development of a body of discipline knowledge through research are crucial components of this aspects and this could help the law enforcement agencies in restoring their institutions as those who will be entering into the system will be highly qualified with public safety diploma or related law enforcement qualifications. This practice could eliminate corruption, nepotism and political interference in the recruitment process as only qualified people would be shortlisted and go through interview processes. Throughout the year, the South African Police Service (SAPS) posts trial notices in newspapers and on its website. To become an officer, you do not need a diploma or degree, but you must have earned a passing score on your matriculation exam (Drum Team, 2020). Additionally, if chosen for the trials, the six-month training is often held in one of the SAPS training facilities located across the nation. Currently this practice in South Africa is not working as it creates opportunity for corrupt law enforcement officials to solicit bribes from candidates to enter into the law enforcement agencies. Due to high unemployment rate in South Africa many people are desperate to enter into the system. This means that the candidates are not entering because they are passionate about the police rather opportunity. South Africa is experiencing high rate of crime and it is the highest around the world and in some cases this is caused by ineffectiveness of law enforcement officials because of lack of in-depth knowledge, skills and attitude. The idea of professionalising the law enforcement agencies is of paramount importance to help law enforcement agencies to curb the scourge of crime. Men and Women of integrity, highly disciplined and qualified with post matric qualifications in law enforcement are needed more than ever before. Professionalism in policing is of extraordinary importance because of the authority vested in law enforcement officers, it reflects an implicit guarantee that the experience, education, and training of officers uniquely qualify them to meet the challenges present in a changing and dynamic society. Police officers are expected to successfully operate within many demanding and conflicting roles, and along these lines, are presumed to possess ethical qualities and competence far superior to those of the nonprofessional whose attitudes are misaligned with the goals of high standards. Historically, internal professional bodies have been solely responsible for standard-setting; however, external forces driven by the public and governmental organizations now have a significant regulatory impact. A Year 10 certificate with a minimum Diploma/Certificate IV level education or Trade Certificate, a driver's license, and successful completion of the University Certificate in Workforce Essentials (UCWE) are requirements to join the Australian Federal Police (AFP) and become a police

officer (OZ studies, 2022). This method could play a significant role in reducing the scourge of crime by drawing qualified, enthusiastic, and disciplined applicants to work for the law enforcement agencies. post-matriculated training in public safety Furthermore, he proposes that this be achieved through the development of faculties of policing at universities, providing a scientific knowledge base for police work. This focus on higher education is reflected in the recent proliferation of university/academic-police partnerships in the UK, USA, Europe, and Australia for training, education, research collaborations and knowledge transfer activities (Goode and Lumsden, 2016).

### ***Findings and Discussions***

#### **The Current Recruitment System Allows for Corruption**

To maintain public safety and fight crime, more law enforcement personnel are required as the population increases. This enables law enforcement agencies to advertise positions for law enforcement officials to serve the people of South Africa, but this process is tainted by corrupt activities between those in positions of power within the law enforcement agencies and jobless applicants who are in desperate need of employment due to the high unemployment rate in the nation. Due to the need to cover the vacancies, the ministry's mass hiring makes it more challenging for SAPS to choose just the best candidates. Worse yet, corruption sneaks in when potential recruits who wish to become competent policemen and women are not taken into account (Tshuma, 2022).

#### **Nepotism and Political Interference**

The hiring of law enforcement officials was done for job creation rather than professionalism, which resulted in nepotism and political meddling. Due to South Africa's high crime rate, the ministry of police and all other law enforcement organizations want to provide visible policing in neighbourhoods where crime is a problem. To do this, they must hire more officers, but the hiring process is tainted by nepotism and political involvement. The results show that some officials are appointed based on their membership in particular political parties, while others are hired based on their connections to persons in law enforcement agencies who hold positions of responsibility or power. These include claims of dubious promotions in which specific people are said to have advanced in rank ostensibly as a result of their relationships with senior officers. Other reports claim instances in which people have been appointed to senior positions without having the necessary education, training, or experience, despite the availability of much better qualified candidates (Institute of Security Studies, 2010). If these accusations are genuine, they show instances of favouritism and nepotism that seriously jeopardize the efficient operation of law enforcement institutions. Nepotism and political meddling undermine law enforcement agencies' efficacy and efficiency, erode public confidence, and harm their reputation. Nepotism in the law enforcement agencies contribute to incompetent law enforcement officials as candidates who are not eligible to enter into the system get through nepotism and political interference in the process of recruitment. This incompetency lead to weak criminal justice system which compromises the victims of crime who need justice as their perpetrators are roaming the streets without facing the law as a result of incompetent law enforcement officials.

#### **Lack of Relevant Qualifications**

Even those without the necessary credentials could qualify thanks to the recruitment process. Law enforcement courses are offered in universities and colleges under the Department of Higher Education and Training (DHET). Most graduates who apply for jobs in law enforcement agencies are not taken into consideration, and preference is given to those without criminal justice degrees. This gives corrupt individuals the chance to solicit money from those without post-matriculatory credentials, and it has an adverse effect on those who are hired based on that practice since they may use it once they are in

positions of power. Academic qualifications, people skills and the like were very important, particularly in light of the number of legal claims against SAPS and the referrals to Independent Police Investigative Directorate (IPID) for criminal matters and misconduct. South African Police Services and other law enforcement agencies recruitment strategy for entry level was aimed at professionalisation of law enforcement agencies through recruitment of quality candidates, focusing on quality rather than quantity, and standardising recruitment and selection methods to produce an ethical service which will ensure that justice prevail. This would improve service delivery but is hampered by nepotism and political interference. Systems of recruiting, training, promoting, disciplining and capacitating law enforcement agencies with resources to counteract nepotism and political interference seems to be failing. Members with over 20 years' service experience in the law enforcement agencies and a degree, are still low ranking officials, while some, who have not studied, are those that delegate and this contribute to incompetency and ineffective law enforcement agencies. Service experience coupled with a police degree is an asset that will benefit the law enforcement agencies positively and the public.

### ***Recommendations and Conclusion***

The South African Police Services and other law enforcement agencies' existing hiring practices are insufficient to find officials who are qualified, passionate, disciplined, and competent to help them fight crime. Because it allows for dishonest police officers, the current recruitment process is inefficient and not operating as it should. Everyone was eligible to apply, even if they lacked the necessary credentials. Since those entering the system will be highly qualified with public safety diplomas or related law enforcement qualifications, tertiary education and the development of a body of discipline knowledge through research are crucial components of this aspect. This could aid law enforcement agencies in restoring their institutions. The current growth of university/academic-police alliances for training, education, research collaborations, and knowledge transfer activities in the UK, USA, Europe, and Australia reflects this emphasis on higher education (Goode and Lumsden, 2016). Due to the fact that only qualified candidates would be shortlisted and subjected to interviews, this technique might eradicate corruption, nepotism, and political meddling in the hiring process. For law enforcement organizations to effectively offer services and fight crime, professionalism is crucial. Since there are numerous universities and colleges that offer courses in law enforcement, it is advised that law enforcement agencies create a new recruitment system that will support education in order to provide agencies or institutions with qualified candidates and specialized skills in the service. Lastly, they should adopt new policies and recruitment systems from developed countries.

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