

CHAPTER 12

FINDINGS ON

RESOURCES AND TRAINING

12. FINDINGS ON RESOURCES AND TRAINING

The findings at the nine sites pertaining to resources and training were very similar and therefore are located here. Discussion is divided into two sub-headings: (A) resource requirements and (B) training requirements.

A. RESOURCE REQUIREMENTS

As a group, the CMPs reported being poorly resourced at the time of the baseline study and well-resourced at the time of the evaluation. Thus, each CMP was in a good position to identify the material requirements for the post. Furthermore, these needs were reported as the same at all sites such that there is good corroborating evidence regarding the following:

12.1 An office is required and it is best if affiliated with a community court (but there are other options)

A CMP cannot function without an office. One is required that is:

- Large enough to accommodate an assistant (and yet ensure privacy for the CMP when meeting on confidential issues).
- In a neutral place that does not affiliate the CMP with other departments or agencies

For this reason, an office location in the community is *not* recommended because most places and communities in South Africa are affiliated with political parties (even shopping centres and commercial areas) and are *not always safe*. This represents a departure from the models found in other countries. Likewise, a CMP cannot be at the offices of local government where a community prosecutor can become associated with a political party (or enticed to hold to a party line).

Based on the data, the best situation is at a SAPS station with a community court on the premises (requiring a separate office facility for the community prosecutor). Many

reasons were offered in interviews with the CMPs as to why the ideal location is at a site with a community court:

- This allows a CMP to fast-track cases
- The appropriate public profile of a community prosecutor should be neutral and a community court create a neutral space from which to operate close to the community
- Associating a CMP with a court prevents community confusion about the role of the CMP
- It increases the profile and credibility of the community prosecutor

What if a SAPS station has no community court? It does seem important to distinguish the role of the CMP and therefore this is a situation where an independent mobile facility is helpful. This could be located in a secure and convenient spot and would:

- Create independence for the CMP
- Send a message to the community that the CMP is not a permanent community asset but someone who is trying to establish certain sustainable structures, programmes and partnerships to bring down the court rolls.
- Allow the CMP to move into a new territory more easily (e.g., if crime drops in Nyanga, the community prosecutor could then move the mobile facility to another target area or even other SAPS stations within the target area)

No site was found to be perfect and thus there are also two potential disadvantages if located at a SAPS station:

- One can also encounter corruption within SAPS (see chapters on Mamelodi, Point)
- Community members might associate the CMP with SAPS and not see the NPA as a distinctive department

At the time of the baseline study, many questionnaire respondents (from all sites) appeared concerned about corruption within the police. One questionnaire respondent at Point, a SAPS member, put it this way:

Sometimes you find out that the members fighting for crime are also the friends of the suspects you are looking for. Organise maybe for an operation and before you go there, they already know that the police are coming.¹

Corruption at Point appeared to have affected certain bodies with which CMP Prithipal worked although SPP Melis came to investigate it more deeply and combat it more directly. At Mamelodi, suspected corruption within SAPS was one of several factors that led to the move from the Mamelodi West to Mamelodi East SAPS Station. The described situation suggests that owing to the proximity of the NPA to SAPS it is also possible to help root out corruption (perhaps an issue to consider at the level of national negotiations between SAPS and the NPA).

What about a Magistrate's Court? The chief problem for a CMP with an office at a Magistrates Court is being delegated court business owing to fast access. Furthermore, not a single participant in round-table discussion at nine sites liked the idea of the CMP at a Magistrate's Court. The public does not seem to find the court an accessible or inviting place to visit. Therefore such a site is not the best one but can be utilised in circumstances where there are no better options (e.g., Windsor).

12.2 Human resources: a senior prosecutor with an administrative assistant and trainees (junior prosecutors)

It appears from the data that a D3 post (senior) is required to take responsibility for community prosecutors but those under this level can be managed to meet a performance agreement. In other words, C4 posts and C5 posts can be used to address public drinking, shebeens, noise making, and petty offences. However, this might not be so manageable if not attached to a community court with a senior prosecutor responsible (making each site

¹ Questionnaire with CMP partners on Community-Based Crime Prevention, 08 May 2006, Nyanga.

a relative matter). Whatever decision is taken within a division, it is necessary to assign at least one more person to work with each existing CMP and preferably two for a simple reason--others need to learn about the role (trainees) to sustain a proper standard of community prosecutions within the NPA.

