

CHAPTER 13

**RECOMMENDATIONS ON INSTITUTIONALISING ‘COMMUNITY
PROSECUTION’ IN SOUTH AFRICA**

13 RECOMMENDATIONS FOR IMPLEMENTATION

The evidence given in the preceding chapters indicates that a member of the NPA (defined as a community prosecutor in this study) can engage in certain activities that help to reduce crime including selective prosecutions, fast-tracking of cases, public education in the law, partnership activities toward improving service delivery and otherwise facilitating partnerships to help prevent crime (see Section 2.13). This is evident since certain crimes targeted by community prosecutors employing these described methods were reduced in four out of the eight active pilots sites (Siyahlala, Mamelodi, Ngangelizwe, and Windsor) based on both testimony and crime statistics as explained in the Chapter Two Summary. Furthermore, at all eight sites where piloting was active, the partners could identify many specific areas that had become safer and attributed these outcomes to the activities of the community prosecutors as documented in Chapters 3-11.

Thus, the documented evidence from eight sites appears to recommend that community prosecution be adopted as NPA strategy and institutionalised nationally. However, *how* should the NPA incorporate community prosecution into its operations? This chapter makes use of the evidence-based findings and lessons learnt (as offered in the previous chapters) to present some *key* recommendations on institutionalising the model from national level. The reader should be familiar with the Chapter Two Summary that responds directly to each of the 20 research objectives because not all of the findings that led to these recommendations can be repeated here (e.g., appropriate CMP activities). If the reader is considering implementation at a particular site, it is also useful to have first read the chapter pertaining to it.

13.1 Consider a new name like crime prevention prosecutors

There are problems in South Africa with the terms ‘community prosecutor’ and ‘community prosecution’:

- Many informants responded to the title of community prosecutor as if the prosecutor was coming to prosecute them—the community.
- The title should communicate the concept in a more immediate and less confusing manner—consider liaison prosecutors or community advocates
- The evidence in the report indicates that one or more policing areas make for the best target (these are often composed of *several* communities—see Section 2.6.
- This job may not look the same in South Africa as it does in America where the name was coined because SAPS is organised nationally as is much crime prevention practice (NCPS)
- In the rural area, the community prosecutor targeted 156 communities across a broad rural area that covers two magisterial districts (Section 9.2.3, 9.2.4)

Considering the last point, if SPP Matolong were to work at scale larger than one magisterial district, would he still be a *community* prosecutor?

The evaluator recommends that community prosecutions be re-titled and redefined to fit the South African situation. Perhaps terms similar to ‘public outreach prosecutors,’ ‘community outreach prosecutors,’ ‘crime prevention prosecutors’ or ‘public liaison prosecutors’ would give this a distinctive identity that does not vary much from the original conception and yet resolves all of the problems outlined above. Furthermore, regular prosecutors could more easily understand the idea if being called in to assist with public outreach, community outreach or public liaison.

13.2 Community prosecutions should be in the performance contract of each DPP

How important is it that each DPP supports community prosecutions *and* that the described post fits within the performance area of each DPP? It seems to be very important because it will affect the CMP’s identification with the role, the types of activities engaged, the time available to community prosecutions and even the survival of community prosecutions. If all DPPs are not part of implementation, certain CMPs can

become less effective, implementation undermined, and the one owner at national level could be sidelined.

There are alternative structures that can be reviewed:

- Only appoint community prosecutors to supportive DPPs that want this strategic approach in their areas (later others might want them)
- Make community prosecution part of the SOCA Unit (a unit established in 1999 to look into women's and children's issues but also community outreach)
- Create a separate unit for Community Prosecution (similar to the SOCA Unit, Special Operations, Assets Forfeiture...) under *one* director

The first bulleted approach seems more likely to create divisions within the NPA.

