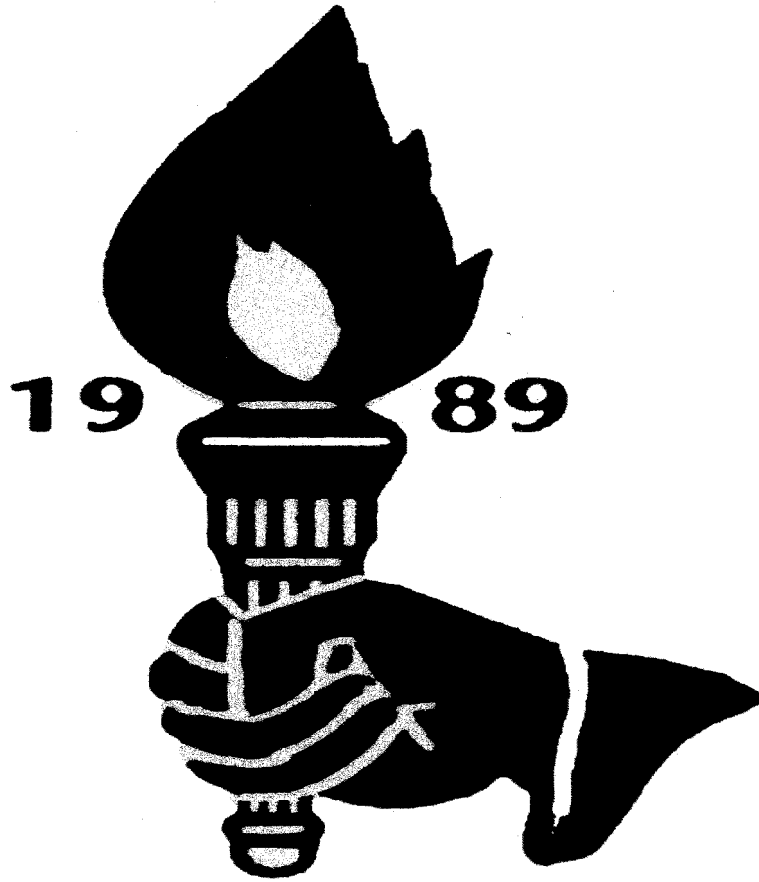


POPCRU



JUSTICE FOR ALL

POPCRU PRESENTATION IN ICRA CONFERENCE : INTERNATIONAL POLICING

1. Background

We welcome the platform to share on how far we have gone since emerging from the narrow and minimalist system of segregation and colonialism of a special type-Apartheid, which trapped our people into sub-human ill-treatment by few minorities in power. It was in 1989 that the African National Congress, a liberation organization in South Africa and the current party in Government tabled a document that elaborated on the systematic approach on the political and constitutional vision of a free, democratic and non-racial South Africa. Many will recall that POPCRU was born out of a protest by Police Officers in Strand, Western Cape after the then leader and pioneer, Cde Gregory Rockman in which police brutality was rife in particular against the African majority. It was unanimously agreed that "We in the African National Congress submit to the people of South Africa, and to all those throughout the world who wish to see an end to apartheid, our basic guidelines for the foundations of government in a post-apartheid South Africa. Extensive and democratic debate on these guidelines will mobilize the widest sections of our population to achieve agreement on how to put an end to the tyranny and oppression under which our people live, thus enabling them to lead normal and decent lives as free citizens in a free country" That finally resulted in what we call "1994 breakthrough". In which our citizenry for the first time we allowed to vote including our police men and women, correctional service officers and traffic officers, who we are organizing.

The immediate task of Government was to create a just and a democratic society that was to sweep away the centuries-old legacy of colonial conquest and white domination and abolish all laws that was imposing racial oppression and discrimination. In addition, the effects of racial domination and inequalities were to be overcome by constitutional provisions for corrective action which were to deliver redistribution of wealth and opening of opportunities for all. Promotion of the habits of non-racial and non-sexist thinking, practice of anti-racist behavior and the acquisition of genuinely shared patriotic consciousness. [**The Constitutional Guidelines for a Democratic South Africa, 1989**]

Amongst the other Reconstruction and Development Programme cornerstones was around the revitalization of the Labour Laws in the country. The new Labour Relations Act, amongst other things, entrenched the fundamental labour rights contained in the interim constitution, it established workplace forums for employee participation in decision-making, it established the Commission for Conciliation, Mediation and Arbitration, as well as the Labour Court, and regulated and promoted Collective Bargaining at the workplace and at sectoral level.