All but one CMP expressed the need for an administrative assistant. The main function of this person would be arranging meetings, taking minutes, compiling reports, maintaining communications with partners and coordinating events. This is some of the evidence to indicate that an assistant is required:

- CMP Ron Mncwabe managed three large sectors on his own but reported that he could not have done this without administrative support.
- Only two months before the evaluation study at Siyahlala, Machel Jacobs left the project (March 2007). Fiona Cloete then worked overtime in the final months before the evaluation compensating for the lost CMP and meeting community expectations by spending extra nights, weekends and afternoons on the project. She also reported that she was stressed when trying to manage all activities at site (type minutes, collect statistics, prepare presentations, etc).² This is because Machel Jacobs managed most of this but this may have underutilised her skills.
- Gugu Mampofu lacked an administrative assistance but regarded one as “very important—I do not have time to run a proper office. I have to discuss matters in the office and people need to come to me but I cannot do this adequately alone. This was a huge gap for me—I had to sit and take notes and do secretarial tasks without a background in this. I found it difficult to write reports.”
- Jongikaya Busakewe stated, “If there were 2 more prosecutors in this post, one would be made into a secretary and that is not fair.” In other words, he argued that it wastes talent and resources *not* to have an administrative assistants and possibly fewer CMP posts might be required if each had an office assistant.
- At the time of the evaluation study, Raymond Mathenjwa had obtained administrative support three months earlier (Masingita Khuphane) but said given the choice of two CMPs or one with a secretary, the former situation would be better
- SPP Joey Mabogoane said, “No--I cannot work alone and I need an administrative assistant to manage the diary, file documents, type letters, arrange appointments,

² Cloete, Fiona Formal Interview, Cape Town, 03 June 2007

and answer the phone when I am not there. I have been on leave for four weeks and work alone and no one could get a hold of my office. That does not work.”³

CMP Melis was the only one who did not want an administrative assistant and this appeared to be related to three issues: (1) the lack of privacy in her small office; (2) the actual assistant who was not found to be useful to her; and (3) this CMP is quite efficient with a laptop and therefore created her own documents and took her own minutes when required.

12.3 Access to a boardroom or meeting place

Identifying an appropriate meeting venue should be a primary consideration when setting up community prosecutions because most of the time of a CMP is expended in meetings. Therefore access to a private boardroom or meeting place is critical. These are examples of the problems some CMPs confronted:

- Val Melis operated from a small container at the back of the SAPS Station and lacked privacy for meetings such that she stated, “I do not want an assistant!” This owes to other matters too but one of them concerned privacy when holding meetings in her office to discuss confidential matters.
- SPP Fiona Cloete held many meetings in an unsuitable and dilapidated building known as ‘Supershack’ in Siyahhlala simply because this was all that was available.
- In Bohlokong, it was impossible for Ishmael Motaung hold meetings in some areas during the winter because these had to take place outdoors and it was too cold to meet!

12.4 Flipchart paper and stand required

This remained a gap throughout the intervention but is critically important. Time was also wasted trying to borrow these supplies.

³ Mabogoane, Joey, Formal Interview, Kimberley, Formal Interview, Kimberley. 16 July 2007

12.5 A vehicle or a petrol allowance (for own car) is required

It is obvious that a community prosecutor will not be very productive without an automobile to attend events, meet with stakeholders and inspect the site. It was not so obvious at the start-up of piloting that most community prosecutors would prefer to use their own vehicles using a car allowance. For instance, the community prosecutors in Siyahlala preferred a petrol allowance to the supply of a vehicle because they felt comfortable and more safe handling their own vehicle.⁴ Ron Mncwabe might have accepted a vehicle but the one offered to him was a model that gets hijacked most frequently in the area that he works!⁵ In any case, the provision of cars must be negotiated on a case by case basis since most CMPs would rather have a car allowance.

