Towards a New Approach:
Monitoring Metropolitan Police Departments by the
Gauteng Department for Community Safety

by

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Research report written for the Centre for the Study of Violence and Reconciliation, July 2006.

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Acknowledgements

Executive Summary

One of the key oversight responsibilities of the Gauteng Department of Community Safety is to monitor the effectiveness and efficiency of policing agencies in the province. This includes the monitoring of the three Metropolitan Police Departments (MPDs) that were established between 2001 and 2002.

As part of an initiative to assist the Gauteng Department of Community Safety to enhance civilian oversight of Metropolitan Police Departments in the province, the Criminal Justice Programme (CJP) at the Centre for the Study of Violence and Reconciliation (CSVR) undertook to draft this report that analyses the current information used to monitor the MPDs with a view to enhancing the Department's mandate. This report builds on the work CJP has done relating to police accountability in South Africa over the last few years.

It is understood that the police can play a fundamental role in the consolidation of democracy through providing services that enhance community safety. However, to achieve their legally prescribed mandates police agencies need to be able to account to elected representatives for the manner in which their resources are utilised. While this is a common concern in most democracies, there is wide variation in the manner in which this occurs. As not all attempts at overseeing police agencies have proven to be effective, this report seeks to draw out a number of key lessons from a review of recent international literature on police oversight and the monitoring of police performance.

One of the key points that emerged from the literature is that the specific activity of monitoring a police department requires that the oversight agency *collects empirical information on specific performance indicators over time*. Through assessing particular empirical performance indicators in relation to strategic priorities and resource distribution, civilian oversight bodies can establish whether or not police departments are performing effectively and efficiently.

Since the Metropolitan Police Departments (MPDs) operating in Gauteng were established three to four years ago, the Department of Community Safety has relied primarily on what has been termed 'Quarterly Reviews' to monitor these agencies. The 'Quarterly Review' consists of a meeting at which a verbal and visual presentation of information about the MPD is presented to the Member of the Provincial Executive Council for Community Safety (MEC) and senior departmental managers. 'Quarterly Review' reports, which contain both qualitative and quantitative information about the MPD, are also submitted to the MEC.

The purpose of this report is to analyse these 'Quarterly Review' reports with a view to establishing their utility for monitoring the effectiveness and efficiency of metropolitan policing in Gauteng. Given time and budget limitations, this report limited its focus to an analysis of the most recently available Quarterly Review reports at the time of writing - which were for the first quarter of 2005.

The reports revealed that each of the MPDs is involved in a large number of activities within their core mandates and have systems in place to provide useful information to present what is being undertaken. However, if one accepts that the monitoring function of

the Department should be to track key indicators of police performance (outputs) in order to assess effectiveness (impact) and efficiency (use and distribution of resources) over time, then a number of challenges with regard to the documented information need to be overcome. These challenges include the following:

- Clarifying the specific indicators against which information is provided to the Department. In each report there are ambiguous indicators against which quantitative and qualitative data is presented. Consequently, it is not always inherently clear what is being measured.
- Certain important information is absent in some or all of the reports. For example, information pertaining to budgets, income and expenditure, and to resources and their distribution.
- Strategic priorities are not clearly linked to objectives, targets, base-lines, outputs or outcomes.
- Each report provides different information about the MPD and is presented in different formats making meaningful comparisons between agencies difficult.

In order to enhance the capacity of the Department to monitor key performance indicators over time, there is a need to establish a database with which to capture quantitative information from each MPD. In this way, the Department will be able to assess key inputs (i.e. changes in the budgets of the MPD, or the employment of new policing strategies and tactics) in relation to key outputs (i.e. motor vehicle accident reduction, arrest rate, traffic fines collected, and by-law enforcement notices issued, etc.)

Monitoring police performance can be complex and difficult task. Police agencies are involved in a large number of activities and generate huge amounts of information. The nature of police work means that often the agency has to respond to crises situations or events beyond their control which can undermine carefully made plans or strategies. Moreover, much of what police officers do may have great social value but is not easily captured into data-based performance assessment systems. It is therefore suggested that the Department envisage the establishment and development of its monitoring function as a process that is undertaken in consultation with each MPD. In this way the Department will be able to identify which indicators are available and can be consistently applied across each MPD. This will also enable the Department to gain insight into innovative policing practices or information management systems within a particular MPD.

The concluding section of this report presents a number of key recommendations that could practically improve the ability of the Department to enhance its oversight function. The recommendations are contained under the following headings:

- Adopting a new approach to monitoring
- Developing a template for monitoring MPDs
- Conducting an analysis of available information for monitoring MPDs
- Establishing a data capturing and analysis system
- Coordinating provincial oversight

A draft template is attached in the appendix to this report that sets out a number of key indicators that could be used to consistently gather information from each of the MPDs, and that will allow for a better assessment of the performance of each agency in relation to

notions of effectiveness and efficiency.

1. Introduction

This report aims to assist the Gauteng Department of Community Safety (referred to in this report as 'the Department'), to enhance its oversight of the three Metropolitan Police Departments (MPDs) currently operating in Gauteng Province.

As the democratically elected representatives of the people of Gauteng, the Provincial Executive, through the Department of Community Safety, has a key role to play in promoting safety throughout the province. Section 206 of the Constitution stipulates that national policing policy be developed in line with the principle of cooperative governance through consultation with the provincial executive. The mandate to monitor police agencies and to assess their effectiveness and efficiency arises from section 206 (3) of the Constitution. This section provides that each province is entitled to:

1. Monitor police conduct
2. Oversee the effectiveness and efficiency of the police service, including receiving reports from the police service
3. Promote good relations between the police and the community
4. Assess the effectives of visible policing; and
5. Liaise with the cabinet member responsible for policing with respect to crime and policing in the province.