Regarding the second bulleted point, it does not seem that the Sexual Offences and Community Affairs Unit (SOCA Unit) could handle a focus on stock theft, shebeens, crime prevention through environmental design and other issues like these that are so important to community prosecutions. On the third bulleted point, one can construct these kinds of arguments regarding the need for a separate directorate:

- All community prosecutors would have one director to report to creating consistency in support and direction
- One directorate might facilitate appropriate workshop opportunities more easily for sharing experiences and building a base of information base on the topic
- It might be possible to select one director that had a strong background in the subject and this might empower the community prosecutors to have more knowledgeable leadership
- It might reduce red tape and the need for duplicate reports and explanations from the CMP to different managers (chief prosecutor and another to the project leader)
- Standard performance agreements do not apply to community prosecutors and there might be a need to have one director who can really understand the role and its objectives
- There is a need to further monitor and evaluate so as to develop the role appropriately and this might be better achieved under one director who can organise and arrange research activities

- Without a single directorate, a CMP might be transferred to courts and areas where they prefer not to work owing to lack of support for the post
- A single director might better understand the need for a separate office at the target site that is away from the traditional courts *and* traditional management structures.
- To position community prosecutions under traditional management structures might reduce impact because at district level, directors have many other concerns aside from community prosecutions and cannot give it their full attention.

Given the above, should a new directorate be created for community prosecutions? The reasons for NOT creating a directorate for community prosecutions are as follows:

- The one director of community prosecution could get sidelined by others (pet projects belonging to one person are not always well received)
- Buy-in *can* be achieved by all directors and chief prosecutors because it was accomplished even for sites where it was not initially popular (e.g., Kimberley) owing to the Cape Town conference (although this came too late because Chief Prosecutor Erasmus then resigned; and furthermore, community prosecutions was too late on the agenda at the conference)
- There were sites such as Windsor, Siyahlala, Bohlokong or Point where the project was strongly supported by the chief prosecutor and director right from the start such that starting a separate unit in places like this would undermine progress rather than promote it (e.g., at some sites all prosecutors are learning to engage in some community prosecutions).
- To *sustain* community prosecutions, it might be better to find a way to root it deep within organisational culture and structures.
- Divisions differ in terms of available stakeholders and methods of operations and each director is in a good position to know how to set up community prosecutions in each place and make the necessary connections.

The last bulleted point is a critical one. To offer an example, there are case managers at four of the nine pilot sites (Kimberley, Mamelodi, East London and Mthatha). These work with victims and prepare them for the court process. This makes a certain type of opportunity available for implementing community prosecution at some sites but not at others. Another example of differences per site in terms of implementation opportunities

is the relatively unique Crime Prevention Committee for the Northern Cape that falls under the premier. A director can easily survey the available partnerships and help to situate a community prosecutor in the manner that is most optimal for the targeted area.

The strategy recommended by the evaluator is to keep community prosecution within the main line functions of the organisation (under directors). This would create a situation where everyone in the NPA from directors to support staff can come to know and be supportive of community prosecution. However, there are two challenges to the recommended strategy that must be addressed:

- The level of support from seniors in various districts (and the continuity of it) might fluctuate and lead to variable impacts
- The rural area involves a cross-boundary problem that cannot be easily confined to one director

Regarding the first bulleted problem, it is the recommendation of the evaluator that this problem be challenged and that community prosecution be a performance area for all nine directors and the 32 chief prosecutors. This would also require doing a better job at explaining community prosecution to senior NPA members than occurred during the plot. Certainly it could be better marketed based on the evaluation results and this is discussed further below.

The second bulleted problem pertains to the focus on stock theft. According to Thaxx Matolong:

People want me to address stock theft everywhere but this is a cross-boundary issue. The Coordinator of Stock Theft is in Kimberley now. This guy knows all the Sections of the Law concerning this. People from radio and TV know that Thaxx is doing this. So, why not continue? I have already done this in many places---but jurisdictions restrict me.¹

¹ Matolong, Thaxx, Formal Interview, Kuruman, 18 July 2007

Does this mean that rural community prosecution must take a distinct form? The relevant NPA directors are in the best position to discuss together how this activity might continue under one director. It is recommended immediately below (Section 13.3) that a champion is required for at least the next three years to help incorporate community prosecution into the NPA and this would be an example of the type of issue that such a champion would address.

