



A Systematic Study on South African Police Service Leadership Crisis towards Supporting Section 205(3) as the Constitutional Foundation for Public Policing

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<http://dx.doi.org/10.47814/ijssrr.v5i7.460>

Abstract

This systematic review study looked at the emergent of the South African Police Service (SAPS)'s leadership power struggle in one of the executive organs of the state. The power struggle has the destructive force to destabilise efforts in the fight against crime and weaken the leadership. With the increasing crime rate and disorder in needy communities, discernible signs of systemic failures continue to infiltrate into police leadership structures leading to controversial leadership roles since the advent of democratic policing in South Africa. This paper offers insights into SAPS's leadership enmity, acrimony, and criminality that paint a negative picture of the complex organisation while betraying the central attempts of gaining public trust and confidence in Section 205(3) of the Constitution of the Republic of South Africa, 1996. The findings postulate that the involvement of police in the power struggle and mismanagement emits a negative impact on the status of the SAPS's leadership and threatens the fibre of the country's safety and security. The past and current leadership appear to be unruffled by the negative perceptions about this organisation holistically. The review indicates a total disregard for the SAPS's code of conduct, policies, rules, and regulations, as well as internal procedures, ethics and ineffective processes of corrective systems. It is recommended that criminology as a discipline should frequently be adapted to address current SAPS leadership operations – this call for an effective Criminal Justice System (CJS) that embrace social cohesion using multidisciplinary approaches to address the essence of policing. The government, local communities, law enforcement agencies and Non-Governmental Organisations (NGOs) should collaboratively influence sound leadership and progressive policies.

Keywords: *Crime; Constitutional Foundations; Corruption; Integrity; Policing; Police Leadership Crisis; South African Police Service; Systematic Review*

Introduction

Criminology is the science that broadly studies crime, which at current is narrowly defined and critiqued for focusing on a particular scope (i.e. crime and behaviour of crime perpetrators). This perception emerges from the systematic study of how police agencies react to criminal activities to prevent and investigate criminal acts in the emerging and broad democratic spheres of policing. Although narrowly defined, in a broad perspective how policing practitioners conjure up preventive measures, necessitate the incorporation in this discipline. Criminology moved from the discriminatory legal practices of the 18th century to the technologically advanced era of the 21st century (I.e. 2018 included). For example, there is a thin line between the classical theorists and the positivist school of criminology. The former argues and emphasise fair and proportionate punishment and reformation, whereas the latter emphasizes the understanding of criminal behaviour by uncovering factors that account for criminal behaviour and psychotherapy.

The diverse and prolific schools of thought of crime differ in terms of focus, criminal and criminal act connotations. This evolution includes different disciplines but is not limited to economical, ecological, sociological and psychological explanations of crime and criminal behaviour. Furthermore, during the second half of the 20th century, criminology began to assert its independence from the traditional disciplines that spawned it and in Western Europe, the United States of America (USA) and Canada, criminologists expanded their professional associations and academic writings. Phillips and Bowling (2003:269) emphasized that criminologists routinely use socio-demographics to describe victims of crime and offenders, and less commonly on criminal justice practitioners, especially the police officers who interact with varied interested parties. To this end, universities developed programmes in criminological studies. For clarity, criminological theories adopted multidisciplinary approaches to understand crime itself, rather than conducting studies on crime, based on overall anthropology, sociological or psychological law, and theories. The integration of these theories leads to modern approaches to criminology. Quotations suggest that in the 21st century of the cyber-physical era, independent criminology should hold its identity in the face of globalisation, economic, political influence (i.e. the influence of SAPS leadership), social and technological change. It is in this view that a dimensional approach to understanding the lived experience of those processing offenders is considered as a subfield that has been neglected by mainstream criminology.

Background of This Systematic Review Study

Considerably, adding to the daily executions of the objects of the SAPS, in terms of preventing, combating and investigating crime, to maintaining public order, protecting and securing the inhabitants of the Republic and their property, as well as upholding and enforcing the law; the SAPS members have been obligated to enforce Covid-19 lockdown regulations. Many of the regulations, especially pertaining to access to alcohol, were unpopular, and the police officials were regularly accused of being heavy-handed (Lamb, 2022). For instance, in the 2020/21 financial year, the Independent Police Investigative Directorate (IPID) considered:

- 353 cases of deaths caused by police action.
- 256 incidents of alleged torture by SAPS personnel.
- 4 228 assaults reportedly perpetrated by the police (Lamb, 2022).

Long-standing abuses in the appointment of leaders are at the heart of the country's failing police service (Defense Web, 2021). Furthermore, the performance of the police during the July 2021 riots in KwaZulu-Natal and Gauteng Provinces was severely criticised by many sectors in society, and the senior echelons of the SAPS have been acutely affected by multiple governance and leadership crises, importantly, with the declining trust and public confidence in the SAPS, it is imperative that the current leadership and governance crises within the police is resolved as a matter of priority (Lamb, 2022).

The SAPS is in crisis, ‘finish and klaar.’ The quoted words were infamously used by Jackie Selebi, the longest-serving post-apartheid SAPS national commissioner who was convicted and imprisoned for corruption in 2010. He used the term (meaning ‘that’s the end of it’) to describe his friendship with a notorious crime boss. His removal from office over a decade ago marks the start of what government’s 2012 National Development Plan (NDP), 2030 describes as the ‘serial crises’ in police management. Nine (09) years later, the root cause of the trouble remains and none of the recommendations for addressing the leadership difficulties have been implemented. The media reports reflect an organisation whose top officers are apparently at war with each other. The problem is largely due to irregular and closed appointment processes of inappropriate people into the SAPS’s top ranks. The result has been large-scale corruption and gross abuse of power. The convictions of Richard Mdluli, former Crime Intelligence boss, and Berning Ntlemeza, former Hawks [The SAPS’ Directorate for Priority Crime Investigation DPCI] head, are examples. The High Court found that Ntlemeza was dishonest and his appointment unlawful (Burger, 2021).

Subsequently, in the South African context, three intellectual understandings underpinning the CJS exist, namely: Legal reformist, Afrikaner Nationalist Criminology and Critical criminology (Hansson & Van Zyl Smit, 1990). The Legal Reformist approach saw a neo-classical emphasis on equality before the law, which eradicated barbaric punishments and advocated a consensus between the European and the Afrikaner. The Afrikaner Nationalist criminology vetoed the aforementioned consensus and emphasized the impoverished state of the white Afrikaner during the twenties. One of their solutions to crime was to separate the Afrikaner whites from other races, primarily blacks and so the apartheid system was born. Constituents concentrated on theories that promoted social causation factors as opposed to individual pathologies. Many leading South African academics were trained overseas, thus, their work reflected western ideologies and positivistic notions that were adopted in a country to which it was ill-suited. This criminology was seen as state-sponsored and racist. While competing approaches were discouraged, these constituents published ‘outrageous’ ideas, looked critically at the CJS of the country, power levels and inequalities (Hansson & Van Zyl Smit, 1990: 2-7).