The Constitution uses the generic word 'police' when talking about the mandate of the Department of Community Safety, but since the Constitution envisages the establishment of municipal police services (Section 206(7)) it is clear that the provincial powers extend to them as well. Moreover, the South African Police Services Amendment Act of 1998,[1] the legislation that provided for the establishment of municipal police services, provides that the political provincial executive member responsible for policing has the responsibility for approving the applications from local governments that want to build their own police agency. It is clear therefore that provincial Departments of Community Safety have a role to play in overseeing the MPDs.

The Department of Community Safety has an executive oversight function over policing, in that it seeks to ensure that the police are adequately fulfilling their constitutional mandate as effectively and efficiently as possible.

Until 2001, the national South African Police Service (SAPS) was the only police agency in the province over which the Department had to exercise oversight. In April of that year, the Johannesburg Metropolitan Council established Gauteng's first metropolitan police service. In February 2002, the Metropolitan Councils of Tshwane and Ekurhuleni both followed suit and set up their own metropolitan police services. This brought the number of local police agencies over which the Department had to exercise oversight to three.[2]

Rauch, et al. (2001) explains that the main reasons for the establishment of local level police services were as follows:

- As a response to the increasing public pressure at local level to deal with growing levels of crime;
- The inability of local government to influence priorities, resourcing and activities of the SAPS in their areas;
- The lack of experience of how local government could respond to crime problems other than through policing and law enforcement. Since local government could not direct the activities of the SAPS, municipal policing became an attractive law enforcement alternative.

While the South African Police Service (SAPS) is a single national policing agency with jurisdiction over the entire country, local police services may only operate within the boundaries of the municipalities that have established them.

According to the SAPS Amendment Act of 1998, Metropolitan Police Departments (MPDs) have three core mandates. Namely: traffic-law enforcement, by-law enforcement and crime prevention. Currently, MPDs have fewer officials than the SAPS in the jurisdictions that they share. Also, MPD officials have fewer powers than SAPS members as they may not investigate crimes nor detain criminal suspects longer than it takes to hand them over to the SAPS.

As police agencies are established and funded by local government, the most direct oversight of metropolitan policing comes from City Council portfolio committees consisting of locally elected councilors. However, the SAPS Amendment Act of 1998 further stipulates that a specific Civilian Oversight Committee be established to broadly ensure transparency and accountability of MPDs. This committee may consist of people who are not elected councilors.

While the enabling legislation reflects a clear concern for the accountability of local level police departments, recent research has highlighted that oversight at local level is still relatively weak (Newham, 2004). This is largely as a result of the lack of expertise, experience and resources allocated to policing and community safety matters at this tier of government.

As will become apparent throughout this report, civilian oversight of policing can be a complex endeavor. International research has found that it is not uncommon for civilian oversight bodies to struggle to hold police agencies accountable or to direct reforms. At its least effective, civilian oversight achieves little more than a public relations-type exercise where police managers offer token assurances to the oversight structure (Finn, 2001; Walker, 2001; and Blumstein, 1999). At its most effective, however, civilian oversight can lead to a common understanding between political representatives and police management of the strengths and challenges facing police agencies. In an atmosphere of mutual respect and trust both parties are then able to use empirical assessments of police performance to ensure continual improvements in policing.

In order for this report to be of assistance to the Department in improving its monitoring of the MPDs, it seeks to accomplish the following key objectives:

- To extract important lessons from some of the recent international literature relating

to civilian oversight;
- To provide an assessment of the documented information provided by the MPDs to the Department with regards to its utility for monitoring the effectiveness and efficiency of the MPDs;
- To present recommendations as to practical initiatives that can be undertaken by the Department to improve its monitoring function of the MPDs;
- To present a draft template that can be used to frame the information that the Department receives from the MPDs in a manner that improves the monitoring of local level policing.

2. International Trends in Oversight of Police

One of the most vexing questions confronting many democratic governments is how to effectively ensure police accountability. It is for this reason that the South African Constitution has provided for a comprehensive legal and structural framework to promote civilian oversight of the police. However, it is one thing to establish structures that have responsibility for oversight of the police but quite another to ensure that the structures can undertake oversight in a manner that improves policing. This section briefly explores some of the key issues in police accountability and civilian oversight that have emerged from some of the more recent literature.

2.1 Police Operational Independence and Accountability

A fundamental responsibility of the state is to provide safety and security to its citizens and policing agencies are specifically established and resourced to carry out this fundamental responsibility. Police officials are typically given special legal powers, firearms, and specialised training to enforce various laws. It is the only state institution that has the legitimate use of non-negotiable lethal force to ensure that laws are adhered to. It is the state institution that can most immediately deprive people of their freedom and encroach on individual's private lives. Even the lowest ranking police officials possess these powers and have wide discretion as to when to apply these powers to enforce compliance with the law.

To ensure the appropriate application of police powers and to prevent abuse, policing throughout the world has increasingly become professionalized. Along with the increasing standardisation and regulation of policing, police recruits are expected to have higher levels of education and are better trained and resourced to ensure that operate within the bounds of the law. Similarly, police executives are expected to have higher levels of education and the ability to use research and analysis to 'increase their ability to make effective decisions' (Uchida, 1997, p. 33). In the past decade of police reform in South Africa these trends have also been somewhat evident.