13.3 Locate a champion to help incorporate community prosecution into NPA operations, monitor implementation and facilitate partnerships

Notwithstanding the recommendation that community prosecution be mainstreamed as part of a director's duties, the NPA must still incorporate community prosecution into its operations and there is much to be done! According to all international data, this is a process requiring a few years and is divided into three phases: (1) a 1-2 year phase of establishing the programme; (2) a 3-5 year phase of evolving into a more practical and systemic approach that involves organisational restructuring; and (3) a mature system of community prosecutions after about six years that is characterised by deeply rooted organisational, managerial and organisational changes.² Incorporating community prosecution into the NPA seems to require a driver that can:

- Explain and promote community prosecution throughout the NPA
- Build partnerships at national and provincial level
- Negotiate areas of delivery (including CMP delivery that might cross the district boundaries)
- Locate appropriate candidates and develop appropriate performance contracts
- Support and coordinate the early stages of implementation as it comes under line directors
- Develop training modules and workshop events for sharing information among CMPs and throughout the NPA
- Develop and oversee a mechanism for monitoring community prosecution

² Nugent, M. Elaine, *What does it mean to practice community prosecution?* American Prosecutors Research Institute, February 2004, pp 11-13.

- Oversee continued evaluation (3 years minimum recommended)
- Employ evaluation findings to share the learning
- Share the findings with international colleagues

While it is being recommended that someone champion this integration of community prosecution into the NPA (for at least three years) to make it work in the most optimal manner, it is also being recommended that ownership and credit for the achievements of community prosecution in South Africa be shared among directors. Assigning community prosecution to one owner could defeat it since it would NOT be seen as jointly owned but under one person and therefore subject to being politically sidelined.

13.4 Sell the strategy *within* the NPA

The first task of the driver is to gain support for community prosecutors among their colleagues and seniors (especially Directors, Deputy Directors and Chief Prosecutors). If those in the top structures of the NPA are *not* well informed about community prosecution and *not* part of its implementation, they may be resistant to it. This is not opinion but seems clear based on the evidence:

- There was little time available for piloting at the sites where directors were resistant to the idea of prosecutors doing community-based work or working with shebeens (e.g., piloting at Ngangelizwe was limited to about 10-15% of the prosecutor's time and the director stated in interview that he was resistant to the idea of it although supportive of piloting).
- The CMPs at some sites where piloting was most limited said that their colleagues did not understand the role and even criticised it as 'social work' (e.g., Phuthanang, Ngangelizwe) while at sites where there was much support from seniors, the post was much better received (e.g., Bethlehem, Point, Randburg, Siyahhlala).
- That interest in community prosecution improved in Kimberley to the level of organising a 'launch' *after* the February 2007 Conference in Cape Town (10 months into piloting) is another indication that some chief prosecutors and deputy directors were taking take a 'wait and see' attitude or initially sceptical. Further to this, Director of Public Prosecutions S. Mzinyathi said in interview (with regard to the February 2007 presentation), "We need that kind of presentation *early* in the intervention. Even the most ardent sceptics would be favourably

impressed with that data.”³ If scepticism is a normal and predictable response, it reveals that senior members need good information to overcome their concerns.

- Questionnaires for the evaluation were distributed at DPP meetings by DPP Batohi but few responded giving the appearance that it was regarded as a low priority project and yet gradually in the course of research directors showed more interest and either contacted the evaluator by phone or spoke with him during field work (methodology changed to accommodate this as explained in the introduction).