Another challenge was the restoration of a culture of Human Rights in our courts, a justice system that was to serve all the people of South Africa. When the new government took over in 1994, there were eleven Departments of Justice, a great disparity in court facilities between black and white areas. The courts were not representative of the population of

the country. While nearly half of South Africa's magistrates were black, most of these were in the former Bantustans areas. The Justice Department had therefore a major task to implement an affirmative action to turn the situation around. We were preoccupied with race and gender challenges. The same situation was vividly the same in the police departments. There was a problem around working conditions according to race and gender. Whilst there were also challenges of poor salaries, the major hiccup was around the rising levels of crime. Bail was granted too easily to perpetrators of crime and many people were not content with that state of affairs. Whilst we have respect for the independence of the courts, many became opposed to bail been granted for serious crimes.

In terms of the Constitution of the country; Chapter 2; Bill of Rights section [11] says "everyone has a right to life" including police officers who are playing an important role to amongst others "combat crime, prevent crime and maintain peace and stability", and we had such bad experiences during the Apartheid regime where men and women in blue were viewed because of militarist system that protected the policy of segregation and separate development as "targets". **Truth and Reconciliation Commission; Volume Five, Chapter Six on Findings in respect of the State** identified that "from the late 1970's, senior politicians-as well as police, national intelligence and defense force leaders-developed a strategy to deal with opposition to the government. This entailed, among other actions, the unlawful killing, within and beyond South Africa, of people whom they perceived as posing a significant challenge to the state's authority" [T&RC-129].

The illustration depicts an institutionalized [established practice] wiping [eliminating] of people that we still believe as POPCRU that organized crime syndicates still use such tricks. Their target becomes police officers who continues to investigate their cases amongst others on the capitalist greed, crass materialism and corruption

Concepts such as uitwis- [wipe out], elimineer vyandelike leiers- [eliminate enemy leaders] and verwyder- [remove/cause to disappear] were some of the commanders will utilize to undermine the human rights of those who are in opposition to their ideology and/or cause. However, the democratic dispensation ushered a new path in which policing was centred as a societal responsibility by all citizenry. The Community Policing Model made provision for civilian participation, and oversight to ensure that amongst others police officers do not abuse, misuse and over-use their powers in executing their constitutional responsibility to protect property and life. POPCRU has a contention that treacherous history cannot be forgotten and perhaps transformation needs to be accelerated so that we do not go back to that era.

The Government response to all the apartheid inflicted pains was followed by progressive policies that were aimed at ensuring service delivery is enhanced. In 1997, the White Paper on Transforming Public Service Delivery, popularly known as "Batho Pele" [People First] was issued. This policy was given teeth by Act 1 of 1999, the Public Finance Management Act, which required reporting on delivery as part of the fiscal accounting process.

The thrust of these documents was that the people of South Africa now “owned” the government and not the other way, and that the citizenry had the right to demand both courteous service and information on the way their taxes were being spent. These two rights are, of course, related-by forcing departments to account for the value produced by the funds they spend, and therefore departments were compelled to deliver the goods. We have indeed gone a long since the 1994 Democratic dispensation.

2. Our policing posture during the Apartheid Era and Post-Apartheid Era

In South Africa in 1978, a total police force of 35,019 members all handled just over a million offences plus an equal number of “infringements of the law” [mainly violations of apartheid segregation laws]. According to the Commissioner of those times, and of course, observers a disproportionate amount of police time was spent on enforcing the race laws, including a good deal of public order work and even counter-terrorist enforcement abroad. Discounting this fact and focusing only on the enforcement of comparable laws to those today, contemporary police members handle at least one third less crime per member than did their counterparts in the 1970s.