In many countries the understanding of policing as a professional occupation has been coupled with a hesitancy towards allowing too much political or citizen interference in the operational side of policing. Walker (2001, p. 9), for instance, highlights how, throughout most of the nineteenth and twentieth centuries in the USA, political representatives have been a key source of police problems such as corruption. While primary responsibility for directing the police continues to fall on the shoulders of US mayors and council officials (in that they appoint police chiefs and control police budgets), it has been argued that 'politicians in the United States are very wary about being caught "meddling" in operational

matters' (Bayley, 1994, p. 55). It has also been recognised that even, '… those who are well intentioned lack expert knowledge about the very complex aspects of policing and police administration' (Walker, 2001, p. 9).

A principle that has emanated from the United Kingdom is that the police are accountable to the law and should not be interfered with by any political authority in terms of their operational expertise. This emphasises that the police are expected to remain politically impartial, which is vital for public confidence.

However, more recent thinking in the United Kingdom around police oversight explores the notion of 'operational responsibility' as opposed to 'operational independence'. 'Operational responsibility' means that while it is expected that police forces should be under the 'direction and control' of their chief officer and not politicians, police agencies still need to be accountable to the communities they serve. A consultation document published by the Home Office in November 2003, entitled *Policing: Building safer communities together*, highlights that

> 'The police exercise important powers and must be capable of being held to account for the way in which they are used. But more than this, chief officers should be accountable, and be seen to be accountable, for reform of the police service, the positive development of policing in general and working with police authorities in terms of the performance of their particular force. This is what we mean by *operational responsibility*' (Stenning, 2004, p. 27).

In his analysis of the notion of operational independence and accountability in police agencies in England, Wales, Ireland, Australia and New Zealand, Stenning demonstrates 'how much variability there is in these jurisdictions about the content, scope, application, acceptability and presumed implications of the idea' (2004, p. 79).

Stenning (2004, p. 80) highlights a further growing trend that emphasises the importance of transparency in the relationship between the executive government structures and the police. This includes measures requiring that any instructions or directives given to police commanders by elected political representatives be in writing and ultimately made public through reports to parliament. It is argued that this is the best way to build public confidence in the structures responsible for ensuring police oversight and accountability.

In his final analysis Stenning highlights how one discernable trend is that the 'implications of a more general public service reform are probably now having a much greater impact on the practical realities of the police-government relationship than purely legal doctrinal arguments.'(ibid)

The lesson that this presents for South Africa is that the legal frameworks provided by the constitution are unlikely to be the primary determinant for meaningful police oversight. It is more likely that the government will increasingly want to assess the 'value-for-money' it receives from the police and that this will create the driving force for improvements in civilian oversight.

2.2 Monitoring Police Conduct and Performance

While the credibility of the police ultimately depends on the extent to which people believe that they are able to deal effectively with crime and disorder, this does not mean that the police can do 'whatever it takes' to achieve these objectives. There is also a concern with how the police behave while they go about achieving these objectives. If the police are incompetent, brutal or corrupt, the general public will lose respect for them, and the extent to which the police can control crime or achieve any other objectives will be severely compromised.

For oversight structures then, the primary concerns must be twofold. Firstly, police agencies must be held accountable for their performance (the activities they undertake to achieve specified objectives), and secondly, police agencies must be held accountable for how they control officer conduct (how police officers generally behave).[3] These two components of police accountability in democracies have been termed the 'double demand'. 'Citizens demand that police protect them but do so only legally and respectfully' (Stone, 2004, p. 1).

This 'double demand' of police conduct and performance lies at the heart of civilian police oversight in any democracy.

2.2.1 Police performance

Police performance refers to the activities that the police undertake to achieve their constitutional mandate and policy objectives. Internationally, as governments demand that police budgets are used effectively and efficiently, the trend in police oversight has been increasingly linked to performance management. This implies that police departments should be able to record information about the strategies, activities, and resources involved, and then be able to demonstrate the impact of their activities on community safety and security.

As Blumstein (1999, p. 6) explains, 'Attributing changes to "better policing" without being able to identify what aspect of "better policing" to apply elsewhere to achieve comparable success, may have its political and public relations value, but does not directly improve the effectiveness of police management.'

Oversight bodies should therefore focus on ensuring that there are clear objectives, and that performance management systems are in place to reveal whether or not the objectives are being achieved.

However, as Alpert and Moore point out, 'The urgent need today in measuring police performance is to move away from a sterile conversation about performance measurement as an abstract technical problem and to understand it as a device that can be used managerially to shape the future of policing' (1997, p. 275).

2.2.2 Police conduct

Police conduct refers to how police officials behave while carrying out their duties. Since police work takes many lower ranking officers out of sight of their commanders, police

managers have largely to rely on complaints from members of the public to receive information about the types of misconduct and abuses of power that some of their officers are involved in. Police executive managers therefore need to:

- Take responsibility for ensuring that accessible and effective public complaint systems are in place;
- Clearly demonstrate that they have the will and capacity to deal with misconduct and corruption, even where public complaints have not been received;
- Demonstrate that all cases received are thoroughly investigated and that appropriate action is taken timeously where it is found that police officials are acting outside of the regulations and law.

A common practice in this regard is referred to as 'civilian review', which is defined as 'a procedure for providing input into the complaint [against police] process by individuals who are not sworn officers' (Walker, 2001, p. 5). The executive oversight responsibility here should be to ensure that police management is effectively held accountable for managing discipline and misconduct in their organisations.