Comparatively one can also see that in Durban where there was strong support for community prosecution, it was already being integrated into the activities of ordinary prosecutors (regular prosecutors were being assigned to work with 17 SAPS stations). Compare this situation to Kimberley where virtually no piloting occurred--community prosecution seemed not to be well supported at any level. CMP Joey Mabogoane said:

This is a big problem here. Those colleagues that I phone they think I am a social worker now!” There is a big stigma is attached to this—a big lack of knowledge! I was originally told by the DPP that this is a post to occupy but it is not—it is a pilot project. Many thought it would cover the whole province but this place is vast. The lack of knowledge about the project gave the CMP name a stigma.⁴

In analysis of all of the above, community prosecution needs to be very well explained. It appears that some directors did not get enough information since it was: (1) second on the agenda at the February 2007 conference where it was first introduced to them using monitoring information and since (2) restorative justice was highlighted rather than community prosecution because it was first on the agenda. It seems an educational programme must be developed for the NPA to explain this new role and the support required for it. These are some ways of achieving this:

- Involve the community prosecutors in strategic planning meetings and senior management meetings
- Use a website to help explain the role

³ Mzinyathi, S, (Director of Public Prosecutions, Gauteng), Interview, 14 June 2007.

⁴ Mabogoane, Joey, Formal Interview, Kimberley, 16 July 2007

- Use visual aids at national and provincial meetings to really sell the concept
- Establish clear reporting structures and reporting mechanisms that fit the task of a community prosecutor
- Develop a launch for marketing

These choices were discussed with many people, including some directors, in the course of the research and it seems that a presentation at a well-attended event (e.g., a PowerPoint presentation similar to the one in Cape Town in February) will have the most impact. This is because:

- The February event was convincing and therefore an effective strategy
- Very few senior members have the time to read detailed studies
- Very few people will devote time to web searches for information on community prosecutions or engage with the CMP website.

It seems that the critical NPA members will listen to a presentation, engage in discussion and then take action. Therefore a similar presentation to the one held in February 2007 in Cape Town is recommended but this time with group discussions and possibly presentations on how community prosecution can work in different provinces. Further to this, community prosecution must be the first and ONLY item on the agenda. There was a key failing at the February 2007 conference well described by CMP Raymond Mathenjwa in interview:

It appeared that community prosecution' was secondary to the main agenda of the conference. I thought community prosecution would be the first item on the agenda but it was the last item *after people left*. Flights went early and many missed that part that would have benefited. Even some directors were gone. The Deputy National Director said he was not

yet convinced. Some directors asked questions as if they knew nothing about this.⁵

13.5 Sell the strategy to other government departments involved in the NCPS

The concept of community prosecution must be understood by the key partners (especially SAPS and the Justice Cluster). If they do not understand the role, they will fear that the NPA is trying to take away their functions. This occurred at most sites until trust was built. Consider that case flow management within the NPA did not appear to be well understood by many SAPS members according to several interviewees because the national commissioner was never involved in its development. Whether correct or not, this viewpoint suggests that it is important to include some of the chief partners in the NCPS, especially SAPS, and adds weight to the evidence that a driver for community prosecution is required in the early years to negotiate these concerns.

It may be best for the driver to start right at the top with the Justice Cluster in cabinet—Justice, NPA, Correctional Services, SAPS, and Social Development. While the NPA should discuss it with all departments involved in the NCPS at top levels, it is imperative that the sites be jointly identified with SAPS and possibly correspond to their priority areas and at an area scale at which impact can be identified and documented (the area of one or more stations).

Stakeholders might also vary per province and division and much local consultation is required. For instance in the Northern Cape the Premier's Office is very much involved in crime prevention. The provincial MECs for Safety and Security might also be consulted about community prosecution since they have developed these kinds of critical contacts and designed events.

The described process might take some months and the actual consolidation of partnership activities within the Justice Cluster might require a three year plan! In the early stages, would community prosecution continue to be supported at the pilot sites and

⁵ Mathenjwa, Raymond, Formal Interview, Rand Magistrate's Court, 30 July 2007

possibly evaluated again or reviewed at a later date? This is recommended and furthermore the existing CMPs should train others as soon as possible pending this process. Otherwise, the human resources developed over almost two years might not be utilised effectively and is likely to erode owing to promotions or personnel departures.

