

## **CHAPTER EIGHT**

### **BOHLOKONG**

## **8. BOHLOKONG**

### **8.1 Description of the Pilot Site**

The pilot site for CMP Ishmael Motaung, a peri-urban area of the Free State less than two kilometres away from Bethlehem, is called Bohlokong and means 'painful area' in Sotho. Some 130 000 people of mixed backgrounds (Sotho, Zulu, Venda, English, Afrikaans and some foreign immigrants) are scattered across many islands of formal and informal settlements that dot 11 square kilometres of brown and hilly landscape. Half the land is owned by the municipality but the other half is privately-owned.

At the time of both the baseline study (May 2006) and data collection for the evaluation study (July 2007) there were high levels of robberies, rape and common assault (60-90 cases a month) and serious assault (40-50 cases a month) and these crimes concentrated in:

- The huge empty fields that separate areas of settlement
- Schools
- Shebeens
- Informal settlements

These crimes typically involve drug and alcohol consumption too. For instance:

- Common assaults, serious assaults, sexual assaults and robberies are all at their highest levels on the weekends when residents are drinking alcohol.
- Property crimes such as burglaries or thefts out of motor vehicles are usually related to money to *buy* drugs and alcohol.
- Alcohol and drugs often explain incidents of parental neglect and homeless youth.
- Most incidents of domestic and gender-based violence and assault involve alcohol.
- The perpetrators of sexual violence, (also at high levels) are usually relatives and friends who are drinking (sometimes the victims are very young children).

Thus, some of the biggest and most common problems appeared to be related to alcohol and drug abuse. For this reason, regulating taverns and school-outreach projects became the two key focus areas for CMP Ishmael Motaung. However, the nature of crime in Bohlokong was much more complex and the CMP also participated on a task team which shut down the operations of about six gangs (see Section 8.6.8).

The appearance of the environment improved between the time of the baseline study and this evaluation. For instance, the evaluator could observe that big dumpsters had been placed in the area to reduce the illegal dumping that had occurred in open areas throughout the site at the time of the baseline study. These are now picked up by trucks once a week. There were also more street lights and more paved roads. At Extension 8 a new park had been built by the council for recreation. The community prosecutor played a role in advocating the improved lighting and better recreational facilities.

## **8.2 THE IMPACT OF THE SITE ON PILOTING COMMUNITY PROSECUTIONS**

Discussion pertains to the (1) advantages of the site; (2) challenges to the site for piloting; (3) the size of the pilot site and (4) analysis of these factors.

### **8.2.1 Advantages of the site**

The main strategic opportunity provided by the site was readily available support and partnerships for piloting. This issued from: (1) within the NPA; (2) other government departments and (3) civil society groups.

#### Support within the NPA

As explained by SPP Motaung:

In our cluster, the community prosecution model is spreading among the other prosecutors because the Chief Prosecutor is so supportive. Some were initially criticising this as not part of their work! This is not social science but the law they said—the work is *not* with the community out

there. Now, this has changed--everyone wants to be a community prosecutor!<sup>1</sup>

Ordinary prosecutors in many parts of the country seemed slow to accept the idea of 'community prosecution' often calling it 'social work.' This site was no exception but here Chief Prosecutor Sello Matlhoko challenged them and championed community prosecution. He asked SPP Motaung to give presentations on community prosecution and crime prevention during the cluster management meetings. The Chief Prosecutor then demanded that all prosecutors do such community work! Each is now tasked with giving presentations at the cluster management meetings regarding their involvement with the community. For example:

- One prosecutor made a presentation in a Qwa Qwa School about how to prevent the use of weapons by youth.
- Another prosecutor was working with boys who go off to initiation ceremonies without parental permission (some are even abducted). As a result, forms are now required from the Magistrate's Court and the SAPS stations—permission for participation in initiation ceremonies must be granted by parents via the police station.

In addition to the above two examples of community outreach, this cluster has proposed a Maintenance Forum for outreach to tell residents about how to report on cases of maintenance (e.g., that birth certificates and the address of the person to be summoned are needed) and to identify the best prosecutor to handle the case.

#### Support from other government departments

This is detailed further below in Section 8.6.9 but as an introduction, strong support for community prosecution came from individuals in certain government departments:

- Chief Social Worker from Social Development (Mr Butiki Takalo)
- Bethlehem Station Commissioner (Director Tsotetsi)

---

<sup>1</sup> Motaung, Ishmael, Formal Interview, Bethlehem, 23 July 2007

- SAPS Crime Prevention (headed by Captain Chabana)
- Social Crime Prevention Unit (Inspector Maseko)
- Community Policing Forum (Mr Lifa Mhlambi, Chairperson)
- The Dihlabeng Municipality and its ward councillors (there are 10 wards in the area)
- Senior Public Prosecutor Hannelie Holtzhausen

There were also very supportive civil society partnerships:

- Sun Rise Resource Centre (David Molaba, Director)
- Local Clinics—(Lovelife and its National Adolescence Friendly Clinic Initiative)
- Child and Family Welfare (Mr Mashinini)

The strength of the first partnership with the Sun Rise Resource Centre (a civil society organisation) was evident in that the evaluator’s workshop on community prosecution since it was held at their facility, one of the very few facilities in the community for meetings aside from the SAPS station.

### **8.2.2 Challenges to the site**

While there were many advantages to the site, there were these five challenges too:

#### A. No formal system of referrals

There is no formal system of referrals in Bohlokong (nor a record-keeping system for this). This places pressure on the CMP because “Everyone in town now knows me and people come looking for me in court!” A formal system (perhaps a telephone ‘help line’) would reduce pressure on the CMP and create records. Of course, this was also a problem of the CMP being located at the court instead of *in* the community.

*B. The CMP was in a busy office within a busy court*

SPP Motaung was located at the court and shared such a busy and crowded office that the cleaners washed dishes there! His easy access to the courts also meant that his activities as a CMP were constantly disrupted by court work. For instance, the senior prosecutor would give him cases to examine to help issue a decision.

*C. Slow acceptance of the new post by colleagues*

Initially, ordinary prosecutors did not see the relevance of community meetings or dealing with the causes of crime arguing that this was either a job for social workers or for SAPS members. This changed, however, owing to the support of the Chief Prosecutor Sello Matlhako as outlined in Section 8.2.1 (above)

*D. There were few facilities for meetings in the community*

The evaluator's workshop was held at one of the best meeting sites in the community, the Sun Rise Resource Centre, and yet the meeting room was so cramped that many participants had to utilise their laps fill out evaluation questionnaires. In fact, it was impossible to get more than two or three participants into a photo (the groups had to step outside for the photo). There is also a problem of access: participants from sites farther away cannot easily travel the distance to the Centre. For instance, the CMP was never able to achieve the level of organisation that he wanted for Extension 8, a new informal site which is on the edge of the area (vehicles are required to get there) with neither lights nor local halls for meetings.

*E. Population Influx*

The population influx into Bohlokong (mainly from rural areas) is one of the highest in the Eastern Free State and this has led to crime-generating informal settlements. It is difficult to sustain the impact of projects within such a mobile population.

### **8.2.3 The size of the pilot site**

The pilot site, a widespread area of 130 000 people within 10.96 square kilometres and 10 wards appears too big for *one* prosecutor but NOT for two. Support for the CMP is needed because it is not feasible to concentrate only on one portion of the site. Otherwise, the crime will be displaced from one site to another. According to the CMP:

You must go all over the location to make impact. If I had one more person, with the secretary, I could do the two sites: Bohlokong and the neighbouring farm communities.

It is Chief Prosecutor Sello Matlhoko who asked the CMP to expand his activities into the neighbouring farming areas where there is a huge problem with unreported crimes at schools—rape, drugs, assaults. Since this is the same site where even ordinary prosecutors are being asked to engage in crime prevention matters, targeting all of Bohlokong and the neighbouring farming area is possible but not recommended on analysis by the evaluator. It appeared best to target all of Bohlokong and Bethlehem for many reasons; not least of which—this is one policing area. The need to work closely with SAPS to bring down crime *measurably* in one policing area is a central finding of this report. For instance, it was widely *perceived* by partners on questionnaires that the CMPs activities to reduce gang activities (as a partner on a Task Team) helped to produce a drop in crime levels in Bohlokong. This testimony could not be corroborated by crime statistics because Bohlokong SAPS station is a satellite of Bethlehem SAPS and the statistics are for the entire policing area (see Section 8.2.4 below).

### **8.2.4 Analysis and recommendations on the site selection**

In analysis, the site selection will be discussed first to make recommendations on an appropriate site for targeting. Then, support for the community prosecutor within the NPA will be briefly discussed because this helps to highlight one of the major findings of the evaluation study.

### Appropriate targeting

Based on widespread evidence from all sites including this one, it seems best in the South African environment to target entire policing areas whenever possible. This is because:

- Crime is too easily displaced between sectors
- Stakeholders will demand it
- It fits with how the chief initial partners of the CMP are organised: SAPS and the CPF
- Much of the focus on crime prevention in South Africa is educational because people are not fully aware of the law or how it is administered and therefore once a campaign is established, it is feasible to extend it to a relatively broad area
- It fits with how crime is measured and analysed (statistics are important for describing impact)

While one can concentrate on a particular area for certain reasons (e.g., much public education is still needed in Bohlokong where bylaws are relatively unknown), it is beneficial to state the target as an entire policing area. SAPS Bohlokong and SAPS Bethlehem comprise a single area for statistical analysis *and* crime moves between the two communities, which are less than two kilometres apart. Further still, all eight courts are in Bethlehem and none in Bohlokong. It is important to have the scope to build partnerships and to also move within and across the zones *according to the crime types being addressed*.