2.3 Democratic Criteria for Oversight

Oversight bodies need to recognise their potentially crucial role in ensuring that the police agency functions in a democratic manner. Jones (2004, pp. 606-607) highlights that this can be achieved if the following seven 'democratic criteria' are used to assess frameworks of police governance:

1. *Equity*: police services should be distributed fairly between groups and individuals.
2. *Service delivery*: should be as effective and efficient as possible.
3. *Responsiveness*: the police needs to be responsive to the views of representative bodies in determining priorities, allocating resources and in choosing policing methods.
4. *Distribution of power*: the power to influence policing policy needs to be distributed across a number of institutions and agencies.
5. *Information*: there should be clear and accurate information available to relevant bodies and community groups about funding, expenditure, activities, and outputs of policing.
6. *Redress*: there should be effective means of redress for the unlawful or unreasonable behaviour of individual police officers.
7. *Participation*: as far as possible, citizens from all social groups should have the opportunities to participate in discussions on policing policy and have influence over police choices.

However, as Jones further points out, while all these criteria are considered essential for democratic policing various models will tend to prioritise certain values over others. He highlights that in the UK, 'Recent reforms have seen an almost overwhelming concern with the second element, service delivery, at the expense of concerns with factors such as participation and distribution of power' (Jones, 2003, p. 607). Limited space for public participation around policing policies make it less likely that policies will address concerns that the public may have about the police.

More recently, an exercise was undertaken to develop a framework for assessing police accountability in relation to democratic norms and values. This approach was less concerned with specific quantitative data than with developing a guide to focus oversight structures on certain areas of concern related to policing in a democracy. Based on a survey of a number of international initiatives to develop police indicators, Bruce and Neild (2005) outlined the following five key areas of concern in overseeing the police:

- Protecting democratic political life;
- Governance, accountability and transparency;
- Service delivery for safety, justice and security;
- Proper police conduct;
- Police as citizens (i.e. rights and working conditions of officers).

Within each of these five measures a series of questions are asked that, once answered, will begin to allow for a qualitative assessment of the extent to which a police agency is functioning in a manner which is appropriate to a democracy.

2.4 Effective Police Oversight and Monitoring

Following ten years of work on the subject of citizen oversight of the police, Walker (2001, pp. 181-182) argues that there are two basic points to be made about the role of oversight agencies. Firstly, a crucial distinction between effective and ineffective oversight agencies relates to the extent to which they have a clear vision of what they are trying to achieve. Secondly, effective oversight is more likely if the oversight agency monitors the police service.

Walker highlights that 'in many instances oversight agencies are ineffectual because of a lack of vision about the positive role that they can play.' In particular, oversight agencies need to understand what their purpose is in terms of serving communities' (2001, p. 182). Too often, says Walker, oversight bodies do not prioritise making information about police systems, procedures and activities accessible to the public. Consequently, members of the public cannot adequately support or assist oversight structures through providing meaningful feedback.

The Police Assessment Resource Centre (PARC) a well known policing research and analysis organisation in Los Angeles, United States, argues that the best way to decide which is the best model of civilian oversight for any police agency is to establish with some detail the key reason for any problems in the relationship between the police agency and the communities that it serves.

> [T]he police must enjoy the support and cooperation of all the communities they serve and protect. Intelligent oversight comes into play in maintaining or re-establishing that bond when it has become strained or broken. One must carefully examine the causes of distrust between various communities and the police, and the oversight mechanism selected must be tailored to those specific causes. In some cases, more than one oversight mechanism may be appropriate: for example, a mechanism that includes investigatory authority to assure the quality and integrity of investigations and an auditor to evaluate overall progress, detect chronic patterns and practices of police misconduct, and

identify systemic failures and how to remedy them. (PARC, 2005, pp. 31-32).

Moore (2003, pp. 11–12) argues that controlling crime is the primary reason why police agencies exist, however, 'to measure the value of the police only in this single dimension is to make a mistake'. He goes on to argue that the police produce many other types of value on society and that these need to be considered and suggests seven dimensions, 'each of which is meant to suggest a broad concept invoking some important dimension of value that can and should be used by citizens to evaluate their police departments' (Ibid, p. 17). These seven dimensions include:

1. Reducing crime and victimisation;
2. Call offenders to account;
3. Reduce fear and enhance personal security;
4. Ensure civility in public spaces (ordered liberty);
5. Use of force and authority fairly, efficiently and effectively;
6. Use of financial resources fairly, efficiently and effectively;
7. Quality of services and customer satisfaction.

Walker (2001, p. 183) argues that, 'The monitoring role of oversight is particularly important because it focuses on changing the police organisation' and that, 'Perhaps the most important monitoring activity is policy review.' He cites a number of oversight structures in the USA (such as those in San Francisco, San Diego, Portland) that send regular policy recommendations to the police agencies that they are responsible for.

While no single recommendation will make a large difference, over time the cumulative effect could lead to significant improvements. Equally important, such a process '… can change the organisational culture of a law enforcement agency, creating a climate of accountability in which the agency becomes accustomed to input from outsiders' (ibid).

In its assessment of citizen review models of oversight which focus mainly on police misconduct, the Police Assessment Resource Centre (PARC) explains the evaluative approach as follows (2005, p. 25):

> This model of oversight compares the performance of the Department over time and against other similarly situated law enforcement agencies. This oversight model is evaluative in the sense that the goal is to look at the Department in its entirety to make judgments over time regarding how well the Department minimizes the risk of police misconduct, identifies and corrects patterns and practices of unconstitutional and illegal behaviour, and finds solutions to systemic failures. This oversight model is performance-based because it examines how individual officers perform, how supervisors and executives respond, and how the institution as a whole manages the risk that its employees engage in unconstitutional or illegal behaviour.