13.6 Negotiate with the Justice Department for community courts where feasible

The data in this report shows that a CMP is NOT dependent on a community court to make impact. In fact, in some rural areas a community court may not be practical. However, in urban and peri-urban areas making impact is *easier* with a court and it broadens the CMPs sphere of influence in an area. For instance, if attached to a court, a CMP can work with more stakeholders such as Correctional Services or NICRO (for alternative sentencing).

It can compromise the independence of a CMP to be affiliated with:

- A location at the municipality (affiliates the CMP with party politics)
- A police station without an independent mobile office or community court that defines the role
- Shopping centres (these have political affiliations owing to location)

The best locations (based on the piloting experience) are in order: (1) a community court; (2) a mobile facility near the site—often at a SAPS station; and (3) an office at a SAPS station; (4) a regular court if close enough to the community. Any of these can be utilised to good effect but some are better than others. Another possibility is a community justice centre. Although there was no example of this in the study, it was being discussed at Mdantsane.

Since a community court is probably the best location (if available), the Justice Department should be approached to see where this might be possible in terms of the existing pilot sites. However, it would be counter-productive to make the roll-out of community prosecution dependent on such negotiations and the data shows that

community prosecution can be effective (albeit more challenging) without a community court.

At this stage of developing the post, the worst location appears to be keeping a community prosecutor based in the regular courts. For instance:

- There was such pressure at Phuthanang on the CMPs to stay in the court that piloting never took place at the target site.
- At Ngangelizwe, the prosecutor only had 10% of his time available.
- At both Bohlokong and Windsor, the CMP partners reported on questionnaires and in workshops that they found the Magistrate's Court too distant to access.

These findings add weight to much evidence throughout the report that a separate office is required at the site that is away from the traditional courts *and* traditional time management structures. This would do the most to create the time and flexibility required for effective community prosecution. To bind community prosecution under traditional *time management* structures seems likely to reduce its impact. Sometimes meetings are required after hours and on weekends rather than during the course of the day.

13.7 Continue delivery from existing sites but with strategic consideration for entire SAPS priority areas and the specific crime problems being addressed

The pilot sites formed *part* of SAPS high priority areas; often sectors of such sites. Community prosecution might continue at the existing sites but expand into adjacent areas (e.g., more areas of Nyanga, a wider area of Mamelodi, etc). This is because participants in round-table discussions at seven sites unanimously found these sectors to be too small for appropriate partnerships and led to crime displacement and the duplication of structures. It is also better for monitoring and evaluation purposes to address an entire SAPS priority area or at least an entire station area since crime statistics are formulated in this manner. Unlike wealthier countries, it is unlikely that South Africa will have the human resources to target any and all communities and therefore these high

priority zones make the best choice. At every site, this question was engaged to discover that a CMP working full time with one or two assistants could manage an entire SAPS priority area.

This above finding means strategising to reduce specific crimes starting from the level of an entire high priority zone (sometimes this comprises several stations if these fall within a single SAPS high priority area). In partnership with other departments and agencies focused on these SAPS high priority zones, a CMP might then focus on the specific sectors generating the particular crimes of greatest concern to both residents and stakeholders (the crime type that is the focus determines the precise target area). It is also appropriate to take into strategic account how the crime might be displaced. The targeted area within the high priority zone should not be static but rather dependent on the specific type of crime being addressed and the method of addressing it. For instance, a public information campaign might be required and once formulated can be extended over a wide target area (e.g., information on the stock theft act could be extended over a wide area to maximum benefit—see the chapter on Kudumane).