The eighties (80s) saw increased cooperation between the security forces and preferred criminologists. Additionally, due recognition was given to academic criminology in the form of the establishment of the Criminological Society of Southern Africa (CRIMSA) in 1986. The goals of CRIMSA were primarily the publication of journals, training and education standards of prospective criminologists (Naude, 2005:1). However, with the paradigm shift, as previously mentioned, came a move towards ‘Critical Criminology,’ which produced a new generation of crime researchers, criminologists and police managers who addressed contemporary CJS issues such as corruption, stock theft, child justice, gun control measures, domestic violence, overcrowding in prisons, murder, the death penalty, organised crime, preventing crime and policing studies. These are not only academic discussions but also discussions based on practical experience and field research studies.

The change in the way the discipline is understood by academic authorities directly affects criminology as a tertiary degree. It is important to ascertain what is taught to tertiary learners, as they form the next generation of criminologists and police managers. Liberal legal reformism should function as the base for progressive criminology that better suits the democratic multicultural nature of South Africa in the 21st century. Naude (2005:113), a leading South African criminologist, believes that current criminologists should develop broad, postmodern criminological theories that are based on the contemporary political, economic and social experience both in South Africa and internationally. As society changes new types of crime emerge, which requires reinterpretations of the field of criminology. The onus then rests on contemporary criminologists to delve deeper into the functioning of society to seek out its pathologies (Naude, 2005:113).

The debate on the professionalisation of law enforcement agencies and related disciplines has again become intensely active in 2009, creating a potential split between “traditional” criminologists and

other scientists in the broader criminal justice field. Should a board of criminologists be established in South Africa under the South African Council for Social Service Professions, then, in terms of the Social Service Professions Bill, a requirement by the formal bodies (the mentioned Council and a criminology board working as a sub-council under it) is that academics, leaders and practitioners in all related fields of 'Criminology and Criminal Justice' will only be called criminologists, which will force police and correctional services scientists and practitioners to either develop and register their professional board or, conversely, run the risk of losing their so-called 'professional' status, among others (De Vries & Steyn, 2010:4).

Garland and Sparks (2000:201) assert that the social and cultural centrality of crime today is an opportunity for criminology to embrace a more critical more public, more wide-ranging role further endorse this. Criminological knowledge - the insight and understanding that comes from a close and critical study of crime and our institutional responses to it - has never been so relevant, however many governments resist its findings. The circuits for its use and exchange have never been so extensive and as deeply entwined with our social organisation and the culture as a whole. Therefore, the impending professionalisation of criminology requires critical engagements, discussions, and collaboration both at micro and macro levels, as few issues attract more public attention and generate more public debate than those involving crime and victimisation. For this article, the criminological evolution of the police leadership state in South Africa is demystified to readdress the existing dented image of the police leadership towards creating safer environs.

Saps Leadership Post-Democracy

Section 207 of the Constitution, 1996 provides that the president appoints the national commissioner to control and manage the police service. The control and management of the police must be done in line with the national policing policy and the directions of the minister of police. The Constitution, 1996 also provides that the national commissioner appoints provincial commissioners with the concurrence of the provincial executive. If there is no concurrence the minister of police must mediate. Moreover, Section 206 of the Constitution, 1996 provides that the minister of police is responsible for policing and determines national policing policy after consulting the provincial governments. Two centres of powers are created by the Constitution, 1996. The intention of the Constitution, 1996 was likely to create a system of checks and balances within the police structure. The president appoints the centres, giving the president the power to remove them as well. There is therefore nothing inherently wrong with having two centres of power to keep a check on each other. Equally, it is unfortunately the inability to resist the power of the centre by the individual and the faction he or she represents. Leadership's instability is therefore the culprit behind many South Africans not feeling safe and protected by the police whose mandate it is to protect, uphold and enforce the law and maintain public order (Jansen, 2022).

In contrast, since the turn of the 20th century, policing issues in Africa have been a focal point of argument in those developing countries, including South Africa (Sauerman & Ivković, 2008:21-39). The Southern African Development Community (SADC) countries, which include Botswana, the Democratic Republic of Congo (DRC), Lesotho, Malawi, Mauritius, Mozambique, Namibia, Seychelles, Angola, South Africa, Zimbabwe and Swaziland, are not immune to democratic challenges faced by other countries regarding the encroachment of the fundamental rights of their citizens by the lack of robust interventions through police leadership in daily democratic policing. It is generally expected of the police agencies worldwide to hold a high standard of ethical conduct in executing their duties which motivated SADC's initiative to implement a regional police code of conduct (Dissel & Tait, 2011). Based on Dissel and Tait (2011), the public expects the police to stand above any reproach of moral and legal impropriety. According to the Legalbrief Today (2013a:1); and Legalbrief Today (2013d), "the foundation of a democracy is a healthy police service". In South Africa, concerns from civil societies about fellow officers with questionable characters within the SAPS leadership are perpetually viewed and contradicted

as “smear campaigns” or conspiracies by opposition parties to discredit the leadership and the management structure by the ruling party, the African National Congress (ANC).

Before the 1994 democratic dispensation, the South African “police force’s” integrity was presumed to have been desecrated beyond our borders by inhuman acts perpetrated against the majority of citizens in pursuance of minority interests. There should indeed be more empirical data to prove that the integrity of our democratic police is comparatively tainted by the criminal activities carried out by members of the police and the ongoing internal problems (Burger, 2021). Post-democracy, the perception has been that public officials of “transitional institutions” have exacerbated and shifted from apartheid terror intentions by a range of factors, such as the involvement of police officers in the commission of serious crimes to pursuing self-centred interests through criminal elements in the service. Joubert (2010:25-30) notes that misconducts by the police are based on a set of complex factors including when a member of the police feels unrecognised, underpaid, overworked or when an opportunity prevails. However, amongst some of the factors, such as corruption, are a result of persuasive systemic defects (Organisational uncertainty), social structural and police subcultural factors.

Society is made aware of despicable incidents regarding the ills of the police in the mass media regularly (Makwitting, 2018:1; News24, 2015:1; Quintal, 2015a:2; and Quintal, 2015b:1). Importantly, not all reports about police leadership are factual; however, it should be noted that the greater part of the allegations in the media is undoubtedly legitimate because the police fail to rebut the allegations (Motsepe, 2020). The scepticism concerning the local police’s capacity to provide first-rate security is a major concern to the democratic civil society before and post-expulsion of the disgraced top SAPS leadership (Powell, 2012:20). The ongoing damaging police incidents in post-democracy society seem to snowball our postmodern society into paralysis. Being part of the country’s CJS component, it is disconcerting and difficult to argue about the police’s integrity in general and its leadership in particular. In essence, there had been a leadership crisis in the SAPS for a long time, Nine (09) years later, instability for the National Police Commissioner has continued. The National Police Commission (NPC has a pivotal role to play in managing the service,” Lindeque and Zulu (2021).