In order for this type of oversight to work it needs to be particularly specialised. Policy recommendations cannot be made unless they are developed from a position of insight and expertise in the field of managing police organisations. However, this does not mean that such expertise is solely managerialist (that is - looking at systems without an understanding

of the broader political and social context). As highlighted above, the focus on performance must not be too narrowly prescribed as to focus only on specific statistical indicators at the expense of the overall ethos and culture of the organisation.

For this purpose, effective oversight requires an attitude and working relationship of mutual respect and cooperation between police management and the oversight body (Walker, 2001). As both structures seek to achieve the objectives of the constitution and government policy, it is important that they are able to work together. The police agency needs to recognise the importance of the role that oversight structures can play in providing constructive recommendations and promoting public support. The oversight structure on the other hand, needs to recognise the important role of the law enforcement agency in promoting public safety and the real challenges facing police managers and staff in achieving this task. Such a relationship would also foster a clearer understanding and vision of the vision of policing in a democracy.

Bayley (1994, p. 155) argues that police accountability, 'is best obtained through open processes of evaluation, not through directed policies.' In other words, civilians should not spend time directing the police on what to do as they rarely have the necessary policing expertise. Rather, public representatives should ensure transparency and accountability of the police through establishing effective and reliable monitoring systems. Empirical data on police performance should be the basis on which success or failure is assessed and discussed. If the data suggests that the police agency is not performing well in certain areas then police commanders should be asked to explain why and how they intend to rectify the situation. Such an approach signals to both the police and the public that the government takes the issue of police professionalism and reform seriously.

2.5 Using Statistics

There is much literature on the subject of using statistics as key indicators for police monitoring and performance. The Chief of the New York City Police Department used a statistically-based management system to drive what has been generally acknowledged as a successful reform process during the early 1990's (Silverman, 1999). The monitoring system was called 'Compstat' (which was short for 'compare statistics'). In essence local police commanders were regularly called to give account for changes in key performance areas, for example, around specific crime categories, arrest and seizure rates. While demonstrating how the use of police statistics can be a powerful tool to drive police reform and improve policing generally, Silverman (1999, p. 201) cautions that, 'Compstat has had a successful run. But no show runs forever … Without an aggressive drive to find new solutions and innovations to old problems, Compstat will become static, and reform will dwindle.'

Clearly, any statistical performance-based approach will need to regularly revisit the indicators to ensure that they are appropriate as circumstances and priorities change. This has also been recognised in the UK where a significant amount of work has been put into improving systems for measuring the performance of its various policing agencies. Long (2004) outlines the historical processes that have led to increased managerialism and the development of sophisticated performance measurement systems. Even in this situation the process has not led to a single and absolute template for monitoring police performance.

A key lesson from these examples is that police monitoring needs to be seen as an evolving process. None of these systems were adopted overnight and all required strong political will to implement. Typically, the political will emerged as part of a move to address inefficiencies in government and to ensure better value for money spent on policing. In all cases hard data in the form of quantitative statistics are used to assess the performance of the police agency over time. This means that key performance indicators are identified and statistics for these indicators collected and analysed regularly.

Moreover, given the large number of activities that police agencies are involved in, it is not possible to monitor everything all the time. Rather, oversight structures could monitor general aspects related to the agency over time (those related to core mandates) but could focus on specific issues as necessary. A practical example of this comes from the Los Angeles Police Department (LAPD) which was subject to the independent monitoring of police related killings and officer deaths. Over the period from 1991 to 2000 police killing dropped by 70 percent. It was clear that the reduction in deaths was as a result of improved police safety practices rather than a withdrawal of police officers from engagements with criminal suspects (which is a common police response to high police death rates). This was proven because ongoing monitoring by the oversight body of the arrest rate of criminal suspects demonstrated that arrests had remained constant during this period (Bobb, 2003, p. 14).

3. An Overview of the Provincial Oversight of Metropolitan Police Departments in Gauteng

Once the MPDs had been established in 2001 and 2002, the Gauteng Department of Safety and Liaison (GDSL) - as it was then known - sought to fulfil its monitoring role through a series of regular briefings called 'Quarterly Reviews'. The idea was that at the end of every quarter, a meeting would be held at which the provincial and area commanders of the SAPS, along with the senior management teams of each of the MPDs, would present a report to the MEC and the heads of the various programmes of the GDSL. Each of the MPDs was also expected to compile a written report that detailed the agency's achievements for that particular quarter.

One of the first challenges to this approach was that the GDSL and the various policing agencies struggled to ensure that these meetings would take place each quarter. The heavy workloads of the managers involved contributed to this difficulty.

The national elections in April of 2004, and the change of political leadership, interrupted the process with the result that there were no review meetings for approximately one year. A two-day meeting was then held in April 2005 with the newly appointed MEC, and the newly named Department of Community Safety. At this meeting each MPD presented the MEC and department heads with its 'Quarterly Review Report' for January to March 2005.

3.1 An Analysis of the MPD reports

This section contains a brief descriptive and analytical overview of each of the three MPD 'Quarterly Reports' presented to the MEC during the review meeting held in April 2005. As these reports are the only documentation that the Department currently receives from the MPDs, they play a crucial role in monitoring the agencies. This section assesses the extent

to which the data provided in the reports are adequate for monitoring police performance and conduct.

The critique of these reports is not in any way a critique on the performance of the MPD agencies. Rather, the focus here is on the extent to which the Department can use the data provided in the reports to make a meaningful assessment of the effectiveness and efficiency of the performance of the MPD.

Due to the substantial length of the reports not all the information or statistics presented are analysed here. Instead, the focus is primarily on the three core mandates of MPDs, and on any information relating to the systems for dealing with police conduct.