Thus, for all the foregoing reasons (that owe to the analysis of the data at many sites) it seems best that the CMP concentrate on the entire SAPS Station area (21 sectors: Bohlokong and Bethlehem) *in a strategic way* meaning on those zones or sectors that will help to prevent particular crimes throughout the entire policing area. This means that one SAPS area as a principal focus area is better than confining the target area from the start on certain sectors of the station area. A CMP can always focus upon the sectors generating a specific crime within a clearly defined SAPS area but should *initially* map a wide view of each specific crime problem to be addressed to avoid displacement or alienating potential partners. This also offers the CMP the flexibility to extend certain outreach events to the entire target area if



appropriate (an education in laws on domestic violence) or to confine it if the priority problem is specific (violence emanating from shebeens in Bohlokong). Of course, a CMP should not move outside a targeted area because ‘general outreach’ to *any place* at anytime will not be effective but rather lead to a reduction in measurable impact.

#### NPA Support for the role

The CMP benefited from strong support within his cluster for the role. From the start of piloting, Chief Prosecutor, Sello Matlhoko, was *very* supportive and this had such strong impact, that nearly all prosecutors want to engage in community prosecution. Seniors at some other pilot sites were not so supportive (see Ngangelizwe or Phuthanang). Thus, this NPA cluster appeared to be more progressive than some others in terms of community outreach and this translated into support of community prosecution. This local NPA culture that is pro-active in terms of crime prevention was deliberately engendered owing to support from senior management. This suggests community prosecution can be instituted at a site in a relatively short amount of time if there is strong support from senior management.

Should the success of community prosecution *depend* on supportive seniors or an independent structure or unit? This suggests two options to debate:

- Persuade all managers of the NPA to support community prosecutions
- Situate community prosecution in supportive units or even its own unit to avoid situations where there is no support from seniors

The evaluator suggests the first option but the reasons for this are discussed elsewhere in the report (See Section 13.2).

### **8.3 THE APPOINTED COMMUNITY PROSECUTOR AND ITS IMPACT**

This section concerns: (1) the suitability of the CMP to the role, (2) time available for piloting and (3) an analysis of the previous two factors.

### 8.3.1 Suitability to the role

CMP Motaung, the only D1 prosecutor in the project after Louis Heunis (Kimberley) and Machel Jacobs (Cape Town) left, stated that the role might be better suited to a D2:

It should be a senior post because of the nature of the meetings we attend with mayors, and municipal managers. Senior officials come from various departments of government. A doctor represents the Health Department. I must address station commissioners and directors and deputy managers. I can go make the presentations, however, because I have the confidence of my superiors.<sup>2</sup>

While he was not deterred by his rank and proved to be a very capable community prosecutor, there was weak participation on some of the CMP's structures (see Section 8.8.4) but this might owe to other factors. Evidence from other sites suggests that a senior person is needed because it facilitates partnerships with senior stakeholders. On observation, this CMP had senior partners in the municipality and worked well with them while many of his partners at site were youthful (Youth Against Crime, etc).

Altogether, there was much more evidence that this community prosecutor was well suited to the role than not mainly based on performance and outcomes. Furthermore, he had:

- Experience in community outreach and mediation since 1999 (particularly on issues of domestic violence and maintenance)
- Good interpersonal skills (it was observed that he communicated easily with people of all walks of life from youth and department heads)
- Appropriate language skills (Sesotho, Isizulu, Afrikaans, English)
- Lived for a long time in the area (he is from Frankfort—110 km from Bethlehem)
- Experience taking on new challenges (He was the first black prosecutor in Parys, Free State 1999-2004)

---

<sup>2</sup> Motaung, Ishmael, Formal Interview, Bethlehem, 23 July 2007

### 8.3.2 Time available to pilot

CMP Motaung had 60% of the time available to the project (more than most) and active 40% of his time on regular prosecutions (especially filling in for other people on leave or at courses). “My schedule is very full and very tight,” he said. “I have not been able to get to a school that wants to see me. At times I could not even answer my cell phone.”<sup>3</sup>

The manner in which the CMP divided his hours was not routine. However, CMP Motaung devoted between three and eight hours a day to the project depending on court duties. He calculated that two-thirds of this time was on community outreach and training such as these activities

- Training SAPS Members: *all day sessions usually*
- Presentations at primary schools: *Four schools in two hours*
- Presentations at high schools or intermediate schools: *One to two hours per school*
- Special Day presentation: *All day for Youth Day or 16 Days of Local Activism*

The other one-third of his time was in meetings with various bodies:

- The CMP’s Youth Coordinating Committee (3 hours a month)
- Tavern Owners Meeting (up to 7 hours in a month)
- SAPS Meetings on Crime Prevention
- Justice Forum Meetings (2 hours a month)
- Child Justice Forum (2 hours a month)
- Meetings with the local council

---

<sup>3</sup> Motaung, Ishmael, Formal Interview, Bethlehem, 23 July 2007

### **8.3.1 Analysis of the appointed CMP**

Interestingly, this CMP was a D1 and he piloted under fairly difficult circumstances too—no office at the site and many distractions at the court. Nonetheless, the appointed community prosecutor appeared able to generate interest and support in the project from all levels. This reveals that the character and background of the person undertaking the task can be as important as seniority. It is a special job requiring a special type of person. In this case, the CMP worked all hours and by this appeared dedicated to reducing crime levels through prevention.

Situations and people are not predictable and not all aspects of interpersonal relationships can be viewed by an evaluator during a site tour. Based on the evidence from *other* sites, it seems likely that a D2 or D3 is more appropriate to supervise the programme.

## **8.4 THE OFFICE LOCATION AND ITS IMPACT**

The Magistrates Court was less than 2 km from pilot site but it did NOT appear to be a good venue for community prosecutions for these reasons:

- At the Round-Table Discussion on 24 July 2007, the evaluator was told by participants that the courthouse was seen by community members as an imposing place (not inviting to them) that was far away.
- Question 11 on the stakeholder questionnaire asked, “List the key challenges that remain for improving community prosecution.” Two respondents said that awareness of the new post was limited *because* the CMP was located outside of the community.
- On inspection of the CMP office, it was seen by the evaluator that the CMP had no private space for consultations. He shared an office with others including a prosecutor for the regional court, an intermediary for minors in sexual offences cases (no privacy), and the cleaners—they wash dishes at the back of the office because a big sink is there.
- The CMP was frequently and unexpectedly asked by seniors to engage in court business.
- There was no telephone in the office.

- Theft was such a problem at the office that the laptop could not be left unguarded

Where is the best place to locate the community prosecutor? This would probably be at a community court but there was none and this did not seem likely to happen soon although it was being discussed because:

- The one at nearby Qwa Qwa is dysfunctional and might be moved
- There are no courts at all in Bohlokong where unlawful activities concentrate while there are eight courts in Bethlehem
- A community court would make use of the community prosecutor's interest and skills.

The matter of the office location was also part of round-table discussion with the stakeholders. It was concluded by all that the best *available* location was at the Bohlokong police station owing to:

- Proximity to the community
- Many pre-existing programmes in crime prevention
- Safety for the community prosecutor
- The lack of a community court in Bohlokong<sup>4</sup>

The SAPS Bohlokong station is a satellite of Bethlehem SAPS (both are under that same station commissioner). The satellite station is also old and overcrowded. Since the public would need to access the CMP in a private place owing to the discussion of sensitive issues, a container on the site is one possibility. He could also make occasional use of the existing space at the Magistrate's Court and move between the two areas.

## **8.5 DEFINING COMMUNITY PROSECUTIONS**

At the time of the baseline study (May 2006), Public Prosecutor Motaung defined the post as follows:

---

<sup>4</sup> Round-table discussion with stakeholders, Sunrise Resource Centre, Bohlokong, 24 July 2007

A community prosecutor is one who is pro-active when dealing with crime and helps to focus all role-players on problem-solving mechanisms at a particular site. This would include government, civil society and organisations found at community level.

The above definition fits with the kinds of activities in which the CMP engaged although in discussing this during the formal interview, the CMP agreed that it was also important to *identify or create the link between structures found at community level and those bodies that have capacity to take action at level of government departments and service providers.*

### **8.5.1 Analysis: defining community prosecution**

In discussion with the evaluator, the CMP did see a need to adjust his original definition to include the link between community members and the members of government departments, agencies and civil society that can take action on the findings. Often communities, especially very poor ones, lack the capacity to solve problems (e.g., poor waste removal, no electricity at a site) and it is the CMP who can advocate responses, inform appropriate responses, and even participate on such service delivery bodies outside the community. Thus, this factor should be included in the definition. Definitions also affect structures and strategy (see 8.6.10 below).

## **8.6 CMP STRUCTURES FOR DELIVERY**

The CMP developed two new structures (1-2 below), participated on six others (3-8 below) and developed certain strategic partnerships (see 9 below) as follows:

1. Tavern Owners Forum
2. Youth Coordinating Committee
3. Learners Against Crime
4. SAPS Sector Forum Meetings
5. SAPS Crime Prevention Meetings

6. Justice Forum Meetings
7. The Interdepartmental Forum
8. Task Team on Gangs
9. Other strategic partnerships

Certain lessons that were learnt for community prosecutions in developing or making use of such structures will be discussed in Section 8.6.10 below.

### **8.6.1. Tavern Owners Forum**

From 06 July 2006 CMP Motaung and the SAPS Sector Managers initiated meetings to create a forum of *legal* tavern owners as part of crime prevention strategy. The owner of a tavern does not want to lose a liquor license and eventually *all* joined the forum set up by the CMP and the police. The main activity was developing a charter on appropriate conduct. The conditions of having a license were also explained to the tavern owners. For instance, people can only drink inside the tavern—they cannot wander outside with drinks.