Although the police force is vital to the functioning of public institutions, they are often not considered or ignored. No institution charged with the function of protecting the democratic rights in terms of section 205 of the constitution for society can be free of controversy (Fielding, 1991: viii), especially when corrupt police officials undermine their hard-earned constitutional transformations. If the ethics of an employee or a manager is in question, it may have paralysing consequences for such an individual as well as the organisation the individual is affiliated with (Huberts, Kaptein & Lasthuizen, 2007:587-607), and it can have long-lasting negative implications for various stakeholders. Although individual police officers function independently when performing their duties, there exists a sweeping theory that they are policing the protection of moral rights and guided by the same provisions as enacted in Section 205(2) of the Constitution of the Republic of South Africa, 1996 and the Police Service Act 68 of 1995 (Joubert, 2010:13). If the police were to serve the society according to sound value systems (Code of Conduct) as embedded in the Constitution, they will be acting upon and within the framework of the law to achieve their policing goals by protecting and keeping society free from any harm. According to Hosken (2006:1), it is imperative to understand that all police officials are trained to observe the South African Police’s code of conduct and ethical standards on how to properly execute their duties. All police officials, from lower to higher-ranking officers, knows the rules of engagement.

In support of this argument, Burger (2011:13-14) states that substantial evidence of post ethics encroachment suggests that the involvement of junior and senior police officers in various forms of wrongdoings (serious acts of misconduct such as fraud, corruption, theft, murder, and assault) remains significant indicators that SAPS’s management is extremely inefficient in preserving the police service’s good reputation so far. The argument though does not imply that before 1994 intrusions were less serious; however, it is presumed that the current police management should radically alter and improve from the

policing system that was marred with terror to sustain the ostracised regime. This review is cognisance of the view that reputation is pivotal to the functioning of private as well as public organisations (Huberts, *et al.* 2007:587-607). It acknowledges that it is not easy to measure an organisation's integrity, but the perceptions in the media equally demonstrate that there is a decline in the police's value system (News24, 2013:1 & Motsepe, 2020). The perceptions surrounding police officers' and SAPS leaders' involvement in the commission of crimes have intensified, often fuelled by sensational scandals (Greene, Piquero, Hickman & Brian, 2004: i). In the light of the fact that the SAPS has decades of experience, some criticise the current police management as less capable than their predecessors of the apartheid regime police force. Despite the police's small achievements in the fight against multiple challenges of combating crimes, there are questions about police leadership's organisational and societal interests, questions that remain difficult to provide answers for.

Practically, Earlier this year (2022), the SAPS reported to Parliament's Police Committee on the crime statistics and trends. It was reported that among others, the murder rate increased by 8.9% as compared to the previous term of last year (2021). For the third term of the 2021 to 2022 financial year, more women were murdered, and women were victims in 12 614 cases of common assault as compared to the 2 528 cases of men being assaulted. Kidnapping has also increased starkly by 35.7%. There was a decline of murder of children by 5.6%. Only 352 children were murdered in the latter quarter of 2022, Jansen (2022). Many reasons can be given for the increase in crime such as socio-economic circumstances such as unemployment and poverty. It was also noted that where there is economic deprivation, it is common for people to lose respect for the rule of law, rebel, and transition into notorious activities. However, these could be curtailed with proper leadership and the necessary political will. All of which has been lacking in the security cluster. About seven people have held the position of national police commissioner. None of them has worked out their full term. Those that were suspended were Jackie Selebi, Bheki Cele, Riah Phiyega and Khomotso Phahlane, reasons for their suspensions ranged from taking bribes, corruption allegations, findings by commission of inquiry and dishonesty (Jansen, 2022).

Police Challenges in South Africa

In responding to the spate of kidnappings in South Africa, it was touted as an incredibly difficult and potentially catastrophic trend, as our SAPS management are drastically falling to protect all of us. The top echelons of the National SAPS leadership are either compromised or emasculated, and the consequences are clear to see, whether it's their criminal inaction during the July 2021 insurrection. This and other serious crimes in the country is a direct consequence of inefficient and, often, incompetent policing, coupled to a justice system that is overwhelmed, over-stretched and under-capacitated. To this course, 'Justice is not just delayed, it is often denied' The Saturday Star (2021). Based on the current outing of the SAPS National Commissioner, the Police and Prisons Civil Rights Union (Popcru) hinted that "the removal of individual personalities is on its own is not a sufficient enough remedy in adequately addressing the deep-rooted challenges faced by policing in South Africa" and the sability of the SAPS management is questionable, the internal need to prevent any future efforts to delegitimise the state, security cluster, and the country's democratic system is urgently sought. Equally what has emerged in the country's post-democratic National Police Commissioners, notably the lack of 'tangible successes,' for example, since 2000, seven national police commissioners have been appointed, with six of them serving since 2009. Two held the position on an acting basis. This has had far-reaching consequences for the SAPS in its entirety and has demonstrated the instability of an organisation that is to this day in the midst of a wider crisis (The Citizen, 2022).

The greatest task of the police in the public's view is to ensure public order and fight all sorts of crimes (Steyn, 2008:40). This mandate is endorsed and stipulated in Section 205(3) of the Constitution of the Republic of South Africa, 1996, SAPS Act (No. 68 of 1995), legislative and policy mandates and other initiatives such as the *Batho Pele* [People's First] principles (SAPS Strategic Management, 2010:2).

The general perceptions about these principles and regulations are that whatever concerns the police has a direct impact on civil society. However, when political appointees fill top police leadership positions for a broad political agenda rather than professional considerations, it begins to inflame discontent (Thamm, 2015:1). Based on public perceptions in the media, in Parliament and council meetings (Fielding, 1991:ix), this paper suggests that the police are heavily criticised and the policing system has been disappointing since the advent of democratic policing in 1994. Political wrangling has become too important and results in crippling the justice system at the expense of political demagogues. The question that needs to be asked is whether these types of perceptions truthfully reflect the actual extent of the paralysis in the executive organs of the state, police. This is not mentioned merely to degrade police management but to illuminate the current police culture (Steyn, 2008:40-41), whether it advocates the moral rights of the South African society or the policing has become too politicised. Of course, the perceptions may be misleading. McCarthy (2012:118) indicates that perceptions have a strong influence and give credence to the subject matter. The tasks of the police in enforcing the law call for statutory powers to be exercised cautiously (Joubert, 2010:13).

In general, the police are granted the right to use force, directly or indirectly, which in a private citizen would constitute a crime or wrong conduct that may be actionable in both criminal and civil courts. In contrast, police officers are human and often faced with and exposed to a range of dangers (Steyn, 2008:40). However, Klockars, Ivkovich, Harver and Haberfeld (2000:1) point out that “policing is an occupation that is rife with opportunities for misconduct”. Without a doubt, life as a police officer is a difficult and hazardous job full of inducements to deviate from legal responsibilities. In addition, the demand for better service is associated with risks posed by illegal activities of other corrupt police members, often stimulated by members of the public. The News24 (2013:1) mentions that a survey conducted in South African communities indicates that “71% of 3320 populations between the ages of 18 and 34 do not trust the police” in South Africa. The rationale behind mistrust of the police is the involvement of police to abuse the power and physically assault, rape, murder, brutal activities, bribery and commission of atrocious crimes against innocent people and those found to violate the law (e.g., South African police suspended over death of man 'dragged behind van', Fresh footage casts doubts on police claims taxi driver assaulted officer and tried to take his gun before the incident, (The Guardian, 2013:1; and many others). Thomas (2019:2) points out that law enforcement officers who are involved in questionable acts can resign instead of termination.