12.6 A digital camera, slide projector and screen

All of the CMPs appeared made very good use of their digital cameras to:

- Illustrate problems (either on PowerPoint or in print copies) when in discussion with community stakeholders.
- Present evidence of problems to government (e.g., pictures of waste were used to lobby government to clean-up Siyahlala health hazards)
- Document impact (e.g., environmental changes, public awareness campaigns, workshops)
- Prepare reports
- Design invitations
- Developing public awareness campaigns

However, most lacked access to a slide projector and screen for presentation purposes and on all accounts this appears to be required.

⁴ Cloete, Fiona Formal Interview, Cape Town, 03 June 2007

⁵ Mncwabe, Ron, Formal Interview, Mamelodi, 11 June 2007

12.7 A laptop with a 3G card for internet access and a printer

These items are vital for professionalism, efficiency, communications, invitations, research and report writing. A CMP is constantly in meetings and must take meeting notes and do PowerPoint presentations. It is also important to be in e-mail contact. About half of the CMPs that had secretaries made their computers available to their assistant during the day but some did not do this suggesting that it may also be important for this person to have access to a computer too.

Access to internet appeared to be an excellent tool that allowed some of the community prosecutors to exchange information between sites to learn how to solve problems. For instance, Fiona Cloete remained in contact with Gugu Mampofu in this manner and learnt from him about 'Sports against Crime' events and how to run them. Val Melis made a statement that well summarised the generally-expressed need for a laptop and internet facility:

I find it difficult to comprehend how a CMP operating from an office away from a main court building could function effectively without e-mail facilities. The internet itself was essential for submitting CMP reports, check to see what was happening at all other CMP sites, and doing general research into community prosecution and the Point Area specifically. Many contacts were made via the eThekweni website.⁶

Access to a printer is also important. Certain of the CMPs had a laptop but no printer, scanner or fax machine (e.g., Joey Magoboane). Printers are fairly reasonable and seem like a necessity since a CMP must be able to print out invitations, minutes and other materials. Printers also require ink cartridges and some of the CMPs like Ishmael Motaung had no budget for this and were paying R108 out of pocket.

11.8 A discretionary budget

The lack of a budget for organising meetings (e.g., transportation, refreshments) was crippling in most peri-urban areas. This was a typical statement by a CMP:

⁶ Melis, Val, Formal Interview, Point, 13 August 2007

You cannot do anything in Mdantsane without providing food! These are poor people. You cannot organise anything on your own. I had to sit on the wing of SAPS because this budget was not provided. A budget for food and events is absolutely required!⁷

Refreshments and assistance with transport are the most basic requirement when inviting community stakeholders to participate in structures and long meetings. These are other findings in support of this:

- CMP Jongikaya Busakwe also stated that a budget is needed for community events (e.g., prizes for youth participants)⁸
- Loud hailers are used in many peri-urban areas to call *spontaneous* community meetings and therefore a budget is needed for events not long requisitions for funding⁹
- Some of the CMPS paid out of pocket for refreshments during meetings owing to an NPA policy not working with money and yet finding themselves in poverty-stricken areas where the least one can do is offer a little food and refreshment for participation.¹⁰
- Many community members did not attend the CMP meetings in destitute communities knowing that there was no allowance for food or transport because they cannot afford to participate or think clearly without sustenance¹¹
- The NPA method for obtaining funds for refreshments is too time-costly and bureaucratic when under pressure—one must supply three quotations.¹²
- Food and refreshment does offer incentive and helps with trust-building in a situation where people are contributing for the community and not for personal gain¹³
- Many community members interviewed did not think the project would succeed without these minimal incentives for participation

⁷ Mampofu, Gugu, Formal Interview, East London, 25 June 2007

⁸ Busakwe, Jongikaya, Formal Interview, Mdantsane, 02 July 2007

⁹ Mampofu, Gugu, Formal Interview, East London, 25 June 2007

¹⁰ Cloete, Fiona, Personal Communication, Nyanga, 06 June 2007.