There are 54 registered taverns in Bohlokong and 150 shebeens (illegal establishments).<sup>5</sup> However, on site inspection it was seen that there was so little control over the granting of licenses that it was difficult to distinguish licensed from unlicensed ones. The evaluator observed this:

- Six licensed taverns directly adjacent to three schools!
- License outlets located side by side (one liquor outlet after another)
- People drinking on the streets outside of the pubs

Whether legal or illegal, these drinking establishments were a major source of crime in Bohlokong for these kinds of reasons:

---

<sup>5</sup> Motaung, Ishamael, Formal Interview, Bethlehem, 23 July 2007

- Most serious crimes in Bohlokong involve alcohol or substance abuse and the sale and use of these are tied to liquor outlets (inside or upon entering and leaving).
- Youth under the age of 18 easily obtain access to taverns and consume liquor.
- Stolen goods like chairs are utilised at the taverns and tavern owners buy stolen items (the evaluator observed and photographed a stack of school chairs at one outlet)
- Tavern owners often buy stolen items, because they are always in possession of cash.
- Excessive drinking was tied to many crimes such as robbery, assaults and sexual offences controlling alcohol consumption is a necessary part of crime prevention.

#### Outcomes of the Tavern Owners Forum

Crime prevention impacts are analysed and discussed in Section 8.7.1 further below but the outcomes in terms of developing this new structure were these:

- Membership in the forum started out at about 30 taverns but at the time of the evaluation, all but two or three of the 54 registered taverns appeared to be working with the CMP.
- The SAPS Drug and Liquor Office is now working with the taverns along with the Licensing Board in Bloemfontein (owing to the CMP's influence).
- Meetings are held every second Tuesday of the month.
- Emergency meetings are also held if the need arises.
- Meeting minutes are taken and this is used by SAPS area management to monitor the taverns.
- Some taverns have complained about police misconduct and this information has been used to improve police performance: the top management of SAPS is now coming to the tavern meetings to identify problems.
- Related to the above, a good relationship has been established between the tavern owners and the police. For instance, if people abuse substances outside their premises, the owners will call police.



### Analysis of the Tavern Owners Forum

Prosecutor Motaung worked *only* with the legal tavern owners because working with illegal establishments was seen as inappropriate to both the CMP and the police.

The unlicensed ones are referred to SAPS. That this had no impact on the shebeens (or a lowering of the crime statistics) raises a question that becomes a matter for the NPA to debate. In fact, this also arose in the context of other sites (e.g., Ngangelizwe). These are the problems of *not* working with shebeens:

- Working only with legal ones sets up conflicts: the legal ones will go to the illegal ones and ask them to show licenses.
- The impact on crime if working with the legal taverns is minimal because in peri-urban areas the majority of liquor outlets are illegal.
- A problem of displacement is created: crime moves to the unregulated liquor outlet.

There is one main problem of working *with* the shebeens: these are illegal dealers and therefore the NPA might be seen to be attending to those working in violation of the law.

According to CMP Motaung:

We do not attend to people who sell liquor without licenses. They should be targeted and charged. People smoke Dagga here too. Should we promote unlicensed activities?<sup>6</sup>

This is a tough challenge because there are good arguments for working with shebeen owners and good arguments against this activity (e.g., see discussion in the chapter on Ngangelizwe). However, it is also troublesome that liquor is attached by SAPS from various shebeen owners who fail to produce their licenses. This appears to be the job of the Liquor Board (attaching the liquor) and the municipality (to regulate these businesses). There appear to be gaps in government service delivery and either the development or implementation of bylaws. *It seems more appropriate to the evaluator that the CMP address the gaps in service delivery with advocacy.*

---

<sup>6</sup> Motaung, Ishmael, Formal Interview, Bethlehem, 22 July 2007

The 'crackdown' approach is not well regarded among crime prevention specialists because it can:

- Spread the problem out over a wider area (shebeens open elsewhere)
- Drive the problem underground, which invites organised crime
- Limit opportunities for creating greater regulation

This last problem nearly occurred at this site. On October 20, 2006, SAPS and the CPF in collaboration with the MEC of Safety and Security launched a series of operations to 'clean up' all the taverns that do not comply with the Liquor License Laws and to confiscate dangerous weapons and illegal drugs. This resulted in regression rather than progress because it took place just as the Tavern Forum was working well! Suddenly the crackdown was all over the press, radio and television and the tavern owners complained to the CMP that he was 'backstabbing' them. This reveals that the NPA and Safety and Security must work together from top levels (additional support for this finding is discussed in Section 8.9).

### **8.6.2. Youth Coordinating Committee**

The CMP with SAPS proposed a youth coordinating committee to avoid duplication of programmes between various departments and service providers such as SAPS, Justice and Community Development. "Since we all worked on crime prevention, we could consider doing one beautiful successful event," said the CMP. "We also sought to link this to all youth efforts and all youth structures.

#### Outcomes of the youth coordinating committee

These are the outcomes:

- The committee was formed in early 2007 and includes Social Development, NGOs, SAPS, the NPA, and the Dihlabeng Municipality
- Various outreach events and workshops were organised (see CMP activities)

### 8.6.3 Learners against Crime (Kganyeng and Tiisetsang Schools)

'Learners against Crime' includes participation by learners, the CMP, Love Life, principals and Life Orientation Teachers. The CMP did not create 'Learners Against Crime' but helped to develop it and introduce it into new schools. He originally began working with Love Life, which was going to the schools to teach about HIV-Aids prevention. The main focus of 'Learners against Crime' is to develop and manage awareness campaigns usually in the context of Cultural and Sports Activities. For instance, the learners would put on school plays with anti-crime messages.

The CMP first introduced this structure in February 2007 at Kganyeng Intermediate School mainly because children were abusing drugs and alcohol during school functions (sports and cultural activities). There was no fencing around the school making it easy for drug sellers to enter. Thieves also enter on nights and on weekends to steal school property. "Chairs were disappearing from the schools and ending up in the taverns," said CMP Motaung.<sup>7</sup>

#### Outcomes and analysis of Learners Against Crime

This crime prevention structure had identifiable impact:

- Owing to initial success at Kganyeng Intermediate School, the CMP and partners also took the programme to Tiisetsang High School—where the learners were also invited to speak out and report crime (this also exposed some learners to retribution as explained below).
- Shoplifting has dropped in the local stores around the targeted schools (and 90% of this owed to school-age youth)<sup>8</sup>

The invitation for learners to be 'the eyes and ears of the police' at Tiisetsang High School (the first bulleted item) was not so successful and may hold a lesson. It is accurate that they know the drug sellers and where they are located but to offer this

---

<sup>7</sup> Motaung, Ishmael, Formal Interview, Bethlehem, 22 July 2007; note: many of these chairs were *seen* and photographed by the evaluator at the local taverns!

<sup>8</sup> Round-Table Discussion with Stakeholders, Bohlokong, 24 July 2007

information can put a learner in danger. So, few came forward. By contrast, some learners are paid police informers and there is protocol for this: they will never be called to testify in court. Perhaps this is a better option but beyond the scope of this study.

In analysis, it seems appropriate for a CMP to *contribute* to such structures and for a CMP to support information and outreach programmes to schools as further discussed in Section 8.7. However, it is not necessary for a CMP spearhead such a programme in South Africa because safe schools programmes are already in place.

#### **8.6.4. SAPS Sector Forum Meetings**

The CMP regularly attends these ‘after-hours’ meetings held between SAPS, the CPF and Neighbourhood Watches in four sectors of Bohlakong. He said attendance was poor during the week and very good on a Sunday afternoons. This is partly because there are few meeting places and sometimes the meetings are held in an open field. For example, it was so cold in June that no meeting was held.

#### Outcomes of SAPS Sector Forum Meetings

These are the main outcomes:

- This structure provided one of the main points of entry into the community
- These meetings provided information on crime problems that the CMP then helped to address
- The CMP worked directly with sector managers to understand the problems on the ground and was then able to make input into crime prevention strategy.

#### **8.6.5 SAPS Crime Prevention Meetings**

These meetings are held every month at the SAPS Sports Hall. This offers intelligence (information) which helps the CMP to hone in on specific kinds of operations that can prevent crime in the area including gang activity, drug trafficking and illegal immigration (these particular issues are often linked).

### Outcomes of SAPS Crime Prevention Meetings

The CMP's participation on this structure led to:

- The development of a task team to deal with gangsters that virtually eliminated gangs from Bohlokong
- A raid on a mandrax seller (the CMP brought this information to this body but no evidence was found)
- A flat was identified in town where illegal immigrants were residing in large numbers and involved in trafficking drugs to school children and gang members.
- The CMP receives many of the gang-related dockets and helps to prosecute

### **8.6.6 Justice Forum Meetings**

The CMP attended the Justice Forum Meetings that bring the NPA together with senior managers of departments like Social Development, Correctional Services, Health, and Traffic to address all of Bohlokong. Such a body can smooth relations between stakeholders and lead to partnerships on more specific projects (i.e., Social Development is a key CMP partner). He also attended the Child Justice Forum that includes a focus on juveniles entering the legal system.

### **8.6.7 The Interdepartmental Forum**

This forum was designed as an interdisciplinary team to look into certain crime matters in the entire municipality but it fell apart. The reasons this occurred are worth understanding because such forums constitute a common approach to crime prevention but one that can be fraught with political difficulties. "Groups like this become very political," said the CMP.

These were two key issues:

- Children from farm schools in Bethlehem could not go to schools in Bohlokong because they were afraid to pass wild animals on the farms owned by foreigners.

- Reportedly, Pakistanis were promoting unlawful business by selling expired goods and using government garages to conduct their businesses

These complaints were originally taken to Dihlabeng Municipality but since the allegations involved illegal immigration, the municipality set up the described forum of stakeholders to address it. This included the CMP, Home Affairs, the Labour Department, Land Affairs, the Local Council, Agriculture, Education, and Safety and Security.

#### Outcomes of the Interdepartmental Forum

The charges against the Pakistanis were found to be false and promoted by xenophobia. However, foreigners were buying land in the Free State for keeping wild animals and this did restrict freedom of movement in some areas. In fact, a buffalo killed a person while the owner was overseas and the case was in the court at the time of the evaluation. Nonetheless, the interdepartmental forum appeared to be concentrating on issues that could be described as xenophobic and it was disbanded. From one perspective, local government had been misused by the public since the Pakistanis were conducting a good business. This also reveals another critical factor: the work of a CMP should start with identifying community based concerns and then take these concerns to the appropriate body (not start with large forums and work back toward the community).