The same can be said about the perceptions of a citizen not included in the survey. Rabin (2013:3) indicate a significant increase of 313% of police actions compared to previous years. However, it is important to note that the 2012 national victims of crime survey found that close to 60% of South African citizens believed that the police and courts were doing a good job (Gould, 2013:1). Since 1994, the scenery of policing in South Africa has changed dramatically and has put the police under pressure to salvage a deal with every kind of urban and rural challenge to provide service at an accelerated speed (Sauerman & Ivković, 2008:21-39). Despite the democratic government, community-driven policing, neighbourhood policing and other strategic and new concepts of policing, the SAPS is still battling to be accepted in various communities because of the preceding decades of state repression as a means of maintaining political power (Rauch, 2004).

The police also deal with the rapidly changing scope of international standards of policing; this includes skills to deal with past experiences not repeating themselves. On the other hand, the crime rate put extra pressure on the police to use different policing methods to achieve the primary objective of providing safety and security. The SAPS Annual Report (2010/2011:1) shows that 81 active police members were expelled for various reasons. The number increased from 114 in 2012/2013 to 126 in 2013/2014 (SAPS Annual Report 2012/2013:172 & SAPS Annual Report 2013/2014:4). The reasons for the discharges is attributed to forms of misconduct, such as the involvement of members of the police in the commission of very serious and organised crimes, including corruption levelled against senior

members of the police service. Crimes committed by the police continue to be problematic by the harm it inflicts on members of society. However, these factors do not necessarily explain the increasing lack of trust in the police, but the way police conduct criminal investigations and fewer efforts to solve violent crime cases. According to an official report, as well as reports by independent groups, the conduct of police leadership is worrisome.

The level of Police Paralysis

Police work requires basic human rights qualities such as good manners, punctuality, discipline, leadership, good interpersonal skills, and a positive attitude. As knowledge of one's professional environment needs constant nurturing and development, so do these qualities. The SAPS is a professional institution and its members must, therefore, at all times, project a professional image. A police officer is not above the law and society demands more from police as a result of his/her legal duty and profession. It is incumbent upon every police officer to earn the respect of the community he/she serves. Police's rudeness, lack of empathy, dishonesty, incompetence and arrogant attitude will not earn the respect and credibility they seek (SAPS, 2006:3).

The divergent views from members of society toward police accountability differ from one community to another. The public is called upon to have a greater understanding of their operations, they should be willing to listen to police officials' frustrations on crime prevention holistically (Scott & Wesley, 2017:1). Morin, Parker, Stepler and Mercer (2017:2) maintain that police and the public sharply hold different views about key aspects of policing as well as on some major policy issues facing the country, there are areas of broad agreement between police and the public. It is important to note that community policing is the ability of law enforcement and community members to form a relationship and identify problems and solutions together and it is likely that public sentiment of the police changes over time in response to prominent events. These events bring police actions to the forefront of the public's attention and may lead them to express their opinions through various platforms, with less attention paid to the secondary victimisation of police members. Although one may suspect that criticisms would become more frequent after events involving alleged police misconduct, people may also want to voice their encouragement or support of the police, positively and negatively on police over time (Oglesby-Neal, Tiry & Kim, 2019:1 & 2). Importantly, organisational groups [SAPS included] are highly sensitive to how they are treated by relevant external authorities, both within and outside the organisation (Lind & Tyler 1988) (in Steyn, De Vries, & Meyer, 2004:5).

To this end, according to the SAPS (2019:1), SAPS adopted a nationwide recruitment drive to attract youth between the ages of 18 and 30, to join the service as 'police trainees' yearly, branded as the Basic Police Learning Development Programme (BLDP) intake. All applicants are subjected to fitness, psychometric and integrity testing, as well as medical evaluations during the recruitment, selection and enlistment processes. The vetting and fingerprint verifications are also conducted. Successful Police Trainees are further subjected to continuous security and fitness screening, including continuous verification of criminal profile as well as medical and physical fitness [I.e. Inclusive of drug/substance abuse testing]. Few of the indicated and preceding SAPS leadership incidents serve to erode the public trust in the police and CJS. It can be deduced from the above-mentioned that the majority of police officers have the power to abuse their positions and the resources in the execution of self-centred and corrupted duties. Many of the reasons listed above existed before 1994 in different dynamics and they all point to management and discipline problems (an ineffective system of punishment for corrupt police officials). The key to many of these factors is coupled with poor leadership (Newham, 2013:1). The number of criminal acts committed by the police have caused turmoil and fear in communities and harm the reputation of SAPS (Faranaaz, 2013:1).

The level of decay in the police may be less destructive but still plays a very significant role in determining whether the SAPS are increasingly losing their grip to fulfil its many obligations. It took

years for this country, since 1994 to remodel and create the stature the SAPS deserves and this could mean that transforming the police force was not as comprehensive as imagined – from changing the face of a ruthless police force of the apartheid regime to an esteemed police service that is pretentiously public centered. The integrity of the police service is one of the fundamental descriptions that resemble the country's pride in safety and security. It is the responsibility of the leadership to oversee that resources are optimally utilised to preserve a positive image as expected by the public (McCarthy, 2012:96).

The resistance to harm symbolises that the SAPS is well constructed and not vulnerable to be infiltrated through its weak control systems. The prompt repair in the form of disciplinary measures against ill-disciplined members of the police (Hosken, 2013) reduces the likelihood of perceptions from the public that one of the CJS's wheels is defective (News24, 2013:2). What may be a concern is that police officers do not report bad elements and honour ethical codes themselves, a culture where unethical conduct inaudibly becomes acceptable. Police officers are not anxious to report other officers who enrich themselves through unethical means and in the process tarnish the integrity of the SAPS. Westmarland (2005:145-165) provides that it is vitally important to inspire police members, including political appointees, especially those appointed to sustain the political system of the governing body or ruling party, to positively do their best to reinforce ethics, integrity, accountability and the culture of social responsibility (Steyn, 2017:1). Exposure to corruption, murder, assault, theft, sexual harassment and other forms of crimes where police officers are involved has probably made the public more cognisant to scrutinise the police's ethical conduct.

The police's code of conduct may be far from breaking down, but it certainly has a few gaps in it. Masiapata (2007: xi) points out that Section 195(1)(a) of the Constitution of the Republic of South Africa, 1996 stipulates that, a higher standard of professional ethics must be promoted and maintained. The SAPS's Code of Conduct (1997) provides that "the police service should work actively towards preventing any form of corruption and bringing those guilty of unethical conduct to justice." The "police officers should be encouraged to resist and expose any form of unethical conduct and to improve management and supervision thereof." This means that the individual police officer should display a high level of professional ethics in the provision of safety and security to members of the public. However, "there is a rising level of unethical conduct amongst individual police officers nationally," The Service Integrity Framework of the SAPS Strategic Plan Document (2002/5) and Independent Complaints Directorate's (ICD) Annual Report [2003/4] (in Masiapata, 2007:xi).