3.1.1 The Ekurhuleni Metropolitan Police Department report

The Ekurhuleni Metropolitan Police Department (EMPD) report[4] consists of 52 pages, of which five pages contain statistics relating to its three core mandates and one page relating to police conduct. Only a small proportion of the report relates to the Department of Community Safety's interest in the effectiveness of this MPDs service delivery of its three core mandates or the conduct of its members.

Traffic Law Enforcement

Statistics relating to traffic law enforcement are presented in a single table in which 28 categories of traffic related activities are listed. Some categories are related to traffic law violations (for example, talking on cell phones, not having drivers licences, speed violations, etc) and other categories are not violations (such as, 'escorts', 'vehicles discontinued, 'accidents').

It is not clear what the figures in each category represents (whether it is incidents counted, warnings issued, fines issued, etc). For example, the figure provided in the category 'Escorts' presents an average of 242 per month between January to March 2005. No information is provided as to whether this figure refers to the number of escorts undertaken by the EMPD or if it refers to the number of personnel involved in escorts per month.

There is no link between specific traffic law-enforcement objectives such as, reduction in fatal accidents or the reduction in reckless driving, and the figures provided. Therefore the report does not allow for an assessment of whether the traffic law enforcement activities being undertaken are having any broader traffic safety impact.

While the report makes an assertion that its traffic law enforcement activities assist in crime prevention no indication is given as to the extent that this is actually the case (i.e. numbers of criminal suspects identified and arrested, or number of stolen goods retrieved through traffic law-enforcement activities).

By-law Enforcement

With regards to by-law enforcement the statistics are provided in two tables. The first table provides seven broadly descriptive categories, with figures related to each category. Once again there is no information provided explaining what each of the statistics provided refers to. For example, whether the statistics refer to numbers of public complaints of by-law

violations received or the numbers of notices issued per category.

The figures for each category are then added up and provided as a monthly total. However, the figures in each category appear to refer to different variables. For example, the category 'posters' appears to refer to the numbers of illegal posters removed, whereas 'dog complaints' appears to refer to the numbers of complaints relating to dogs attended to, and 'dumping' appears to refers to the numbers of fines issued for illegal dumping. Once again the links are not made between the figures provided and any clear objectives with regards to the by-law enforcement mandate.

Crime Prevention
The 'crime prevention' statistics are provided in two separate tables. The first table refers to 'Crime Prevention Arrests.' The table consists of 27 descriptive categories referring to different types of crime (e.g. armed robbery, rape, murder, etc). There is no information provided as to the outcomes of arrests in terms of the impact on the arrested suspect (whether cases were opened, referred to court, or resulted in withdrawals or convictions).

While it is relatively clear what each crime category refers to, there is an unexplained dramatic increase of over 1 700 percent in the numbers of arrests, from a total of 135 in January 2005 to a total of 2 450 in March 2005. This increase can be attributed to the category 'warrants of arrest' in which the total number of arrests increased from 0 in January to 2328 in March 2005. The 'warrants of arrests' category does not specify the type of crime that citizens are being arrested for. However, given the large numbers involved it can be surmised that these arrests are of people who have failed to pay traffic fines and were later arrested for being in 'contempt of court'. If this is the case then these figures should rather be attributed to the traffic law enforcement function rather than crime prevention.

The table entitled 'Crime Prevention – Recoveries' consists of four categories including 'stolen firearms recovered'; 'stolen motor vehicles recovered'; 'value of stolen goods recovered (not vehicles)'; and 'value of narcotics recovered.' No explanations are presented for the dramatic fluctuations in the value of goods seized (e.g. from R41,148. in February to R2,000,000 in March 2005.) No explanations are given for the constant zero rand value in respect of narcotics recovered, although it is reported that a total of 14 suspects were arrested for possession of narcotics in this time period. Once again no links are provided between the statistics presented in these tables and strategic objectives of the EMPD.

Although the report provides information on two special operations during which criminal suspects were arrested, firearms seized and stolen goods recovered, there is no information as to the dates or duration of these operations, nor is there information on the police resources utilised during these operations.

The report presents ten pages of 'Special Projects' to be undertaken in 'Strategic Priority Areas'. Most of these projects are arguably related to the crime prevention mandate and are part of the agency's 'social crime prevention' focus area as they include: launch of the School Safety Programme; Community Safety Forum; the Demilitarisation Programme; launch of the City Safety Strategy; Safety Homes for Street Kids; and Child Prostitution. The tables provide columns with brief project descriptions, total budgets per project, the intended broad impact on the community and time frames. Specific performance indicators,

as in measurable targets for these projects, are not provided. Neither is information provided as to the extent to which these projects have been completed or were successful in achieving their objectives during the reporting period.

Police Misconduct

The report includes a specific focus on police misconduct and some statistics are presented under the heading 'Integrity & Standards (stats)'. The table reveals that over the three month review period, a total of 104 cases against EMPD officers were handled. The table provides a monthly breakdown of the following descriptive categories: 'General misconduct' (38 cases); serious misconduct' (36 cases); corruption (5 cases); and accidents involving officers (25 cases). No further information is given as to the types of misconduct being committed (absenteeism, insubordination, assault, theft, etc.).

The report (under the heading 'Challenges'), states that 'Complaints against officers who accept bribes and/or commit corruption remains a cause for concern' However, the report indicates that only five cases of corruption were handled during the three month period. This suggests that the figure presented in the table does not reflect all the complaints that the organisation has received about corruption, as less than two cases a month would not in of itself reflect a serious problem. Any expression of such a concern should be accompanied by an empirical indicator that supports the challenge identified. For both management and monitoring purposes, the indicator can then become the basis against which to assess the relative seriousness of the challenge and the effectiveness or otherwise of interventions to address it.