#### **8.6.8 Task Team on Gangs**

There was a strong perception among participants in the evaluator's roundtable discussion with stakeholders that murders and serious assaults dropped at the pilot site owing to the arrest and conviction of gang members by the Task Team on Gangs in which the CMP participated. This was essentially a strategic partnership pulled together by SAPS to address gangs that included the CMP.

At the time of the baseline study (May 2006), it was reported that gangs were operating in the area contributing to social instability and high rates of serious crimes such as

murder. This also involved drug lords pushing drugs into the community for profit and especially targeting school-aged youth as both buyers and sellers. There was much evidence of organised crime groups (gangs) operating in the area with names such as:

- Dickies
- Y2K
- Dogs of War
- Condors
- Cats of Milk

#### Impact of Task Team on Gangs

These are the impacts:

- The members were all arrested (in large numbers), their cases monitored by the CMP (stickers on their dockets) and all were refused bail
- The gangs ceased to exist from the time of the arrests in late 2006
- All the gang members are now serving sentences

A few attending the evaluator's facilitated workshop discussion also identified these outcomes on questionnaires. However, locating a statistical impact on crime levels was unsuccessful. SAPS does not keep separate the figures for Boholokong (these are combined with Bethlehem) making this task difficult. Cases of serious assaults and assaults did appear to drop from a peak of 67 Assaults GBH and 86 assaults in September 2006, to lower figures in the ensuing months. These rose again by December 2006 and fluctuate too much month to month to make a statement regarding statistical impact.<sup>9</sup>

#### **8.6.9 Strategic partnerships:**

Each CMP was asked to identify their important partners and rate them. In this case (as at most sites), SAPS came to the top of the list:

---

<sup>9</sup> DuPlessis, Inspector C., Crime Statistics for the Period May 2006 until May 2007, SAPS Bethlehem, 26 July 2007.

### **CMP Ratings of the Most Effective Partners in Bohlokong**

(0=ineffective; 1=somewhat effective; 2=effective; 3=very effective)

PARTNER	CMP RATING	THE REASON FOR THE RATING IN THE WORDS OF THE CMP
SAPS	3	There always turn up to my meetings and mine to theirs and we share experience and advice.
SOCIAL DEVELOPMENT (PROVINCIAL)	3	They are most supportive
EDUCATION	3	Teachers at the schools are very positive especially the life orientation teachers. They passed out booklets and discussed crime prevention in schools.
CHILD AND FAMILY WELFARE (NGO)	3	They are just next to the Magistrate's Office and they check with the CMP about issues related to law—we are neighbours. Many are social workers that move to Social Development later.
MUNICIPALITY	3	Even if I want to call a meeting, they lend cars and loud hailers! The mayor supports me.
SUNRISE RESOURCE CENTRE	2	They are paralegals and there used to be two guys there but now one guy is alone with an assistant who cannot close the office and attend our meetings
CORRECTIONAL SERVICES	1	They are too busy but they do not delegate someone to come to meetings
CHURCHES	0	They did not attend meetings
HEALTH	0	The health hazards are big but no one cooperates

Strong initial support for the project came from SAPS. One SAPS station with a satellite serves the area: Bethlehem SAPS and its satellite Bohlokong. Bohlokong is made up of 10 policing sectors (these correspond with the wards). Sector policing is also provided in an arrangement between SAPS and the CPF. These were and remain the critical partners that furnished access to the site and facilitated many additional partnerships. Interestingly, this is the pattern found not only at other sites but in all other countries during the first one or two years of piloting community prosecutions (e.g., the municipal police and neighbourhood watches were the primary partners in the U.S. during the first year or two). In fact, it is so common that it is known as 'the community prosecution continuum'.<sup>10</sup>

---

<sup>10</sup> Nugent, M. Elaine, *What does it mean to practice community prosecution?* American Prosecutors Research Institute, February 2004, pp 11-13.



At the time of the baseline study, the municipality was viewed as the weakest partner but toward the time of the evaluation both the Dihlabeng Municipality and the Ward Committees were emerging as one of the strongest partners. The relationship was most active from early 2007 but these were some outcomes:

- The CMP worked in partnership with the local council to deliver crime prevention messages at community imbizos.
- He was also meeting with councillors of various wards to explain crime prevention
- He also advised the municipality on the law and developed a strong relationship with key government stakeholders including the mayor and the public participation officer.
- Some officials on the council were selling housing sites illegally and the CMP took this on as a case and went to court because the other prosecutors know the council members too well (the CMP won this case during the time of the evaluator's visit and the council members were expelled from the council)

Two partners, Social Development and Child and Family Welfare (an NGO), allowed the CMP to address criminality prevention: preventing youth from ever turning to crime and substances in the first place. Social Development was a primary partner and remained so throughout piloting (at other sites this department was reported as overwhelmed and difficult to access). They helped to provide shelters, foster care, diversions and drug abuse programmes. The Child and Family Welfare Society provide shelters for homeless children and Victim Empowerment Programmes. Both referred certain cases to the CMP and he also referred cases to them.

#### Analysis of strategic partnerships:

Strategic partnerships can bring key partners together more quickly than forums to create a response on a defined issue. Of course, forums can facilitate a wider set of partnerships but are sometimes slow, poorly targeted and contested by politics. Each has its advantages and over time a CMP will probably participate on more forums. However, there is an entry phase to community prosecution, whether in South Africa or

internationally. Partnership building usually begins with the police and the CPF (or police and neighbourhood watch groups as expressed in some other countries).<sup>11</sup>

The municipality was initially a slow partner to respond. “Taking the local council on board was my biggest challenge—I wrote letters and went there and really stated my case,” said the CMP. Since this is a challenge at many sites, what processes won them over? These were the factors:

- The CMP approached the Speaker’s Office at the Dihlabeng Municipality and fit himself onto the agenda at the council meetings
- He attended the council meeting and made a presentation (along with SAPS) about the National Crime Prevention Strategy—how to work with the hotspots.
- After making a few presentations to the Dihlabeng Municipality, the CMP was referred to a Public Participation Officer who is supposed to work closely with the community on safety issues but was doing nothing after two years in office
- The CMP then took the Public Participation Officer to meetings and got him involved in listening to grievances about the safety of community members.

Thus, after much participation and many presentations over a few months, the council listened and took a strong interest in the project. The initial presentations involved much of April, May and June of 2007. The CMP included the police and mooted ideas like a community court and the need for the council to consider crime prevention through environmental design.

In analysis, CMP Motaung helped to negotiate responses by government departments to community crime problems but did not empower a community based structure to attend to this process instead. Building community capacity to respond to crime problems occurred at Siyahlala and Mamelodi because community structures were created and then linked to more capacitated bodies that could take action on crime problems. Likewise, the Durban CMP, Val Melis, also strengthened the CPF. In defining community

---

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

prosecution (Section 8.5) and outlining the structures for delivery (8.6), it seems that some mechanism is required to ensure that the CMP strengthens community structures concerned with safety and links them to more capacitated stakeholders.

Each of the structures described above gave the CMP a platform to *advocate* certain kinds of crime prevention activities and to contribute his expertise. The CMP said, “A community prosecutor can help make people do their jobs!” For instance, the Public Participation Officer was active in the community until the CMP “grabbed him and took him along to community meetings.”<sup>12</sup> He ended up being a close friend of the community prosecutor and is now approaching his job differently (more community responsive). The CMP’s role might be described in many ways but contains an element of directing the attention of government toward a community in ways that can have a crime prevention impact.

Not all of the structures outlined above had an immediate crime prevention impact (e.g., SAPS Sector Forum Meetings) but information sharing on these structures is vital and can lead to partnerships (e.g., this occurred at the Justice Forum Meetings). These meetings also keep the CMP well informed.

Sometimes, it appears beneficial to create new structures that can organise the stakeholders that are critical to reducing a specific type of crime (the Tavern Owner’s Forum and the Youth Coordinating Committee). However, based on data from this site and others, it appears that a CMP must be *very* careful not to replicate structures that already exist for these reasons:

- The CPF was challenged and resistant at this site (and at others) by the entrance of the CMP onto the political scene
- It is also possible that there is already a Tavern Owner’s Forum in the Free State that is simply not operating in Bohlakong (a situation observed at other sites).
- To duplicate efforts and create new bodies can actually lead to structures that cannot be sustained once the CMP moves to another target area.

---

<sup>12</sup> Motaung, Ishmael, Formal Interview, Bethlehem, 22 July 2007

One way to guard against the duplication and replication of structures is to conduct an audit of available stakeholders at the time of establishing a CMP in an area. It also helps to target the area of an entire station (or sometime several stations if these fall within a single SAPS high priority area) and then focus on the particular sectors generating the crimes of greatest concern to residents (this focus area changes depending on the type of crime).

Overall, it is strategic partnering that seemed to have had the biggest impact on crime prevention at this site. For instance, the CMP worked with the Task Team on Gangs (Section 8.6.8). This brought together the critical stakeholders that can make impact on a clearly defined problem. Specific gang members were targeted and this specificity (disaggregating crime to the specific problem) is very important to crime prevention. Good analysis, appropriate partnering and careful targeting of a *specific* crime problem appear to be the success factors in crime prevention and therefore community prosecution. Furthermore, appropriate partnering seems to include partnerships at the community level and at the departmental level but with some connection between them (representation).

## **8.7 CMP ACTIVITIES AND IMPACT**

These activities included:

1. Regulation of legal taverns
2. Awareness programmes for school youth
3. Community awareness and public outreach
4. Supporting police operations including improved docket preparation
5. Reducing the sale of drugs
6. Selective prosecution and case management

The top two listed activities were the main areas of concentration. However, community awareness and public outreach was becoming highly significant at the time of the evaluation owing to a good relationship that the CMP had developed with the Dihlabeng municipality. These analytical factors and others are discussed in Section 8.7.8

### ***8.7.1 Regulation of Taverns***

The development of the Tavern Owner's Forum was discussed in Section 8.6.2. It led to the regulation of some taverns but did not address shebeens (or illegal taverns) which are much greater in number.