Efforts have been made at the global, regional and national levels to establish normative frameworks and guidelines for democratic policing. Police codes of conduct are 'broad, imprecise and aspirational' statements intended to help translate these normative frameworks (commitments to laws, rights and treaties) into clear principles that guide police conduct and streamline police oversight. Because few civilians and police ever engage with the details of laws and treaties informing normative frameworks, institution-specific codes help contextualise and interpret them in ways that make them easily understood and actionable to police officials. When properly managed, police codes of conduct can shape individual officers' attitudes and police organisational culture more broadly. But for this to happen, easily understood standards of behaviour drawn from the code should be complemented by monitoring and evaluation systems that hold police organisations and individual officers accountable for their actions (Faull, 2017:2).

From what is available on reviewed records; the existing gaps on SAPS Code of Conduct relates to the notion that it was formulated with the laudable intention of transforming policing in South Africa from authoritarian to professional democratic practice. However, beyond records suggesting that officials have read the Code and occasional lectures on the importance of (but not necessarily understanding) the Code, it is unclear whether definitive efforts were made to inculcate the Code's values into the SAPS's organisational culture and operational practices. What is apparent from records and parliamentary minutes, is that the language with which the aspirations for the Code were described in the late 1990s are

very similar to that used to describe the NDP's vision for the SAPS, and that of the SAPS itself. The challenge, it would seem, is perennial (Faull, 2017:18).

Joubert (2010:20) states that the SAPS's code of ethics endows members to function within certain principles, with integrity, respect for life and diversity, obedience to the law, service excellence and public approval. It is this principle of integrity that threatens to harm the image of the police and damages the public's confidence in the police (Klockars, *et al.* 2004:232). The police cannot follow just part of the principles and then claim to be maintaining a high standard. There are many factors that strain and destabilise the SAPS's integrity, including the militarisation of police in the name of instilling discipline (Burger, 2013a:1). Furthermore, the ineffective disciplinary system was highlighted by Gareth Newham's survey on integrity measurement at an inner-city police station in a book by Klockars *et al.* (2004:242-247). The effect of the South African Constitution, 1996 is measured by the way the police protect the public from harm, harm preferably not caused by the police themselves. The question this article seeks to ask is why are there so many misconduct cases within the police service if there is an endorsed dynamic government official policy document to prevent and detect misconduct. Not all members of the police service are instructed to be vigilant and are willing to refer any suspicious cases they come across to the management for fear of reprisal. The question becomes more fascinating when studying the perceptions and media reports about the integrity of the SAPS.

Burger (2013) (in Underhill, 2013:1) also claims that dysfunction in the SAPS has severe implications for reducing crime, and that it was not currently able to function effectively and efficiently. This is largely the result of years of infighting, poor leadership and maladministration caused by inappropriate political interference. In contrary, while the prevalence of unacceptable levels of police brutality is not in dispute, arguments about police militarisation as the cause of the problem are less convincing. It is necessary to consider what is meant by police militarism and how it relates to the functions and powers of the police. When trying to understand the causes of police brutality, it is also necessary to look objectively at statistics and other information before simply blaming it on police militarisation. As much as 'militarisation' was not the answer to the problems facing the SAPS in 2010, so too will 'demilitarisation' or another change in the police rank system miss the fundamental issues. These include weak command and control and a lack of proper internal oversight structures that ultimately result in poor discipline. What is needed is the appointment of capable officers to senior positions as well as internal structures that can hold them accountable, in essence; poor command and control and weak discipline remains at the heart of the problem (Burger, 2013b:1).

The experiences described in the above-mentioned sections are efforts to measure factors that contribute to the violation of the SAPS's integrity. It is important to point out an obvious fact, namely that police officers, those who are in charge, seem to have bad habits of not following the constitutional order themselves. The recurrent and frequent key features that manifest in police integrity are: political interference, arrogance, ill-treatment, brutality, corruption, poor management, crime and selective law enforcement. Since the inception of politically appointed leaders in the SAPS, it appears that there was never a considerable thought to invest resources into developing positive images of the institution. By contrast, integrity violations such as the commission of all Schedule 1 to Schedule 7 offences (Joubert, 2010:424 & 429) can result in enormous financial losses (De Lange, 2013:1), severe reputational damage, bankruptcy and even the implosion of a country's economic and political system (Leadership style study, 2013). In 2013 it was reported that the SAPS was in the second position of the most corrupt government institutions (Legalbrief Today, 2013b:2). It is cited that about 5 000 complaints were made in 2011 against the police and other cases were not reported due to wariness of how cases are dealt with. Categorically, this is not misplaced perceptions or isolated incidents about the SAPS. According to some critics, the apparent increase in integrity violation (Leadership style study, 2013:589) is due to a lack of seriousness with which the public regard the police.

However, police misconducts (Hosken, 2013:1) are perceived by the public to be as serious, if not more serious, as other crimes, especially violations where the harm is physical and has consequences. The assumption is that members of the police, when appointed, is in the service of the public to advocate and enforce the law and it is extremely disappointing when they deviate from such common understanding and obligations to serve the public with excellence and instead join the criminals in committing atrocious crimes. To successfully maintain and preserve the integrity of the SAPS, tough action must be taken and “unbecoming conducts” unmasked to convince and give the impression to society that the police are serious about their responsibilities. Taking into consideration the data of corruption, it is probably not the police’s involvement in crime alone that damages their integrity, but also the involvement of civil society in corrupting the police that led to the primary perception.

Police Leadership Since 1994: Post-Historical Lenses of Criminality

South Africa became an internationally accepted democracy in 1994 when former President Nelson Mandela was elected as the first president of the new South Africa, bringing the era of “apartheid” to an end. This new democratic order brought about many changes in the country and also had a substantial impact on policing (SAPS, 2014:3). It is observed that change is inevitable, however, the British Police were facing two major challenges: Firstly, to address the changing patterns of crime and secondly to win back public support by being accountable for their actions. The second challenge implied that the police had to adhere to certain legal constraints regarding their behaviour. The police culture that usually does not welcome restrictions on its freedom opted to prioritise the changing patterns of crime and adapted its actions accordingly.

This choice demanded of the police to change their policing style to cope with technological advances (I.e. Methods of intelligence gathering that were already used by the military and private security companies and techno-crimes - computer fraud schemes) being committed by a ‘new’ breed of criminals. In effect the high technology advances and the focus on intelligence led-policing, favoured the police as they now also had the means to police the community without the community knowing that they were being policed 24 hours a day. This contributed to the police shifting their focus from reactive to proactive policing because they had the means and they could break away from a problem that had been haunting them for a very long time, namely accountability to citizens. Meanwhile the Government was trying to find answers to the poor police citizen relationship that existed in Britain. However, if one considers the magnitude of crime and its related problems in South Africa this initiative (Crime Line South Africa) hardly addresses the serious lack of communication between the police and the community. Furthermore, this initiative does not really address the current breakdown in police and community relations, as it is anonymous and faceless. The police cannot react pro-actively if they do not have the community to supply them with enough information to fulfil their policing task, namely ensuring a safe and secure South Africa. The question that one should address now is: What other means are available to gather Crime Intelligence (CI)? Bezuidenhout (2008:53, 54 & 58).