Despite recommending a wider target area than experienced during piloting, it is critical to retain a focus on the pilot sites and expand from them because this is where:

- Trust-building has taken place
- Partnership-building has been initiated and developed
- The CMPs can easily teach others about community prosecutions from these sites
- The NPA has improved its standing and image

The main recommendation is to expand from the original pilot areas and utilise the existing CMPs to supervise and train others who might be full time. To reverse the existing gains in terms of experience and partnership development by moving to new sites is potentially damaging to the reputation of the NPA owing to the trust that has developed between the NPA and these communities. Besides, most sites were chosen

very well—the high crime priority SAPS areas nationally. However, the rural site requires special consideration because stock theft is a cross-boundary issue.

Should new sites be developed, it is recommended that the local crime prevention structures within a station area and partnerships be audited at the start of the intervention since *any* partner will not do. Personalities and organisations vary in terms of value and performance and yet are so important to outcomes that it is worthwhile auditing and analysing these factors. To enter partnerships and join structures without a careful audit and analysis might focus efforts on dysfunctional groupings as occurred at Mamelodi in the early months of piloting.

13.8 Develop criteria for appointing new community prosecutors

What makes for a good community prosecutor? Aside from the skills discussed in Chapter 12, there are certain traits of character or personality that matter a great deal. These include a person with:

- Good communication skills
- Leadership skills of a certain kind: accessible and able to help others find solutions to crime problems (willing to place ownership with them)
- Respectful: A person who has respect for the wide variety of cultures found in different South African communities
- Advocacy skills: willing to advocate for services to the community
- Focussed and persistent: Many of the achievements were hard won
- Flexible in terms of hours: most meetings with the community are in the evenings and on weekends
- Strategic-minded: able to understand and develop both long and short-term crime prevention strategies and not get too involved in casework
- Experienced in community outreach and mediation
- Good interpersonal skills
- Language skills appropriate to the targeted area
- Experienced in taking on new challenges

- A passion for community service (inappropriate: those focused only on personal ambition or achievement)
- Able to partner easily with people ranging from those of very low socioeconomic levels to ministers and business investors

13.9 Appoint at least two *additional* prosecutors to work full time per target site (use the experienced CMPs to train/supervise the new appointees)

The experienced community prosecutors are probably the greatest asset to be derived from piloting. To sustain their experience, it is critical for ‘roll-out strategy’ to rapidly utilise them to train and supervise others in this role since people do change jobs, get promotions and otherwise move to other locations. At minimum, two new CMPs should be appointed per site and work closely with the existing CMPs. Perhaps each site should be examined to determine the numbers required to make impact.

Working optimally in the recommended target areas is not a part-time, after-hours job. For instance, in the United States, this is regarded as a full-time job but CMPs rotate back to regular prosecutions after one or two years so that they do not lose their skills. This is probably the best model for South Africa too because working half time would not produce the *convincing* results required for transformation of the National Prosecution Authority for these reasons:

- The ethos among some prosecutors that this is social work that falls outside the traditions of prosecutions would be reinforced.
- The mere fact that it was a part time job would brand it as something of less importance than regular prosecutions, an after-hour activity of secondary concern.

Thus, to hamstring and stereotype community prosecution as a part-time job would help to undermine its effectiveness by undermining its credibility.

13.10 Negotiate contracts and performance agreements that are both appropriate to each site and to the community prosecutors

Seven of the interviewed CMPs viewed their performance agreements as ‘rigid documents’ that did not always suit the actual role that community prosecutors had to play. The reference to rigidity stems from the principle that the kinds of tasks required to lower crime will vary between sites. For instance, the availability of a community court will impact on the kinds of activities engaged. Thus, one cannot easily produce a document that *prescribes* the kind of performance that is required at all sites. This could actually lead to ineffective performance because appropriate activities must be site based decisions.