Interestingly, the participating legal taverns monitor their own activities and keep a register of any problems that can be inspected by the patrols. According to the CMP:

We established a register at the tavern for this. Owners have a form and they tell us about the police visits. Inspector 'so and so' comes and checks the premises and then the inspector signs if everything is okay. Every Friday and Saturday there are tavern patrols.<sup>13</sup>

#### Outcomes: regulating taverns for crime prevention

A Tavern Owner's Forum meets every month (with the CMP) and the taverns are patrolled and inspected by police members with some assistance from the CPF and community volunteers. These are the outcomes that can be confirmed owing to interviews and workshop discussion with various informants:

- Some taverns hired a security guard who searches those who enter for weapons and drugs.
- Unlicensed weapons and firearms are rarely brought into the taverns anymore—otherwise they must put them in a safe at the establishment
- One tavern was shut down where murder cases had been reported
- The taverns are closing on time (2 am) and otherwise get fined if they close late.

---

<sup>13</sup> Motaung, Ishmael, Formal Interview, Bethlehem, 22 July 2007

- Fewer underage youth now enter the legal taverns because both the youth and the owner get fined.<sup>14</sup>
- A tavern which used to sell liquor to minors is no longer doing this (Thula's Tavern)

According to the CMP, there were also impacts on police operations because at the start of piloting, the CMP found that tavern owners were willing to report crimes but the police were not so willing to help. Now:

- The police are supervised by seniors and acting more professionally
- Responding to calls

The CMP had worked with the station commissioner to address these problems.

### **8.7.2 Awareness programmes for school youth**

School awareness campaigns were already underway before the appointment of the community prosecutor. However, the CMP joined the effort and entered along with Love Life, which was teaching about HIV-Aids prevention. The CMP was concerned with preventing substance abuse, sexual abuse and the large numbers of school aged youth who seemed to be engaged in bag snatching (usually aimed at buying drugs).

The CMP began his activities at Khanyeng Intermediate School on 23 January 2007. He addressed learners involved in criminal activities like shoplifting, and substance abuse (both drugs and alcohol). This led to the launch on 30 January 2007 of the 'Learners Against Crime' Forum which aims to uphold the culture of learning at the school. This includes eight learners and two Life Orientation teachers and is aimed at:

- Upholding the culture of learning at school
- Developing sports and cultural activities
- Ending drug and alcohol abuse at school

---

<sup>14</sup> Round-Table Discussion and Facilitated Survey on Community Prosecutions, Bohlakong, 24 July 2007

- Creating a culture of reporting on theft and safety problems
- Creating a system of referrals (to Social Development)
- Developing crime awareness campaigns (e.g., magistrates were invited into the school to help inform learners of the consequences of crime)
- Addressing family violence and sexual harassment
- Coordinating these activities with NICRO's Diversion Programme
- Reducing the market in stolen DVDs (this is big with learners)
- Reducing the stealing of school properties

#### Outcomes of school-based intervention

These are the outcomes:

- The CMP said there was a decrease in the use of alcohol and drugs on school premises (this may be correct but the evaluator could not find other data to confirm this during the time of the study).
- There is now a referral system for learners identified to be using drugs (Life Orientation Programmes aimed at social crime prevention--a three-month programme results in a completion certificate for participating learners).
- The campaign to reduce the marketing of stolen goods has been delayed owing to a shortage of funding for T-shirts and other items that are needed.
- The CMP identified some children in schools who had been raped (often by their fathers) and were HIV-positive but these crimes had not been previously reported.
- Abused children are getting referrals.
- Reporting on these problems has risen within the schools according to teachers.

#### **8.7.3 Community Awareness and Public Outreach**

From November of 2006, the CMP was invited by the Speaker's Office (Municipality of Dihlabeng) to participate in community outreach programmes (imbizos) that reach out to all the members of the municipality (Bethlehem and all neighbouring towns). The CMP attends the ones in Bohlokong. He is given a platform and responds to community questions about the by-laws.

These are other community awareness events in which the CMP participated:

- On the 30 November 2006, the CMP at the request of the MEC of Public Safety and Security addressed thousands of residents coming from around the entire municipality of Dihlabeng (including Rosendal, Fouriesburg and Paul Roux) on Domestic violence and procedures to be followed when applying for court interdict.
- Child Protection Week (from 01 June): Crime prevention messages for children
- 16 June Youth Day: These were sporting activities to build relationships between the youth and various government agencies (SAPS, Social Development, NPA) and NGOs (Love Life)
- The CMP participated in many workshops called together by the Youth Coordinating Committee in Bohlakong that either focused on crime prevention or related topics (marketing stolen goods, HIV-Aids, skills development opportunities, job development)

#### Outcomes: imbizos and community outreach

The imbizos and community outreach forums had these kinds of outcomes

- Knowledge of the community prosecutor spread such that many people now come to the offices of the CMP for help (e.g., complaints about the police)
- The community is also learning about the Tavern Owners Forum and where to lodge complaints about problems related to them (e.g., noise at night, etc)
- The imbizo in November 2006 addressed about 2000 residents of the entire municipality but no information is available as to how many participants came from the pilot site. The details of the talk were also placed on the website of People Against Women Abuse (POWA) but it unlikely that many residents of Bohlakong would access it.
- Much was learned from the Child Protection week about what does *not* work. According to CMP Motaung, “There were too many long speeches for children although parents and teachers were also there and lunch was prepared for the primary school children”
- The 16 June Youth Day reportedly led to improved relationships between the community and government departments



- The workshops for the youth of Bohlokong were well covered by the media and informed the community.

#### Analysis of imbizos and public information campaigns

It is very difficult to evaluate the impact of imbizos and public information campaigns and one could argue that appropriate and well-targeted programmes are more effective.

Furthermore, effectiveness depends on:

- **TARGETING:** one must get the crime prevention message to the right people, especially those in a targeted area (trying to spread a message all over the province is unlikely to make much impact)
- **CONSTANCY:** many such campaigns are required to make impact--not just presentations at one or two community meetings
- **FOLLOW-UP AND ACCESS:** the community can learn about crime prevention but afterwards they must have access to some agency, government department or groups that can help them on the ground with their problems

Regarding the first bulleted point, an imbizo that reaches out to a wide area and is targeted at general problems will not have the same high impact as one that targets the specific problems and needs of a well-targeted community. In fact, attendance must be examined because how many attended each one from the target site? This is unknown. Unless a high percentage of the targeted community members are in regular attendance, the impact of imbizos will be minimal. The CMP attended those that came to Bohlokong and therefore he may have made impact but this very difficult to measure.

Regarding the second point, crime prevention messages at imbizos can help but the constancy of the crime prevention message is also important. This cannot be an irregular event or impact will be limited (see the chapter of Siyahlala).

Finally, any information campaign as a stand-alone crime prevention strategy will be inadequate. It must be supplemented by and tell about effective service delivery and

crime prevention programmes found at the community level. Then, the imbizo can best be used to explain how to access these services and programmes.

#### **8.7.4 CMP SUPPORT FOR POLICE OPERATIONS INCLUDING DOCKET PREPARATION**

The success of the CMP in supporting a particular SAPS operation on gangs was addressed in detail in section 8.6.8. He also supported and improved police operations in other ways by helping to:

- Finalise cases properly by researching dockets
- Train police in how to enter data on to dockets to ensure successful prosecutions (e.g., rape, drunk driving)
- Research and review the background of the accused since a previous record or previous guilty plea similar to the new charges facilitates a conviction
- Ensure that evidence is properly collected during the joint operations to secure successful convictions

Regarding the first bulleted item, the CMP especially requested that dockets about unlicensed firearms and possession of dangerous weapons be sent to him and this appears to have increased reporting on this matter. Regarding the last item, SAPS, ward committees, the CPF, sector managers and various stakeholders would confiscate many dangerous weapons and illegal drugs during:

- Stop and search operations
- Inspections in taverns
- Roadblocks to fight drug trafficking over the border from Lesotho
- School-based operations to seize drugs and weapons

In these cases (seizures), evidence must be gathered in an appropriate way and documented correctly to lead to a conviction. “Evidence is based on good

documentation,” said the CMP. “Furthermore, if we lack evidence, there is no need to proceed with a case. We write a letter and give the case number and that is finished.”<sup>15</sup>

The CMP would also direct the police toward certain kinds of crime problems. For instance, he was informed by the community that robbers loiter outside of supermarkets because they know that the patrons have money. The CMP addressed this issue with the police and pointed out the shops. SAPS responded with a campaign called ‘Stop and Search’ such that the robbery has stopped in these locations.

#### Impact and analysis of CMP support for police operations

These are some of the impacts of this activity:

- The police are asking the CMP to do more training and include others because these activities have helped.
- The CMP is receiving all the dockets concerning unlicensed firearms and possession of dangerous weapons so that he can act on these
- Crimes are down in the taverns owing to the search and seizures
- The CMP said that he would refine these activities to include the identification of crime problems at community level and then bring this information to all stakeholders.

The CMP helped to support better police operations with training, partnering and even a certain kind of advocacy for crime prevention in the sense that he strengthened the focus on community-identified problems. The CMP both directly and indirectly supported improved police performance too. Directly he would improve dockets but indirectly he would point out problems to the police that were not being addressed (e.g., robberies occurring near certain shops). He also strengthened police-NPA relations and partnership activities by requesting all the dockets concerning the use of firearms to improve prosecution on these.

---

<sup>15</sup>Motaung, Ishmael, Formal Interview, Bethlehem, 23 July 2007

### **8.7.5 Task team participation to reduce the sale of drugs and drug imports**

The CMP's pilot area is on the border of Lesotho where there is a particular problem with dagga coming across the border. He served on a SAPS task team as a legal advisor to help crack down on the drug trade. The task team identified an area where Nigerians were staying in residences (a single bedroom, toilet and shower residence for drug sellers). "I turned this information over to the station commissioner," said CMP Motaung.