Two rows of monthly figures are presented at the bottom of the table, including the number of 'cases finalised' (84 cases) and 'cases pending' (16 cases). However, no information is given as to the outcomes of the cases finalised (i.e. found to be unsubstantiated, withdrawn, disciplinary steps taken and sanctions, or criminal charges opened). The report therefore provides no indication of the effectiveness of the internal disciplinary and other systems in dealing with complaints against police officers.

3.1.2 The Tshwane Metropolitan Police Service Report

The Tshwane Metropolitan Police Service (TMPS) Quarterly Review report deals with an eight month period from July 2004 to March 2005.[5] The 24 page report is divided into a number of distinct sections. The first section presents the vision, mission and organisational organogram (consisting of 5 pages.) This is followed by a section containing information on resources, including a table of the workforce profile (along race and gender by 'non-operational' and 'operational employees' and by 'permanent' and 'non-permanent' staff members). No information is provided as to how these employees are organised within the TMPS (traffic enforcement, crime prevention, etc), nor is the proportion of management to ordinary officials given.

A table presents the numeric size of the vehicle fleet - 503 vehicles of which 421 are used for policing activities (categorised between pro-active and reactive policing). The next section consists of a table outlining the budget of the TMPS. The line-items are not presented clearly and would require further narrative explanation if the reader were to understand them fully.

The bulk of the report is entitled 'Balance scorecard/ Performance management' (12 pages). This consists of nine distinct 'key performance areas' (KPAs) including sections on: policing services; licence services; inner-city regeneration; to ensure a safe and secure environment; and sound financial management. Each KPA lists a number of Key Performance Indicators (KPIs). Under each KPI there are a series of columns outlining the 'target per annum'; actual performance for each quarter; the accumulated progress for the previous three quarters; and a column to explain the 'deviations and corrective initiatives' taken. The statistics presented in the 'balance scorecard' are not always clearly linked to the core mandates. In some instances the KPIs are unclear.

Traffic-Law Enforcement
The report outlines clear indicators related to traffic-law enforcement. The following tables are examples of the information presented.

Table 1: 'Perspective: Customer. Key Performance Area: Policing Services.'

KPI	Target per annum	Actual performance July to Sept 2004	Actual Performance Oct to Dec 2004	Actual Performance Jan to March 2005	Accumulated progress 1 July 04 to 31 March 05
The % of reducing accidents at the 20 top priority locations based on 2003/ 2004 figures.	-5% by June 05 (5% each quarter)	+0,26%	Information not available	Information not available	Information not available

The reason given as to the variance between the target and performance is: 'the Accident Information Centre being six months in arrears with capturing accident information due to severe personnel shortage.'

Table 2: Perspective: Customer. KPA: To ensure a safe and secure environment

KPI	Target per annum	Actual Performance July to Sept 2004	Actual Performance Oct to Dec 2004	Actual Performance Jan to March 2005	Accumulated Progress 1 July 04 to 31 March 05
Number of law enforcement notices	800 000 by June 05	228 240	160 672	135 535	524 447

The report cites the reason for the variance between the target and performance as being that the contract with the service provider was terminated and that the TMPS was in the

process of procuring its own equipment. While this information is helpful, it is not sufficient to give one a true understanding of the nature of the work. Given the large number of law enforcement notices being issued, a breakdown of what the notices are being issued for should also be provided. This would reveal what types of traffic law enforcement measures are taking place and to what extent automated speed cameras are contributing to these figures as opposed to proactive traffic law-enforcement activities (e.g. pulling over and issuing a fine to a reckless driver).

The balance scorecard provides us with some information to assess performance in relation to specific targets and time frames. This could provide a useful basis for the Department to monitor the MPD over time. Moreover, the objectives are in line with broader community safety concerns (i.e. reduction in road accidents). However, since the report does not provide detailed information on such issues as to whether or not accident reductions happened at the identified 'hot spots' (the performance in the first quarter where statistics were available actually shows an increase in accidents), it is impossible to know whether or not the strategy of issuing notices is having any effect.

By-law Enforcement
There are a number of tables that provide statistical information related to the by-law enforcement mandate. The table below provides an example of how this information is presented in the report.

Table 3: KPI: Enforcement of City by-laws

KPI	Target per annum	Actual Performance July to Sept 2004	Actual Performance Oct to Dec 2004	Actual Performance Jan to March 2005	Accumulated Progress 1 July 04 to 31 March 05
'The % increase in the number of by-law policing actions (operations, transgressions, OTR notices and/or arrests) based on 2003/ 2004 figures subject to turning point of by-law transgressions.'	20% by June 05 (20% each quarter)	28,5%	72%	56%	52,16%

In the absence of any further information provided in the report this table is difficult to decipher. The percentages provided appear to represent the change in the overall numbers of policing activities (referred to as 'actions') related to the by-law enforcement of the TMPD. However, as four different types of activities are being referred to within a single percentage, it is not possible to know what is changing over time (i.e. numbers of

operations, or numbers of transgressions, etc).

The KPI contained in the table above is also confusing and ambiguous. It is not clear what is meant by the 'turning point of by-law transgressions'. Whether this refers to the number of by-law transgressions reported to the MPD by members of the public, or whether it refers to the number of by-law transgressions *identified* by MPD officers while out on patrol? This is an important distinction as the former measures police service delivery in terms of responsiveness to community reporting. The latter measures the extent to which MPD officers have knowledge and capacity to identify and act on by-law transgressions while out in the community.