The systematic de-militarization of the police, [Resolutions of ANC Peace and Security Summit 31 August-01 September 1996] since the coming of democracy created amongst other the challenge of having more sworn personnel being assigned to the head office in Pretoria, most of whom are engaged in desk work than field duties. With the amalgamation of the various homeland police forces and South African Police [SAP] after the democratic dispensation, the newly South African Police Service [SAPS] had a record number of employees numbering 143 8000 in July 1995. Since then the number of SAPS employees decreased consistently from one year to the next. After 1994 many officers resigned and left the service. Currently we have 151,271 total number of police officers [excluding civilians] in the country [April 2010] offering services to around 47 849 800 [Mid-Year estimate for 2008: Statistics South Africa] citizens which entail nationally one [1] police officer is responsible for four hundred and twenty nine [429] citizens. The

POLICE POPULATION RATIOS

[A] Total Number Police Officers [excluding civilians]

151 271 as at April 2010

[B] Total Population

47 849 800 [Mid-Year estimate for 2008 - Source: Statistics South Africa]

(C) Ratio of Police Officers

Nationally	1 : 329 [1 police official for every 329 citizens]
Eastern Cape	1 : 404 [1 police official for every 404 citizens]
Free State	1 : 319 [1 police official for every 319 citizens]
Gauteng	1 : 304 [1 police official for every 304 citizens]
Kwazulu/Natal	1 : 464 [1 police official for every 464 citizens]
Limpopo	1 : 509 [1 police official for every 509 citizens]
Mpumalanga	1 : 406 [1 police official for every 406 citizens]

Northern Cape	1 : 195 [1 police official for every 195 citizens]
North West	1 : 409 [1 police official for every 409 citizens]
Western Cape	1 : 273 [1 police official for every 273 citizens]

International Comparisons point to an illustration that South Africa has a police population that matches most developed countries such Sweden with 16292 sworn police officials [2003 statistics], and a police population ratio of 1: 544 [Citizens per one police officer]. And Canada has a police population of 65000 sworn police officials [2007 Statistics], and a police population ration of 1: 492 [Citizens per one police officer]. Nationally, South Africa has a police population of one police official for every 329 citizens. What is a worrying development are the high statistics of violent crime as registered by the 2008/ 2009 Crime Statistics released by SAPS. It is negative development that as progressive Allies we need to condemn.

According to Crime Management Information of SAPS for 2008/ 2009, April 2008 to March 2009 has recorded 18 148 cases of murder 121 392 cases of robbery with aggravating circumstances 59 232 cases of common robbery, we had 14 915 of car hijacking in the same period. And the question is that where are our members in that regard? They are then caught in cross-fire and sometimes left vulnerable to even protect themselves. These illustrations of contact crime display vividly that violent crime is a problem in our country. According to the Centre for Security Studies, two reasons were cited as a cause for violent crime that "large numbers of young militants involved in liberation movements receive training, and weapons still continue to circulate creating all this gruesome acts, and another factor has to do with the ever-widening gap between the rich and poor. Frustration naturally leads to violence".

Natural attrition is about 5,000 members per year. While the number of anticipated recruits has been augmented, this year we have seen SAPS discontinuing with new intake and requesting former police officer to be available for re-enlisting. A move as POPCRU we are disputing on the basis that the majority resigned because they never had a hope for a newly elected Government and our contention is that their re-enlistment must be approached with the necessary attention it deserves. Many of these officials were doing private business with SAPS on the basis of their scarce skills that were acquired through the resources of government. It is our contention that the current police training colleges must be enhanced to accommodate more intakes. The Service is burdened with a range of responsibilities extraneous to its core functions and not tallied in the expectations of the South African public. There is an excess of management-level staff, many of who cannot be deployed to street duties.

3. The effects of policing around the world

- We have seen the launching of Southern African Development Community [SADC] Protocol on the control of firearms, ammunition and related materials aimed to ensure that the SADC Members co-operate on issues concerning firearms control in the region and was ratified by Parliament in 2003.