Fast forward to the 2011/12 financial year, the Corrupt Watch and ISS (2017:2) show that since 2011/12 there is evidence of deterioration in various functions of the SAPS; for example, the declining intelligence crime threat analysis and network operations, the detective services detection rates for violent crimes such as murder and robbery, and visible policing indicators such as the number of roadblocks. The consequence of this is that since 2011/12 the number of armed robberies reported to the police have increased by almost 32% while the number of murders have increased by almost 20%. The “serial crises of top management,” as identified in the NDP, implicate that the SAPS is not able to utilise its resources effectively and the consequences for public safety are substantial. More people are being murdered and attacked on the streets, in their homes, in their work places, in shopping centres and hijacked while driving.

It is also strongly believed that professional, experienced and honest top leadership of the SAPS could change this situation. However, as with most employment, there needs to be a transparent and public participatory appointment process to ensure that only the best candidates are appointed to lead the SAPS and the Directorate for Priority Crime Investigation (DPCI) (i.e. the Hawks). This could potentially render the following outcomes: “Both the public and police officials would be better apprised of the abilities and characteristics that the new appointee would bring to the job”. An appropriately experienced appointee whose integrity is beyond reproach would, therefore, enjoy an enhanced level of support from both the public and police service and would be more likely to effectively drive plans aimed at improving the performance of the organisation that they are tasked with leading and proper screening, as well as vetting, would ensure that the individual selected is less likely to become embroiled in scandals that may emerge after his/her appointment, thereby resulting in distraction and discord at a senior leadership level, ISS (2017:2).

Moreover, there is strong evidence to suggest that top management (Legalbrief Today, 2013c:2) impacts negatively on the credibility of the South African Police Service. According to Joubert (2010:10), it is clear that the SAPS top positions, such as national commissioners and other executive members, are earmarked for those who can sustain the political plan and preserve the policies of the ruling party; in this case, it would be the ANC as it is holding the majority representatives in parliament. Hosken (2013:1) is of the view that the South African police management has significant influence over malicious, surprisingly bad elements in the organisation. Police management is responsible for in-house controls that detect and coordinate all investigations regarding any sort of irregularity within the structures of SAPS as a whole. The in-house controls are then responsible to assess activities that deviate from institutional objectives in compliance with laws and regulations. In almost all criminal conducts that involve the police, the post-discovery activities proceed with a special prosecutorial assignment under the cooperation or leadership of police management. It is this police management that is subjected to political influences from within and without the public segment. According to Kohler-Barnard of the Democratic Alliance [DA] (2012:1), “the ANC has made no change to its disastrous system of parachuting unqualified non-SAPS members into the position of national commissioner, even after one of their own was jailed and the other dismissed in a disgraceful manner”. Because of political pressure, officials are susceptible to unreasonable conduct, bias, nepotism, and corruption. It is ill-fated that politically connected individuals are being protected from CJS processes for injudicious activities with the elements of criminality. For example, when senior or junior police officers are found to have engaged in an “improper, unlawful act”, no criminal investigations are conducted until concerned public members insist on it or exposure by the media leads to action to be taken or demand an explanation as to what happened to those involved.

Roelofse (2012:136) highlights that initially, the government of South Africa’s reaction to high crime rates was denial of the problem that it was getting out of hand. Meanwhile, the debate on crime has progressed to political battles emanated within the ruling ANC, like the outcome of the national elective ANC conference in Polokwane in 2007 which led to former State President Thabo Mbeki being replaced by Jacob Zuma. It also brought tougher government rhetoric against crime from the administration of former President Zuma. Changing an organisation such as the SAPS that originates from an oppressive political past meant changing policies and attitudes in order to bring democratic and human rights in line with policing. However, those attitudinal changes do not only affect the police officers but also the societies in which transformation to a developing democracy took place. This poses therefore a challenge to the police and the organisation at a personal and organisational level since police agencies are slow to adapt to or implement change such as community policing. Since the democratic dispensation, there was a high perception of fear of crime and this is supported by the international police figures which showed that South Africa had high manageable levels of property crime but an extraordinarily high level of violent crime. As per previous indications in this article, the SAPS is the Republic of South Africa’s national police service. Its 1 138 police stations in South Africa are divided according to the provincial borders, and a provincial commissioner is appointed in each province. The nine provincial commissioners

report directly to the national commissioner. The head office is in the Wachthuis Building in Pretoria (SAPS 2017:3). Thus, table 1 illustrates the chronological synopsis of the SAPS’s national commissioners post-1994 to the present (i.e. 2018).

Table 1: Past and present South African Police Service leadership

1994-	SAPS national commissioners	Career path	Other
1994–1995	Van der Merwe, J	South African Police (SAP)	Resigned
1995–2000	Fivaz, G	SAPS	Term expired
2000–2009	Selebi, JS	ANC	Arrested and convicted
2009–2012	Cele, BH	ANC	Suspended
2011–2012	Mkhwanazi, NS	SAPS	Acting (Reshuffled)
2012–2015	Phiyega, MV	From the business sector	Suspension with damning allegations
2015–2017	Phahlane, KJ	SAPS	Under investigation by IPID (Acting - suspended)
2017	Mothiba, L	SAPS	Acting (Reshuffled)
2017–2022	Sithole, KJ	SAPS	National Commissioner (Contract terminated by the Country’s President)
2022	Masemola, SF	SAPS	National Commissioner

Source: Researchers illustrations (2022)

Notably, top SAPS officials behaving badly, High-ranking officials from the police's in the CI division have been suspended, sacked, or placed under investigation in the past years:

- **2013: Captain Morris Tshabalala**, nicknamed Captain ‘KGB,’ was arrested and accused of masterminding Cash-In-Transit (CIT) robberies, involving R30-million.
- **2013: Major General Chris Ngcobo**, the past Acting Head of CI, protection and security services, was placed on special leave by SAPS National Police Commissioner - Riah Phiyega after ‘discrepancies emerged about his educational qualifications,’ (Underhill, 2013:1).
- **2011: Mphego's successor, Richard Mdluli**, was suspended after being arrested on a number of criminal charges.
- **2011: CI financial officer Major General Solly Lazarus and the Division's Head of Logistics, SAPS Colonel Hein Barnard**, are suspended and charged with theft, fraud and corruption.
- **2009: The head of CI, Mulangi Mphego**, was forced to resign after he was accused of interfering with state witnesses in the corruption case against former SAPS National Police Commissioner Jackie Selebi.

Fast forward 2019-022, a probe by the intelligence watchdog into a dubious R1.1-million Covid-19 Personal Protective Equipment (PPE) splurge by the police’s CI division revealed plans to use a slush fund meant to fund covert operations necessary for the country’s security, to bankroll a R15-million spending spree on masks, gloves, and sanitisers (Wicks, 2022). The CI is a hot mess. The instability in the top leadership appears to be never-ending, among the most important reasons CI is in such disarray is because it is, to all intents and purposes, unregulated. It is impossible not to conclude that the political

class made a deliberate decision to keep regulation loose to make it more susceptible to manipulations (Duncan, 2021). However, since 1995, 80% of the SAPS national commissioners were evidently subjected to some form of transgression or dealt with in a particular way as noted in the table. It is important to note that the South African Police management is responsible for designing, implementing, and monitoring the internal policy controls. The national instructions, regulations and other provisions of the police control systems should be embedded in the internal structures to protect and set the tone against any form of misconduct (McCarthy, 2012:33).