Two CMPs received no training—Val Melis and Joey Mabogoane and were not aware any performance agreement because they joined the project during 2007. According to Val Melis:

I was not made aware of the existence of a specific job description and performance contract until I received the evaluation documents. At this stage, I had already been assessed for the year ending 1 April 2007 on the standard SPP Performance Contract and had actually signed a new standard SPP performance contract for the next year. It was only on my questioning IPT and my Chief Prosecutor that I was informed that a performance contract with a specific CMP job description was in fact in existence.⁶

Based on interviews with all nine prosecutors, the key performance areas described for the community prosecution project seemed to fit well with the task. However, the job description and the performance assessment used for the pilot do not work effectively because:

- A generic contract with weights attached to different activities does not fit. Each site will have a different set of problems, stakeholders and activities;

⁶ Melis, Val, Formal Interview with the CMP, Durban, 13 August 2007

- Contracts need to be negotiated according to place-based crime prevention problems;
- The person doing the assessing must have an understanding of community prosecutions.

Therefore a baseline assessment of the crime problems in an area is required and then the NPA can design a contract so that the CMP can address the particular issues that will drive down crime levels. In other words, this should be viewed as a *special assignment* to certain SAPS high priority area to address crime prevention in order to reduce the court roll. Since there will be so few prosecutors like this, perhaps one person nationally could do the performance assessments (this produces useful comparative data too for ongoing evaluation).

13.11 Design a narrative system for CMPs to offer an explanatory report *quarterly* on outcomes

The CMP must report back on activities but the template that was established for this was not useful to: the evaluator; the CMPs; nor the Directors that tried to access it. This is because:

- The website captured the activities of the CMPs in terms of *activity* check lists that neither offer causal explanation nor linked these to crime prevention outcomes
- Owing to the above, the CMPs found it difficult to clearly report back on their work at monitoring meetings (Pretoria, Cape Town, etc) because they had no clear mechanism for reporting
- The NPA, including DPPS, could not easily understand what was occurring at each site by using the website
- A static system that simply lists performance activities without descriptive explanation including the linkage to crime prevention outcomes is not useful
- Activities must be conceptualised and place into context (a narrative) in order to fully understand impact.

The ideal situation is one in which implementation begins with an audit to define crime problems, existing crime prevention activities and available resources at each site and then through analysis identifies the gaps in delivery to recommend the best strategy. This way a performance agreement can be designed for clear objectives and outcomes (defined per site). The CMP then reports on progress toward each of the objectives using a narrative format.

Why narrative? Narrative is required to explain activities and impacts. For instance, crime statistics are not always the best measure of performance—they might even rise if the CMP is successful (e.g., the community members might report more frequently on domestic violence if an educational programme on this matter were implemented). If there is NO narrative to explain the statistical patterns, it might be assumed that the CMP is failing when he or she is actually succeeding in increasing reporting levels!

The sub-headings and chapters in this evaluation might provide some initial idea of how to design the narrative reports. Furthermore, the mapping of crime problems might also be a useful way to baseline the problems and to explain progress. Therefore, if any template is used at all, it should probably be a map with explanations attached.

Why quarterly reports? Monthly reports did not appear necessary based on the pace of progress (partnerships around crime prevention activities develop gradually). Furthermore, compiling them monthly reduces the time available for partnership activities at the site.

13.12 Design training so that the role is properly introduced to new CMPs and a handover strategy to ensure that the role can be sustained

Several community prosecutors indicated that they were introduced to the role on a Friday in April and started work the following Monday without a clear idea of what community prosecution really meant. Many said that it was the baseline study, which was presented in PowerPoint form in June 2006 that really focused their efforts. The baseline document that was finalised and posted to the website in September also helped

to guide them and therefore would ideally have been undertaken earlier with the results presented *at the time* of the appointments. However, the sites and prosecutors were not known until April making the baseline study action research.

Further to this problem, two community prosecutors (appointed late in time—Val Melis and Joey Mabogoane) stated that they did not fully understand the role until they received the questions for the evaluation study! This suggests that an explanation of the role and data on the site must be immediately available to those newly posted to the role in the aftermath of a CMP taking ill, transferring elsewhere, resigning or otherwise departing. This ‘handover strategy’ might be on a website with photographs, documentation and materials including a video on community prosecution and materials on how it works at the different sites.