- Since the advent of democratic dispensation, South Africa has continued to become an International player around issues of policing. Recently SAPS met Interpol Major Events Support Team [IMEST] around the preparations of the FIFA 2010 World Cup in South Africa, which begins on 11 June. We are confident that South Africa will deliver an incident-free soccer festival. South Africa law enforcement officers already have direct access to INTERPOL's stolen and lost travel documents database-containing details of more than 11 million passport-enabling them to instantly check if any visitor entering the country is using a fraudulent document. INTERPOL has provided such assistance for a range of major events across the globe such as the Beijing Olympics, 2006 FIFA World Cup in Germany and the 2007 Cricket World Cup.
- Operational Response Services after the successful hosting of major events in the country such as Cricket World Cup, AIDS Conference and World Summit on Sustainable Development in Johannesburg through the provision of security for VIP's, medium-to high risk security, secured venues, screening of people and crowd management have manage to preserve our international reputation as a leader in the field of major event security. South Africa has since assisted with the security during the Cricket World Cup match in Nairobi, Kenya as a request done by the Kenyan government.
- South African Police Service played a prominent role in Regional and International policing organizations such as the Southern African Regional Police Chiefs Cooperation Organization [SARPCCO], consisting of police chiefs from 12 Southern African countries, launched several cross-border operations. These operations targeted mainly at motor vehicle theft and trafficking in drugs and firearms. And it resulted in successful seizures. And South was also recognised by the appointment of the then National Commissioner as Vice President of International Policing. [2002/2003 SAPS Annual Report]
- In addition to cooperation within SADC, Bilateral contacts were concluded with Nigeria, Rwanda and Egypt in addition to the multilateral agreement that forms the foundation of the SARPCCO.
- The following police co-operations were also concluded in the interests of preventing and combating of drugs and drug trafficking between South Africa, Brazil, Argentina and Chile. A Memorandum of Understanding in respect of the combating of drugs and drug trafficking was concluded with the Islamic Republic of Iran.
- The general police cooperation agreements with the Russian Federation, France, Hungary, and the People's Republic of China, Austria, Portugal, Turkey and Bulgaria are in existence.
- South Africa complies with the United Nations Convention against Transnational Organized Crimes as far as legislative requirements for criminalization of offences contained therein is concerned with participation in organized criminal groups, money laundering, corruption and obstruction of justice. [2008/ 2009 SAPS Annual Report].
- South Africa has established capacity to investigate and combat computer-related crimes. The Cyber Crime Unit of SAPS, for example, provides both reactive forensic and pro-active evidential intelligence services during the investigation of serious and organized crime. Computer and networks including Internet are the targets of an offence, e.g. damaging of computers, and South African has been assisting other countries such as Botswana. [2008/ 2009 SAPS Annual Report]

4. What opportunities are there for cross pollination?

On the basis of the above exposition, as POPCRU we are content that we have indeed come of the dark days which were characterized by “severe ill-treatment of any person by the police, cruel, inhuman and degrading on the basis of ideological differences and gross violation of human rights meted in particular the Africans due to laws of segregation”. However, it is prudent perhaps to outline that recently, we have been preoccupied with the re-militarization of the police service. A move as POPCRU we totally reject as it undermines the human right tenacity we have achieved in a period of sixteen years of democracy. Our view is that in a militarized system, civilian oversight on the work of the police will be de-linked to ensure that police officials do not abuse, over-use and mis-use their powers in executing their duties. We have a firm believe that Community Policing Model has made tremendous impact to enhance policing as a societal responsibility and not the work of police men and women. We wish to adjure all ICPRM Members to consolidate the utilization of such as these platforms to enhance our cross-pollination opportunities to make the world a better place to stay. In that attitude, we will be accelerating a revolutionary task of humanization of our people.

Lastly, on the month of March and April 2010, we conducted Collective Bargaining, Organizing and Leadership for both Lesotho Mounted Police Service Staff Association and Lesotho Correctional Service Staff Association and Swaziland Police Union and Swaziland Corrections Union as part of our revolutionary solidarity support to our fellow workers across our borders. We remain confident that such intervention will enhance the building of strong working class movements. We held successful talks in Malawi on the 27 – 29 April 2010 with Malawian Federation of Workers and we are content that we are going forward.

Conclusion

We would like to acknowledge the opportunity we were afforded to appraise the Conference that we have since made great strides. However human behavioural patterns have dictated otherwise. We recently convened Collective Bargaining Conference under the Theme “Striving for Quality living standards and Working Conditions through Effective Service Delivery”. The Conference was attended by all National, Provincial and local leaders, our Negotiators and representatives in all Collective Bargaining Councils and Sectoral Education and Training Authority [SETA's] and concluded that we have great strides to assert our influence and hegemony and recommits our role to mobilize our efforts deliver as per the aspirations of our membership. We remain confident that our police men and women uniform are aware of their calling to serve.

We have nothing to lose as workers but the chains that bind us. Workers of the world unite. On behalf of POPCRU Collective Leadership and our more 140 000 membership, we salute you all for your collegiality.

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General Secretary