In essence, since the departure of democratic South Africa's first national commissioner George Fivaz in January 2000, a number of successive commissioners have been unable to complete a single term in office, and most of them were implicated and charged with a certain degree of misconduct (Khaas, 2017:2; and *The Citizen*, 2017:1). The linkage between the underworld and SAPS officers and which cost Anti-Gang Unit member Charl Kinnear his life, as he was assassinated outside his home. He was deeply involved in investigating colleagues implicated in issuing fraudulent firearm licences to known criminals. Moreover, the murder has exposed the deep divisions and mistrust in SAPS leadership with three senior officers, AGU Head Andre Lincoln, former CI head Peter Jacobs [Sideline for exposing corruption in CI] and Western Cape head of detectives Jeremy Vearey fending off ongoing attempts to sideline them (Thamm, 2021).

The distribution of personnel has also been controversial, with local legislators questioning why areas most in need of policing resources are being neglected (Van der Merwe, 2016:1). In recent times, the South African Police Service was highly criticised by the Western Cape Government for providing the lowest number of personnel (in terms of the police and population ratio) with a shortage of 2,392 officers to their province (News24, 2016:1), despite having the highest murder rate in the country from gang-related crimes (Knoetze, 2014:2; and News24, 2016:1), this has also been the subject of the Khayelitsha Commission of Inquiry.

Management should provide a disciplinary structure that capacitates control systems already in place. Crime is, unfortunately, changing the political environment and control system of the ruling party. These control factors include integrity, ethical values, and competence of the police members. When controls are absent or weak, the ways and means of the police getting involved in crime become evident. Since an organisation cannot prevent all types of misconduct, its managers must be acquainted with some control and procedural systems. Typically, acts take place in secret away from the organisation's office (i.e. Fraud, corruption, bribery, murder, assault, and theft). Commanders usually view these crimes as impermanent. Crimes involving the police are investigated by noticing signs and signals from the public. Hiring and firing are a very important measure to control those who intend to beat the system for self-gratification of whims and desires. Since the police's leadership and integrity have been a topic for discussion for the past decades, the tone at the top has become a concern in the public domain, particularly democratic police management. The management style in the police should include regular management and supervisory activities and other actions personnel take in performing their duties. It is imperative for police leadership to provide strategic position which include proper control, organisational goals and planning. Intentional miscalculations and other deficiencies should be reported to the political leadership and to the responsible committees within the SAPS structures for recourse. In the meantime, the public debate about the police's performance intensifies regarding the suspicion of management's failure to improve the integrity of the SAPS and prevent dishonourable conduct by police officers (Horn, 2013:16).

In July 2017, Corruption Watch and the ISS launched a public awareness campaign that focused on the upcoming appointments of the SAPS national commissioner and the head of the Hawks. The core objective of this campaign was to promote awareness of and support for the implementation of the recommendations of NDP as it pertains to the appointment of the SAPS's national commissioner and deputies. This requires that a merit-based, transparent and competitive selection process be undertaken

prior to the appointment of the SAPS national commissioner. Given the authority and status of the head of the Hawks, it is believed that the same should apply before appointments are made to this post (CW & ISS, 2017:1). Senior police (the SAPS leadership) appointments should be entirely depoliticised: only persons with expert knowledge should be appointed to senior positions. It is noted that policing is a very particular skill and managing police organisations requires extensive experience and insight. Thus, commitment to professionalising the SAPS through appointments of trained and skilled personnel is of utmost importance (ISS, 2015:1).

Various studies consulted by Newham (2015:40) have identified characteristics synonymous with integrity as particularly important for effective police leadership. For example, the Australian Institute of Police Management undertook a meta-analysis of 57 empirically-based articles into the requirements for effective police leadership in Australia, the UK, Canada, New Zealand (NZ) and the United States (US). This study identified seven key characteristics that were considered necessary for a police commander to be effective. Three of these characteristics are commonly associated with *integrity*, namely that a police leader must be *ethical*, *trustworthy* and *legitimate*. The remaining four characteristics that were named are that police leaders should recognise the need to “act as a role model; be good communicators; be critical and creative thinkers, and be able to make good decisions”. Senior police leadership in the SAPS can now be assessed against the key principles and characteristics highlighted above. This exercise will provide some insight into the nature of the challenges implicitly referred to by the NDP and the White Paper on Safety and Security of 1998, as they pertain to the senior police leadership at the time of writing.

Study Findings and Insights

The essence of this paper points out that different government departments and other stakeholders are acting in isolation to address the leadership crisis in the SAPS. The problem is compounded by the complexities of the 21st-century challenges faced by the police. The involvement of members of the police in the commission of serious crimes underpins the scale leadership paralysis. This appears to haunt the majority of the South Africans, owing to the negative political will to rectify the situation. The skills required of leadership in the police amongst others include knowledge of modern criminological evolution, intelligence, discretion, and teamwork. These skills should be gained to enhance an understanding of the current wave of uncertainty in terms of suitable ethical and moral leadership as recommended in the NDP 2030. To some extent, the poor relationship between the police and the public contributes to a lack of accountability on behalf of the SAPS leadership. Recognizing the importance of patterns and practice of policing to understand past and present SAPS leadership can promote safety and security in South African communities. It is also important to nurture and support a framework that will guide and assist the roles and functions of the many partners needed to make ethical SAPS leadership a reality.

The SAPS leadership is facing an impossible mandate in preventing crime. Furthermore, the notion of policing is also not clearly understood. Police leadership must be separated from political leaders to establish a stable balance of power, thereby broadening the support base for any solutions to policing matters. There has been exponential interference of political leaders into the SAPS leadership conundrum. The interference disconnects police officers from crime and delivering local and national services. While crime methods continue to evolve, criminal networks have become increasingly globalized and interlinked in their operations amid leadership preoccupation with different types of challenges, including internal struggles for power, dominance, and resources rather than getting to the bottom of rising core policing and crime issues. The line between crime, politics and self-enrichment through corrupt practices has increasingly blurred many career police officers. Because of internal leadership conflicts and criminal police officers, police are trapped in a never-ending cycle of recriminations.

Police leadership crisis still plagues the SAPS and the strategy to submit disciplinary and criminal procedure recommendations by investigating officers to the SAPS/National Prosecuting Authority (NPA) once investigations are completed is not effective. Therefore, guidelines need to be designed for the SAPS and NPA to properly scrutinise, approve and implement the recommendations made effectively. Even though the nature of cases by police leadership differs, basic standards should be established to ensure that the police leadership are accountable for their actions and to improve the strategy of recommendations, especially to ensuring convictions and [police] accountability. Notably, the SAPS oversight bodies are inadequately capacitated for what they are mandated to do. It was evident that a lack of resources, budget, and manpower affects their effectiveness and efficiency in their investigative processes. The manpower should be increased to accommodate the workload. These bodies need to have their resources and budget. The budget should fall under the auspices of their top hierarchy and not the Minister of Police to ensure full independence of their operations.