#### Outcomes of task team on drugs

Some of this work had impact outside of the pilot area and can make such an effort questionable because it is imperative to stay focused on a target area to make impact. Furthermore, no one was ever arrested. However, a place was identified where the foreigners stayed. This is a club with cheap lodging (R500 per month) under the management of a Nigerian, who is now attending the tavern owner's forum. In this respect, he is being monitored by the CMP.

### **8.7.6 Selective prosecution and mediation**

CMP Motaung made use of the courts for selective prosecutions—those aimed at sending a strong message to the community on law enforcement. He also studied dockets to see if cases could be resolved without going to court. This CMP did not have a community court but built credibility for his role by making use of the regular courts. He would look at each case on its own merits and would either take the matter to court or resolve the case through mediation before it reached the court. This last activity has the potential to help to drive down the court roll although this activity was not frequent enough to measure such an impact.

#### Outcomes of selective prosecution and mediation

The CMP took aboard a very high profile case. Some local councillors were taking bribes for distributing building sites (effectively releasing government land without

council approval and taking the profits). The CMP won the case and the guilty councillors were dismissed. It certainly seems that this would prevent other councillors from following such a path.

The evaluator also observed documentation on three court cases that originated with the CMP after reports were made to him by the community. These included:

- A rape/assault case (BSH 03/06) reported by the community to the CMP: this resulted in a conviction on 05 June 2006 and in the clearance of a big grassy open area where it took place at 'Jacket View' owing to CMP advocacy.
- Three serious Assault GBH cases (B818/06) taken to the CMP by the community: CMP Motaung led the successful conviction of all three (by 11 August 2006 they were serving sentences)
- A security guard at the Galaxy Tavern who assaulted a member of the public: the community reported this to the CMP who then took the accused to court such that he was fined R2000

These three cases might send a message that the NPA is serious about prosecutions and could lead to prevention but must not consume more time than working with the community on identifying and resolving their most important concerns. Therefore this is further analysed below.

It does seem that screening cases for the court roll is of great value and could be intensified at many sites and perhaps ease congestion on the courts. This CMP would see if mediation was a possible alternative. As he came to be better known, more and more people came to CMP Motaung's office for help in mediating disputes and he has handled several cases. One example will suffice. A female victim of domestic violence and assault came to the CMP at the court and he advised her to apply for a court interdict to keep the assailant at bay. The assailant then came to SPP Motaung who then explained to him the Domestic Violence Act and the interdict. The case was resolved this way: the man left the woman's house and did not return.

### 8.7.7 Analysis of CMP activities

The CMP activities discussed above might be further simplified as these three:

- PUBLIC INFORMATION, EDUCATION AND CAPACITY BUILDING IN THE LAW AND ADVOCACY (Imbizos, shebeen regulation, awareness programmes for youth, community awareness and public outreach)
- IMPROVING SAPS OPERATIONS (police operations and improved docket preparation, reducing the supply and sale of drugs)
- SELECTIVE PROSECUTION AND CASE MANAGEMENT

Public information campaigns, education and capacity building in the law and advocacy are often interrelated although not always the same. For instance, the imbizos described earlier can help *inform* the public of how to access services. Education in the law to select service provides can improve service delivery. Advocacy goes beyond information to *promote* pro-active responses to crime by both raising public demand for them and by encouraging improved service delivery by government agencies. Advocacy is aimed at outcomes and is generally more effective for crime prevention. This is important because poor service delivery is often the biggest factor in producing crime. This may owe to a lack of community partnerships or partnerships with other stakeholders and this is what a CMP can help to provide. For instance:

- Regulating the liquor industry prevents crime but does the Liquor Board have the partnerships within the community and with other departments to do this well?
- Delivering health care helps to prevent crime since it creates able bodied parents who can raise their children appropriately but is this linked to other crime prevention efforts to improve impact?
- An excellent education creates better job opportunities such that youth do not turn to crime but sometimes crime interferes with a good education and therefore crime prevention programmes can address this.
- Delivering police services reduces crime directly but how many stations have the strong link to the community to enable immediate responses to community-defined crime problems?

At all sites, the CMPs showed that they could build strategic partnerships for crime prevention outcomes and that this did not involve endless meetings on big forums. Rather, a strategic analysis of the site is required (professional research support might be required) along with negotiating responses by the appropriate government departments or service providers. For instance, the CMP indicated to the police an area outside of shop where robbery was occurring on a regular basis and then SAPS targeted of this area slowing the rate of robbery.

A CMP working with SAPS to provide education and capacity building in the law to improve operations was part of the activities at nearly all sites. The CMP can help direct the police toward practices that can secure convictions. This both strengthens SAPS performance and improves conviction rates. Logically, this activity could lower the rate of repeat offences by acting as a deterrent (e.g., crime does not pay) or simply keeping repeat offenders off the streets.

This CMP prosecuted selected cases in court to send a message to the community: the NPA aims to convict. A warning in the form of successful convictions is a strong one and can be a clear deterrent (a crime prevention impact). These activities also raise the profile of the CMP and build trust in the NPA. Of course, the *selection* of cases is a critical factor. It must send message but otherwise too much casework returns the CMP to the courts reducing time available for advocating improved service delivery. A CMP must achieve a balance between prosecutions and community activities such that the largest crime prevention impact possible is realised.

## **8.8 GENERAL IMPACTS**

In addition to some of the specific impacts emanating from the structures and activities described above, there is also a collective impact from the many different projects and activities of the CMP. Some of this is a matter of review from the evidence given above but there is also a significant amount of new evidence here. These include:

1. Impact on crime levels
2. Impact on the environment
3. Impact on interagency and departmental cooperation
4. Impact on community cooperation/involvement in crime prevention
5. Impact on stakeholder perceptions of the NPA
6. Impact on community perceptions of safety at site

### 8.8.1 Impact on crime levels

The crime statistics made available to the evaluator by SAPS Bethlehem are given below:

**SAPS CRIME STATISTICS FOR BETHLEHEM-BOHLOKONG  
MAY 2006 TO MAY 2007**

<i>OFFENCE</i>	<i>MAY 06</i>	<i>JUN 06</i>	<i>JUL 06</i>	<i>AUG 06</i>	<i>SEP 06</i>	<i>OCT 06</i>	<i>NOV 06</i>	<i>DEC 06</i>	<i>JAN 07</i>	<i>FEB 07</i>	<i>MAR 07</i>	<i>APR 07</i>	<i>MAY 07</i>	<i>TOTAL</i>
MURDER	02	01	04	02	04	0	0	05	01	02	03	01	03	28
ATT MURDER	0	04	04	01	0	02	04	01	01	0	0	0	01	18
AGG ROBBERY	03	03	03	01	01	09	01	01	01	02	03	02	01	31
RAPE	03	07	10	12	14	14	11	17	07	14	14	08	08	142
INDECENT ASSAULT	02	02	01	02	01	03	03	03	03	02	01	0	03	26
ASSAULT GBH	30	38	47	32	67	37	37	61	41	45	49	39	35	558
ASSAULT COMMON	58	40	67	55	86	47	45	55	57	79	85	65	53	792
HSEBREAKING BUSINESS	10	10	14	08	12	23	15	12	12	07	12	10	07	152
HOUSE BREAKING RESIDENTIAL	41	32	47	43	38	46	42	64	34	48	39	38	54	566
SHOPLIFTING	13	18	17	05	12	14	16	19	19	19	15	20	18	205
DRUG- RELATED CRIME	31	63	82	116	105	65	68	68	99	44	90	94	39	964
POSS OF FIREARMS	0	0	0	0	0	03	0	01	0	01	0	0	02	07



It is not possible to describe a statistical drop in crime during the period of piloting for these reasons:

- Upon initial analysis, general crime levels were slightly higher in most categories one year later (compare May 2006 and May 2007).
- Most significantly, the statistics for Bohlokong are not separated from those of Bethlehem making it difficult to identify any impact
- The SAPS Inspector C DuPlessis, who provided the statistics, said that crime figures went 'up and down' during the period in question such that there is no evidence of an impact on crime levels.<sup>16</sup>

Furthermore, the evaluator would not anticipate a high impact on crime levels because:

- The CMP worked in *selected* schools and not for long periods of time.
- Although much crime is alcohol-related, the Tavern Project targeted only *legal* taverns and not shebeens (but the latter outnumber the former)

It seemed more likely (based on a review of CMP activities and observations of the site) that this CMP would have made impact on:

- Preventing crime in *selected* schools and taverns
- Reducing gang-related activities owing to the prosecution of gang members.

This was confirmed in surveys as seen below.

#### Partnership questionnaire

Twelve out of 15 (80%) questionnaire respondents thought that the CMP had helped to reduce crime levels:

---

<sup>16</sup> DuPlessis, Inspector C., Crime Statistics for the Period May 2006 until May 2007, SAPS Bethlehem, 26 July 2007.

QUESTION ONE	YES	NO	DO NOT KNOW
IN YOUR OPINION DID THE CMP HELP TO PREVENT OR REDUCE CRIME AT THE PILOT SITE BETWEEN MAY 2006 AND THE PRESENT?	12 (80%)	--	03 (20%)

The reason most respondents suggest an association between the CMP and less crime were as follows (duplications eliminated):

- “The percentage of crime is now less”
- “He gave talks in schools”
- Gangs moved out of the area (see also Section 8.6.8)
- He advocated environmental improvements (street lights, cutting grass)
- He prosecuted cases leading others to fear committing crimes
- Two taverns with high crime problems are calmer and have better security
- He helped create the Tavern Owners Forum, which made some taverns law-abiding

The opinion that the percentage of crime is less throughout Bohlokong could not be substantiated in the crime statistics. It seems more likely that certain places and areas are safer and this might also have been the intent of the recorded statement. These are factors identified on surveys that can be corroborated by other means:

- Based on widespread testimony and case dockets, gang activities were greatly reduced if not eliminated.
- The environmental changes reported on surveys (street lights, cutting grass) can also be observed in the environment

Many questionnaire respondents reported that the taverns that participate in the CMP’s Tavern Owner’s Forum are better regulated. For instance, respondents said that Tholas Tavern, the one photographed and discussed in the baseline study, no longer admits minors and closes at 2am. Another place of violence documented at the time of the baseline study was Java’s Club House. The concern: widespread charges that that the

owner had beaten people to death. At the time of the evaluation, the owner was being prosecuted for murder and the tavern was boarded up and shut down.