¹¹ MnCwabe, Ron, Personal Communication, 13 June 2007

¹² Cloete, Fiona, Personal Communication, Nyanga, 06 June 2007.

¹³ MnCwabe, Ron, Personal Communication, 13 June 2007

- The lack of a budget for this also affected perceptions of the NPA. One observer of the CMP effort said, “Innovative ideas are not enough—the NPA was stingy on this one!”¹⁴

11.9 A cell phone and budget

A cell phone (and a budget for making use of one) is required owing to partnership building and the amount of collaboration involved in projects. For instance, Fiona Cloete was spending R1000 a month out of her own pocket for calls related to Siyahlala. The same was reported by Gugu Mampofu.¹⁵ The evaluator had understood that the NPA had provided SPPS R600-900 a month in airtime but perhaps this amount could be increased owing to the large number of phone calls involved.

II. TRAINING REQUIREMENTS

This second section concerns both the method of training and its content.

11.10 Method of Training

Two CMPs received no training—Val Melis and Joey Mabogoane because they joined the project during 2007. The other seven CMP’s that were interviewed rated their training opportunities and discussed these with the evaluator to find:

- All 7 CMPs who were trained rated visits to community prosecution sites as the best way to learn about the role (above all other kinds of training). Most CMPs made statements such as “Seeing is understanding,” or “Sharing experience is how we learn.”

All nine CMPs interviewed suggested that training must be ongoing and not viewed as just preparation for a role. Obviously people come and go (even during a pilot) and therefore training must be continuous. Furthermore, rather than engage in too many

¹⁴ Round-table discussion with CMP partners, Mdantsane, 27 June 2007

¹⁵ Mampofu, Gugu, Formal Interview, East London, 25 June 2007; Cloete, Fiona, Personal Communication, Nyanga, 06 June 2007.

classroom settings, it may be more practical to visit sites where community prosecutions can be observed (exchanges).

11.11 Content of Training

NPA respondents (i.e., CMPs, Directors, and Chief Prosecutors) named these as the skills required for developing the role (the top three were the most frequently cited):

- A. Project Management Skills
- B. Conflict Management Skills
- C. Leadership skills
- D. Public Speaking Skills
- E. Financial Management
- F. Monitoring and Evaluation
- G. Computer Skills (standard programmes)
- H. Community Court Training
- I. Community Development (e.g., the National Municipal Act)
- J. Protocol on political issues (e.g., how does a CMP negotiate crime prevention partnerships with a municipality?)

The majority of CMPs placed their emphasis on project management skills. For instance,

- “As soon as one is identified for the role, a CMP should get this project management training,” said CMP Cloete.”¹⁶
- According to Gugu Mampofu, “We are running projects and we need project management skills. This should have been delivered in full depth. I have been a prosecutor for 20 years but never had project management.”¹⁷

¹⁶ Cloete, Fiona, Formal Interview, Cape Town, 06 June 2007

¹⁷ Mampofu, Gugu, Formal Interview, East London, 25 June 2007,

Several of the CMPs also emphasised the need for leadership skills. For instance:

- CMP Busakwe said, “We need more on leadership skills—we chair meetings and must know how to guide and lead properly.”¹⁸
- On observation, CMP Mncwabe was very capable but his strong leadership style had to be honed to fit the circumstances of working with community-based committees (he made the CPF chair, the chair of his committees to ease friction). Basically, the CMP learned through trial and error to gradually relinquish his strong control of committees and meetings when he saw this was not so effective. However, training would have prevented this and expedited his effectiveness.

Conflict management skills were also frequently cited. Thaxx Matolong said, “I have to face speculators and ask them questions.” The evaluator also observed the need for CMPs to know these skills and then impart them to SAPS members. For instance, the evaluator observed poor and rough handling of a member of the public in Windsor during a site tour. It seems appropriate for a CMP to know about and explain to SAPS appropriate handling of the public, similar to appropriate handling of evidence.

¹⁸ Busakwe, Jongikaya, Formal Interview, Mthatha, 02 July 2007