Study Overall Recommendations

As established by Steyn (2008:40), most police services and agencies around the world are expected to maintain and enforce the law while at the same time coordinating multi-pronged crime prevention efforts on behalf of the communities they serve. However, the relationship between the police and the public (i.e. Community policing initiatives) is dented and the capacity of the organisation is increasingly tedious on the leadership. Understanding the integration of several elements to the causes of crime is highly technical and complex. The diversity of modern criminology and the CJS practitioners' multilateral approach to solving crime in the changing demographic composition seek equally well to the changing requirements.

The 'chop and change' in the SAPS leadership has affected the focus and direction of the police, said Mbalula, adding that this cannot be denied. 'We must admit it.' What is needed also is firm leadership from the station level upwards. The public has expressed anger at the lack of service and lack of caring they receive at police stations. "[Officers] must treat our people courteously and with sensitivity – we agree with the people in this. But the police treat them as nuisance. The citizens] are the SAPS clients, they pay for their living. The instability at the top has affected police morale, as there is no direction filtering down to the ranks below. To achieve a culture of discipline and smart policing, SAPS needs leadership that can direct policing in the most effective way" (Corruption Watch, 2017).

It has become increasingly evident that a transformed SAPS has continued to build on the available legacy of the police leadership crisis. Subsequently, the present (2019-2020) drive by certain academic societies in 'Criminology and Criminal Justice' disciplines in South Africa towards professionalisation spearheaded by Criminologists comprising of both academics and practitioners may readdress the current ineffective police leadership fuelled with corruptions and directionless. The experienced difficulties in securing a professional board for these disciplines should be attended urgently by CRIMSA, this should be filtered to SAPS leadership for their respective academics in Criminology, Policing, Penology and Victimology to potentially benefit from this collaboration as the current (2019) police leadership enjoys impunity, while escaping being held accountable for their actions, amounting to lack of accountability. The SAPS oversight bodies should be effective in bringing about the desired changes in the police leadership to address the existing culture and practices internally, these bodies should be equipped with the capacity to identify the underlying systemic problems. The SAPS should acknowledge its challenges and solve them practically.

The emergence of crime challenges is pressing, the SAPS leadership accountability – community involvement and other government agencies in a partnership relationship, as part of a more holistic and effective approach for better recruitment and training. More resources, advanced training, and better education towards SAPS leadership to root out criminal activities within the organisational environment are pertinent. The formulation of a comprehensive research strategy in line with effective corrupt-free

SAPS leadership and the levels at which they are engaged must be addressed in a contemporary system. Strengthening the department concerned with the SAPS leadership by the current government (ANC). The government must ensure that the Department of Police acts independently in taking decisions – no political interference should be tolerated and working together with the public should be encouraged.

The police (Sub) culture in line with what every police official brings to SAPS linked to beliefs and values shared by them while addressing police culture holistically on these two main issues: Unpredictable and punitive supervisory oversight, moreover, the *occupational environment*, consisting of relationships of police officials with general society (i.e. Citizens), involving two of the most widely cited elements of this environment are the presence or potential for danger, as well as the *organisational environment*, which consists of one's relationship with the formal organisation (i.e. Supervisors) should be clearly understood by SAPS management to address the police leadership crisis in South Africa effectively (Steyn, 2008:40 & 41).

Conclusions

The ill partnership between the police and the community in identifying communal problems harm police operational procedures. The police actions and an increase of appalling practices have raised several safety concerns among South African citizens, neighbouring countries as well as international community observers. However, some police activities are not worse than before the political transition. An example of this is that before the transition there was no democratic society. To some, the increasing incidence of police's involvement in crime (i.e. 21st-century criminological evolution in the SAPS leadership) may be looked upon as perfectly unacceptable behaviour. As illustrated in *Supra*, the South African Press Association (SAPA) and the *Mail and Guardian* (2013:1) agree that it is easy to identify crime-combating failures and somehow blame the police for it because of their weak processes. One conclusion that could be drawn from all the information and perceptions is that police leadership is primarily on a downward scale but there is an opportunity to tilt it before it is too late. Taking a sceptical view and given the evidence of integrity violation, it shows that the police will remain the main culprits of damaging their integrity. But as cited earlier, it is not just the police alone who are indulging in unethical and ignominious practices; they are however under unbearable pressure to deliver the service as expected by the citizens of South Africa. Irrespective of the ability of the police, pressure to deviate from these expectations can emerge because of a variety of influences. These include, for example, service delivery, the high crime rate, an inability to cope with the workload and temptation (Corruption).

Therefore, to address this, more attention has to be devoted to the type of training they receive so that even the most dedicated police officers would have difficulty engaging in any form of misconduct. Though training can never be enough officers in their real jobs can never be theoretically prepared for the complex problems mixed with political and social issues they have to encounter each day. The problems experienced within police services internationally are due to failure to find a balance between serving the state, serving the public and being professional in the execution of their duties, leading to the lack of preservation of unwarranted operational methods in the police leadership.

Furthermore, the reviewed IPID Annual Reports and literature on police leadership crisis, accountability and impunity indicate that in South Africa, it is rare for elite police leadership to be prosecuted for their ill-discipline. Thus, the Three (03) strategies employed by the IPID investigating officers, namely: **i)** Investigations; **ii)** Recommendations for disciplinary/criminal procedures; and; **iii)** Adherence to Section 29 and 33 of the IPID mandate should be made effective by addressing the existing problems associated with inadequate capacity and lack of cooperation by SAPS as an organisation; the SAPS management, police officers, complainants, witnesses and Station Commanders should form part of the chain of evidence. The lack of evidence (i.e. Insubstantial and unsubstantiated evidence) from complainants can adversely affect the investigation of internal and external SAPS cases involving police

leadership. The IPID should not only rely on available resources and evidence to ensure the effectiveness of their investigation strategies, emphasis should be also placed on the availability of rich information to ease this process and ensure police leadership accountability.

The prevention and identification of opportunities, ongoing formal training in moral obligation, the transformation of the institutional culture and support at an institutional level are certainly ways forward to produce lasting results. Crime is not only inducing fear amongst civil society but creates a bad image of police officers and the SAPS, and it radically influences the political system. It is of the essence that public concerns regarding the police's unbecoming conduct are dealt with. In the South African context, remedies of the police's misconduct are either individual (I.e. Disciplinary and criminal) or institutional (I.e. Civil liability for damages). This means that as the police are one the most important agencies of any country, they should review the fundamental policing laws to comply with the democratic society and sustain its image. It is emphasised that "it is not enough to reduce opportunities for corruption and to introduce an elaborate system of detection and deterrence" (Miller & Blackler, 2005:136). As the former National Police Commissioner, Riah Phiyega (2013) (in Nombembe, 2013:1) alluded "the men and women who study will play a major role in restoring the dignity of the police" when opening the "police university" in Paarl, Western Cape.

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