The regulation of particular taverns did not have an impact on overall crime levels since they are substantially outnumbered by illegal shebeens that were *not* targeted.

Furthermore, some taverns did not appear well regulated during the site tour. For instance, many of them sit side by side schools and school chairs could be photographed in the taverns (see the PowerPoint presentation for this report).

### **8.8.2 Impact on the environment**

Certain roles in making an impact on the environment can be attributed to the CMP by comparing baseline conditions to those that obtained at the time of the evaluation. The site tour and discussions with the CMP identified these that were verified in round-table discussion with stakeholders and questionnaires:

- **BETTER LIGHTING:** The community prosecutor made a formal presentation to the Dihlabeng council to explain the high number of robberies at Extension Eight owing to open spaces and poor lighting. So, the council recommended that the Apollo lights be repaired and these are now functional.
- **FIELD CLEARANCES:** There was a particular field where two women were raped between Thabo Thokoza High School and Baken Park. During 2006 the CMP made a presentation to the municipality to express his concern and they cleared the field here in consequence.
- **FENCING IN SOME GRAVEYARD SITES:** Women get targeted for both rape and robbery between the old location of Bohlokong and Baken Park (a coloured area) where there is also an old graveyard. The CMP successfully prosecuted one case where a teenager of 15 years was raped. He also advocated fencing with the municipality. Now some areas are fenced by the local council and but some are not.

In addition to the above observations, 14 out of 15 questionnaire respondents (93%) believed that the activities of the CMP led to changes in the environment that help to reduce crime:

QUESTION TWO	YES	NO	DO NOT KNOW
DID THE COMMUNITY PROSECUTOR HELP TO CHANGE THE ENVIRONMENT AT THE TARGET SITE TO MAKE IT LESS CONDUCTIVE TO CRIME?	14 (93%)		1 (7%)

The fourteen respondents answering 'yes' named places and sites that improved owing to the participation of the community prosecutor in crime prevention activities. Most of them referred to taverns that had been regulated but others to advocating the cutting of tall grass in open areas and the improved lighting. Specifically the responses were (duplications eliminated):

- FNB Tavern (minors no longer present)
- Phase 7 (raising awareness around crime prevention)
- Thulas Tavern (minors no longer present)
- Streets are no longer dark at night owing to CMP advocacy
- Bodikela Park: the tall grass was cut
- Open ground surrounding Tiisetsang High School was cut
- Bottle stores quit selling alcohol to teenagers

### 8.8.3 Impact on interagency cooperation and partnerships

There is good evidence of improved interagency cooperation. First, site observations, random interviews and the perusal of documentation in the field indicated that:

- The CMP attends SAPS Crime Prevention Meetings and SAPS Sector Forum meetings
- The CMP works closely with senior officials of the SAPS stations and the SAPS Area Office.
- He trained the police in how to collect evidence and prepare dockets
- The police consult the CMP on cases
- The CMP follows up on some cases in the court referred to him by SAPS and the municipality

- During visits to the municipality for interviews, the evaluator observed that the CMP was welcomed by municipal management and engaged easily with them on discussion of various crime prevention activities and projects

The Social Development and NPA partnership also improved owing to almost daily collaboration. The evaluator observed how a caseworker from Social Development consulted the prosecutor on how to help a boy who had been ejected from a shelter. It was reported that consultations regarding abused and neglected children from the schools takes place on a daily basis. The CMP also refers rape victims to Social Development, which provide shelter and/or food parcels.

Child and Family Welfare also refer their clients to the CMP and he helps out in the case of obtaining maintenance payments. He has also helped to deal with the problem of a male who refused to leave the house of a female.

Questionnaire with participants

QUESTION 5 asked, “Did the community prosecutor help to build greater levels of stakeholder cooperation on crime prevention in the targeted community between May 2006 and the present?” QUESTION 6 asked, ‘Did the CMP help individual government departments to address crime prevention more effectively at the target site? These are the results:

QUESTIONS FIVE AND SIX	YES	NO	DO NOT KNOW
<b>5. IN YOUR OPINION DID THE CMP HELP TO BUILD GREATER LEVELS OF STAKEHOLDER COOPERION IN CRIME PREVENTION?</b>	<b>12 (80%)</b>	<b>-</b>	<b>3 (20%)</b>
<b>6. DID THE CMP HELP INDIVIDUAL GOVERNMENT DEPARTMENTS TO ADDRESS CRIMPE PREVENTION MORE EFFECTIVELY AT THE TARGET SITE?</b>	<b>13 (87%)</b>	<b>-</b>	<b>2 (13%)</b>

Most respondents failed to distinguish between the two questions and viewed them as the same question. However, it was widely viewed that interagency cooperation improved. The reasons offered for the positive responses included these (duplications eliminated):

- There is a referral system between the CMP and Social Development
- The CPF, SAPS and the municipality now work together with the CMP
- NGOs and CBOs are now more involved in crime prevention
- The CPF works with the CMP
- The CMP worked on joint campaigns with different stakeholders to reduce crime
- The CMP worked in partnership with the Youth Against Crime Structure to address school youth
- The municipality asks for the advice of the CMP
- The CMP participated in imbizos held in Bohlokong on crime prevention
- The CMP worked with Immigration on Operation Veza

This data fits with the evidence provided in other parts of the report such that improved levels of cooperation are well documented.

#### **8.8.4 Impact on community cooperation/involvement in crime prevention**

The questionnaire asked 15 participants two questions about improved cooperation on crime prevention. The results are given in the table below.

<b>QUESTIONS SEVEN AND EIGHT</b>	<b>YES</b>	<b>NO</b>	<b>DO NOT KNOW</b>	<b>BLANK</b>
<b>7. DID THE COMMUNITY PROSECUTOR HELP TO MAKE MORE EFFECTIVE ANY PUBLIC/CITIZEN GROUPS ON SAFETY?</b>	<b>14 (93%)</b>	<b>--</b>	<b>1 (7%)</b>	<b>0</b>
<b>8. DID THE COMMUNITY PROSECUTOR CREATE ANY NEW FORUMS OR BODIES TO HELP BUILD COOPERATION ON CRIME PREVENTION AT THE PILOT SITE?</b>	<b>5 (33%)</b>	<b>--</b>	<b>1 (7%)</b>	<b>9 (60%)</b>

Of the fourteen respondents answering ‘yes’ to QUESTION 7, nine said this because they credited the CMP with making the CPF more effective. The others mentioned that he helped to strengthen SAPS and ‘Youth Against Crime’.

Regarding QUESTION EIGHT, the CMP created two new structures to implement community prosecutions (Tavern Owners Forum and the Youth Coordinating

Committee) although he also helped introduce Learners Against Crime into new schools. However, the questionnaire respondents (33%) were only aware of this as follows:

- Four of 15 respondents (27%) identified that the CMP had organised the tavern owners into a forum—the CPF Chairperson, the Sun Rise Resource Centre Director, and the local pastor (Stump Ministries International) and the CMP’s administrative assistant
- Two of 15 respondents (13%) including the CMP’s Administrative Assistant and SAPS Inspector Maseko, identified on a survey that the CMP had started the Youth Against Crime Coordinating Committee.
- Two people (13%) said the CMP has started ‘Learners Against Crime’ at Tiisetang High School (the CMP’s assistant and the local pastor).

These responses suggest weak involvement by participants in some of the CMP’s structures and not enough public awareness of the CMP role (a common finding at most sites). The Learners Against Crime only started on 30 January 2007 and this may explain the weak awareness of that body. It is also specific to certain schools and certain limited partnerships. SAPS Inspector Maseko also commented on his survey, “Often stakeholders do not take part in the Youth Against Crime Coordinating Committee.”

### 8.8.5 Impact on stakeholder perceptions of the NPA

The questionnaire for CMP partners asked two questions regarding their perceptions of the NPA. QUESTION 9 asked, “Based on the experience of piloting, do you now believe that a prosecutor appointed by the National Prosecuting Authority can play a role in helping to prevent crime?” QUESTION 10 asked if the participation had led to a changed perception of the NPA owing to piloting. These are the results:

QUESTIONS 9 AND 10	YES	NO	DO NOT KNOW	SPOILT
<b>(9) BASED ON PILOTING, CAN A PROSECUTOR FROM THE NPA PLAY A ROLE IN PREVENTING CRIME?</b>	<b>15 (100%)</b>	--	--	--
<b>(10) HAS YOUR PERCEPTION OF THE NPA CHANGED?</b>	<b>11 (73%)</b>	<b>01 (7%)</b>		<b>03 (20%)</b>

All the questionnaire respondents said that a prosecutor from the NPA could play a role in prevention crime in the community. The reasons are outlined below (paraphrased and duplications eliminated):

- A prosecutor can visit schools and teach learners about the law and crime prevention
- The NPA is needed in crime prevention because the prison cells are full
- The CMP can reduce the number of taverns
- The CMP can help to fight drug and alcohol abuse
- The CMP can help change the environment so it is less conducive to crime
- The CMP can help with operations that reduce crime
- A CMP can identify and respond to community based problems
- The CMP can inform the community at imbizos
- He can help form partners for anti-crime campaigns (Health, Social Development, etc)

Regarding QUESTION 10, three responses were ‘spoilt’ because the respondents did not appear to understand what was meant by the National Prosecuting Authority. The CPF Chair said ‘No’ as his response because: the crime situation had not changed much. The reasons for the mainly positive responses (73%) were as follows (paraphrased or otherwise quoted):

- The NPA can both help send people to jail and prevent them from becoming perpetrators
- There are no more gangsters in our area (owing to the Task Force on gangs and successful prosecutions)
- “I always happened to believe that the NPA is only concentrating on big cases...and was never aware of their involvement in the community.”<sup>17</sup>
- “They have shown that they care.”<sup>18</sup>

---

<sup>17</sup>Love Life respondent, Questionnaire on Community Prosecutions, 24 July 2007



- “Crime has dropped according to my opinion.”<sup>19</sup>
- Relationships with stakeholders have improved
- “In the past we used to think that the NPA are monster...but now one can see that [there is] more access to justice.”<sup>20</sup>

### 8.8.6 Impact on community perceptions of safety at the site

This has been answered in the previous sections. Based on informants and focus group discussion, the community perceived that:

- There are fewer gangs owing to the task force on gangs that led to successful prosecutions.
- Street lighting improved (owing in part to CMP advocacy).
- A dangerous tavern was closed down
- Certain taverns were better regulated

However, crime levels remain high and a widespread public feeling of improve safety is most unlikely.