13.13 Publicly launch the CMP Project *at each site*

How should the project be introduced to other stakeholders including the public? CMP partners across the country had one voice on this: *introduce it at each site in a people-centred approach that is cognisant of local needs*. In other words, the sites are not identical and local needs must be met. Furthermore, the data from the sites has shown that launches are needed at the site to improve partnerships and to create a public identity for the CMP.

It is recommended that roll-out be done with a focus on each site, allowing national attention to follow via the press, media and research. However, it would be beneficial to develop materials for guide this process:

- Press releases to guide media coverage at each site
- An easy-to-read *pocket-sized* booklet with illustrations that explains to other stakeholders the intentions, structure and activities of community prosecutors. This should aim at a wide circulation: to be distributed at all levels from the community to national government departments.

- A video explaining community prosecutions could be developed and there is already much documentary footage since some of the CMPs have been the subjects of new reports and television programmes (e.g., Carte Blanche in the case of Val Melis)

13.14 Continue to monitor and evaluate during the implementation phase

That an initial study helped to guide the CMPs is a success factor that might easily be overlooked. Evaluation research is not an entirely neutral process but rather than having negative impacts, the baseline and evaluation study for the South African pilot process seemed to have very positive impacts on performance. For instance:

1. The community prosecutors would engage in many activities to drive down crime but the baseline study and monitoring documents helped them to analyse and conceptualise the activities that could make impact. These conceptions of appropriate process then helped the CMP to further refine and guide delivery strategy including programmes.
2. The baseline study also offered an overview of all the sites that allowed for comparison and discussion of similarities and differences.
3. The evaluation was an event that offered finality, alerted the CMPs to possible performance measurements (although this was not the intent), and helped them to consider critical questions around delivery processes.
4. The baseline and evaluation studies also led to meaningful discussions between each CMP and a crime prevention expert over an extended number of days and this focus helped to clarify strategy and appropriate activities.

The monitoring function will have to be replaced by some NPA mechanism whereby a CMP can access feedback on site activities. The development of this tool may possibly require further research. However, it is clear from the data that monitoring or supervision by a senior within the NPA would be required.

The evaluation function should probably continue for some years as continuous programme evaluation was deemed *fundamental* to the success of community prosecution

in the United States.⁷ Furthermore, no where in the world did the model develop in one or two years but rather in phases over a period of about six years until community prosecution achieves maturity in terms of organisational change and structure. In that process, evaluations offer:

- Clarity around impact and outcomes
- Documentation that can be used to refine the delivery process
- Analytical understanding
- A method for identifying and preventing wasteful expenditure on activities that may seem like a good idea but do not work in practice
- An outside and objective viewpoint that helps with the conceptualisation of community prosecutions
- Evidence-based materials to support NPA engagement in national and international dialogue on community prosecutions

The data from this report also showed that some respondents to questionnaires did not attribute crime prevention programmes or their impacts to the CMP even when this was clearly the case. For instance, very few respondents attributed Project Hope in Durban to the work of the CMP even though this was the case. Instead, this was attributed to Business Against Crime since they publicised it. If the NPA desires attribution for its achievements in crime prevention, it is very import to document activities in a sound and scientific manner.

13.15 Include regular workshop events for community prosecutors to share information on their sites

Information sharing between sites was regarded by the CMPs as most significant for learning and especially in terms of visits to other pilot sites. By explaining the sites to

⁷ Nugent, M. Elaine, What does it mean to practice community prosecution? American Prosecutors Research Institute, Alexandria, VA, February 2004, p. 3; American Prosecutors Research Institute, *Community Prosecution Implementation Manual*, American Prosecutors Research Institute, Alexandria, VA, 1995.

others, it also helped the hosting CMPs to further develop a concept of appropriate practice.