QUESTION 3 on the partnership questionnaire also asked about feelings of safety, “Did the community prosecutor help to develop any crime prevention projects or programmes at the target site that will help to prevent crime on an ongoing basis? These are the responses:

QUESTION 3	YES	NO	DO NOT KNOW	SPOILT
<b>DID THE CMP HELP TO DEVELOP ANY CRIME PREVENTION PROJECTS OR PROGRAMMES AT THE TARGET SITE THAT WILL HELP TO PREVENT CRIME ON AN ONGOING BASIS?</b>	<b>12 (80%)</b>	<b>--</b>	<b>2 (13%)</b>	<b>1 (7%)</b>

<sup>18</sup> Moipone, Mavis Mokoena, Deputy Secretary, Youth Against Crime Structure, Facilitated Survey on Community Prosecutions, 24 July 2007.

<sup>19</sup> Mphakiseng, Mafika, Dihlabeng Development Initiative, Questionnaire on Community Prosecutions, 24 July 2007.

<sup>20</sup> Molaba, David M, Director of Sun Rise Resource Centre, Facilitated Survey on Community Prosecutions, 24 July 2007

Many of those who answered 'yes' referred to almost any project or programme in the community, whether or not the CMP was involved. The most appropriate responses were the three most common ones: school-based outreach, the Tavern Owner's Forum or participation in imbizos. However, many cited projects that the CMP did not develop.

The reasons for the 'yes' answers were as follows:

- Tiisetang High School-learners are now have a 'watch' system help to bring order to the school (6 responses like this)
- Tavern Owner's Forum (2 like this)
- Community meetings/imbizos (2 like this)
- CPF (2 like this)
- DDI Consortium
- Referral Programmes
- Community Awareness
- Sports Against Crime
- Gardening Projects (2 like this)
- Substance Abuse Projects in Schools
- Love Life

## **8.9 LESSONS FROM THIS SITE FOR AN IMPLEMENTATION MODEL**

The following are eight critical lessons from this site that might be useful to consider when designing the national roll-out of the community prosecution project.

### **8.9.1 This CMP was a D1 and yet highly effective**

The outcomes make it clear that a D1 can function in this post and be effective. One key lesson is that the character and commitment of the individual may be more important than rank. However, it is being strongly suggested by the evaluator that existing CMPs work

with and supervise others in this role and therefore the NPA must also consider that factor.

### **8.9.2 Each CMP requires training in how to negotiate with municipalities because there are protocols for engaging them effectively**

Many CMPs elsewhere reported municipalities as ‘slow to come aboard’ but based on the findings from this site, it seems that each CMP needs to be educated in how to fit in with municipal delivery plans. CMP Motaung said:

When I started this project I thought it would be difficult because the local council dragged their feet. So, I was irritated by it. But with the help of some individuals I managed to develop an interest among municipal officials in what I am doing. Now they are excellent partners.<sup>21</sup>

The change came when the CMP learnt from the Public Participation Officer Bheki Mhlapo the protocol for creating a partnership:

1. Write a letter to the Speaker’s Office and copy this to the Mayor and Municipal Manager because the Speaker convenes council meetings
2. Find a place and date on the agenda
3. Address the full council and request their support<sup>22</sup>

Municipalities have their own programmes. To get their support, one must join their programmes first and *then* talk to them about NPA issues. “Make contributions to their ideas and then you make friends,” said the CMP. “Later, invite them to your events.” The CMP also learnt of the public participation officer and the Speaker who is in charge of community affairs and this led to a good relationship.

---

<sup>21</sup> Motaung, Ishmael, Formal Interview, Bethlehem, 23 July 2007

<sup>22</sup> Mhlapo, Bheki, Informal Interview, Dihlabeng Municipal Offices, Bethlehem 26 July 2007

### **8.9.3 The role of the CMP must be advertised to the public**

As with most sites, awareness of the CMP role was weak and it seemed that some method is required to ensure the community is fully aware of the services of the community prosecutor (and the role of the NPA, which was often least understood). This can involve business cards, video productions and community launch events. However, there is another very effective way to do this that befits the NPA. The CMP took on a high profile case after he found out that local councillors were taking bribes for distributing building sites (effectively releasing government land without council approval and taking the profits). The CMP won the case and the guilty councillors were fired. Such activities can raise the profile of the NPA and the CMP while positive press coverage advertises the role. Of course, press releases from the NPA would be required for such a method to work effectively.

### **8.9.4 It might be best if the role of the CMP is further negotiated with and introduced to SAPS and Justice from National Level**

The CMP was in a situation without a clear identity—in fact, it was a role that *had to be constantly explained* at all sites. CMP Motaung ended up creating two new structures to try to build support and identity for the role but this also challenged the CPF (as happened at most sites initially):

The chair of the CPF thought I was coming to take their work by being involved directly with the community. They say I should have joined the CPF and followed their lead!

To resolve the misunderstanding with the CPF, the CMP sought help from senior members of SAPS (locally) who then introduced the CMP and smoothed relations. This happened at more than one site (e.g., Mamelodi).

The ideal solution is to work with SAPS from national level to introduce the new role and ensure support for it. An even stronger strategy is to work with both SAPS and Justice because a CMP associated with a court in the community will have even fewer problems

of this nature since a court gives a prosecutor a clear identity. Furthermore, Section 8.9.5 (immediately below) demonstrates that many crime problems (such as shebeens) must also be addressed and resolved in policies and partnerships at *national* level.

#### **8.9.5 The effective regulation of shebeens in peri-urban environments requires a national implementation strategy from the top levels of SAPS and the NPA**

The CMP in this area addressed the taverns but not the shebeens, which account for the greater part of the crime problem. In some other areas, the CMPs worked with shebeen owners to bring about greater regulation, a policy with which certain directors might not agree. It does not seem that a CMP at the level of a target site should decide on these kinds of issues and some national strategy, approach or policy is required.

The evaluation finding that is of relevance is that this is largely a peri-urban problem. Illegal taverns in the urban areas simply get shut down. However, most peri-urban environments are what one might call *post-apartheid frontier lands*: areas of new settlement under a process of transition toward greater regulation. This cannot be an overnight process and therefore in the evaluator's analysis, they do deserve to be treated differently as new and unregulated areas of settlement (e.g., half of Bohlokong is private land). Closing down shebeens and illegal businesses will most likely drive them underground and/or lead to resentment and protest because these are survivalist businesses. Furthermore, they arise owing to weak service delivery (e.g., a lack of parks, development, social centres, and recreational facilities) such that it is difficult to take draconian approach that lays blame on the owner and community. Nonetheless, those that are located inappropriately (next to schools) should be moved or closed down.

#### **8.9.6 CMP effectiveness requires building a structural link between community-based forums and those who deliver services**

Some mechanism is required to ensure that the community participates in decision-making on crime prevention issues. The CMP can act as an ombudsman to obtain a response by government departments to community-based issues but this should not

create dependency on the NPA for this role. A link or structure must be left behind owing to the work of the CMP—a community representative should be situated on a high-level body. An example of this can also be seen in the chapter on Siyahlala: a representative community member serves *with the CMP* on a more capacitated structure (to create a feedback loop between the two structures). A CMP can facilitate this representation without creating dependency on the NPA. It can also be accomplished without the need to create new structures but by simply advocating community representation on certain bodies concerned with crime prevention.

### **8.9.7 Strategic partnerships around clearly defined crime prevention problems is frequently more effective than attempting to focus large forums on particular crime problems**

Concerning strategy, the CMP said at the time of the baseline study:

I will meet informally with many individual stakeholders with no uniform strategy but one that focuses many role-players. I would be afraid to create a CMP committee but prefer to be specific about problems. We would give it a specific name for a specific task. To mix up all these different stakeholders can create delays and problems.

Upon analysis, there does appear to be some wisdom in this approach because to create new structures can challenge other stakeholders (e.g., NPA/CPF conflicts took place at various sites when CPF members feared the CMP was taking over their role).

Furthermore, one should start with community-based problems and then locate the departments and agencies that can help resolve the identified problems (i.e., ombudsmanship). To consult those in government positions about the problems without first consulting the community appears ‘backwards’ too and would result in a different process that is not community driven. Furthermore, the problems identified at service delivery level might also match the local priorities at the sites.

### **8.9.8 Support from the Chief Prosecutor can make or break effective community prosecutions**

Chief Prosecutor Sello Matlhoko championed the community prosecution project by ensuring that the CMP educated other prosecutors in the cluster about the effort. He then asked all prosecutors to undertake some form of community prosecution and then present the results at the cluster management meetings. This had impact and other prosecutors changed from sceptics to enthusiastic supporters. The opposite effect took place at sites where seniors were not so supportive or at least confused about the efficacy of community prosecution. This may be a fault with implementation (not adequately explaining the potential of the pilot programme to all managers) but does reveal how important such support is to the role. This means that implementation plans require a powerful strategy to sell the concept *within* the NPA.