For monitoring purposes it is important that the KPI's make complete sense to the Department. They must therefore be written in a manner in which its meaning is completely clear and leaves no room for interpretation.

Crime Prevention

Table 4

KPI	Target per annum	Actual Performance July to Sept 2004	Actual Performance Oct to Dec 2004	Actual Performance Jan to March 2005	Accumulated Progress 1 July 04 to 31 March 05
The % containing the growth in the incidents of crime, based on 2002/3 incidents amounting to 550 000	+3.1% increase allowed by June 05 (+3.1% each quarter)	-0,17% decrease	-0,15% decrease	Information will be available at the end of April	-0,16%

The TMPS uses the overall crime rate as a performance indicator and allows for a 3.1% increase in crime to have occurred by June 2005. Given that the mandate of the organisation is the prevention of crime, this appears to be an unusual indicator in the absence of any further information as to why it was chosen. If the previous annual crime rate had been increasing by an amount larger than 3.1% per annum, then this could make sense.

While it is necessary to track crime statistics to identify crime trends and patterns throughout a policing jurisdiction, it is important to note that crime statistics are not a good indicator of police performance. The Police Chief who was head of the New York City Police Department during the period that saw a substantial decrease in the city's crime rate, William Bratton, strongly argues that:

> Police effort alone cannot keep people from becoming criminals or control the social and demographic forces that, according to many criminologists, engender

criminal activities … Crime is pulled by an engine of social and demographic trends … Police activities have little or no appreciable effect on crime, despite public ideology and political rhetoric periodically mustered to justify larger police budgets and staffing increases (cited in Blumenthal, 1999, p. 17).

In order to establish whether the activities of a police agency have indeed contributed towards the reduction of crime, the following factors should be taken into account:

- The specific crime category should be identified. This is because different crimes such as street robbery and vehicle theft, or hijacking will require different policing strategies to murder or rape, as they are usually driven by different motivating factors. The police need to be able to explain how their activities impact on a specific crime.
- A specific geographic area needs to be clearly identified. The larger the area the less likely the police can have a meaningful effect on a given crime. Rather, crime hotspots need to be identified (i.e. certain neighbourhoods, inner-city districts etc), the crime types disaggregated (armed robbery, car hijacking, rape, etc.), and then targeted police strategies employed.
- A clear time frame needs to be identified against which the assessment will be undertaken.
- Baseline figures must be provided for incidents of the specific crime category selected and monitored over a specified time period (i.e. July to September) in the geographic location concerned.

Each quarterly report should then present the crime recorded in the hot-spots during or following police interventions. These may then be measured against the baseline that was established. This will provide a more accurate picture of police performance in relation to crime prevention.

A further KPI listed in the report in relation to the crime prevention mandate was the 'number of projects to address priority crimes'. Here, the target was given as four, but it was reported that the performance was one project. No other detail was provided. This clearly provides insufficient information. Instead, the effectiveness of such projects should be evaluated against the specific objectives, and impact against resources allocated. From such an analysis it may be apparent that one successful project may be better than four unsuccessful projects.

Similarly, another KPI refers to the 'number of educational and awareness projects'. Here, the target of 30 was almost fully achieved by the third quarter. However, a numeric count of activities fails to provide an assessment of impact. Rather, one could look at other measures of performance, such as whether there is an increase in the proportion of the target group who are subsequently aware of the telephone number following an awareness campaign. This could perhaps be achieved through measuring the number of calls made to this number.

Police Misconduct
No information was provided relating to any complaints received or action taken against TMPS personnel.

3.1.3 The Johannesburg Metropolitan Police Department Report

The Johannesburg Metropolitan Police Department (JMPD) report deals with the period January to March 2005.[6] The 28 page report contains information on the JMPD and the jurisdiction within which it operates. The first three pages, headed 'Business Focus', sets out the vision, mission, core business areas, and the JMPD's role in the Johannesburg City Safety strategy.

The remainder of the report focuses on the organisational capacity, structure and achievements of the JMPD. An organogram is provided along with a broad physical profile of the JMPD jurisdiction and a map indicating the geographical area and SAPS precinct boundaries. A broad breakdown of the staff complement is set out in a graph, as is a breakdown of some of the JMPD equipment and resources (i.e. firearms, bullet proof vests, speed cameras, etc). Further statistics are provided on the number and types of firearms and vehicles. Three pages of narrative and statistical information refer to training and development initiatives that have been undertaken.

Under the heading of 'Operational Achievements', the reports dedicates one page to the following three mandates.

Traffic-Law Enforcement
The only statistic provided in relation to traffic law enforcement is the total of '623 314 cases relating to road traffic enforcement (this includes the issue of citations and effective arrests) that were attended to in the three month period.' The only other information provided is that there are four traffic courts and that 16 JMPD prosecutors have been trained. No information as to the productivity of the courts is provided.

By-law Enforcement
Again, only a single statistic is provided. The narrative states, 'The Department enforced 26 402 contraventions of Council by-laws, this included illegal posters, vagrancy, illegal land occupation, urban control, illegal dumping, etc.' The only other information provided is that a municipal court had been established and two further courts were being conceptualised.

Crime Prevention
Similarly, a single figure under the heading crime prevention is provided. This merely states that over the three-month period 1 212 arrests were affected. The only other information is that a communication system had been implemented that allows for the JMPD and SAPS call centres to communicate directly, allowing for 'greater possibilities for effective collaboration and efficiencies in implementing crime prevention initiatives.'

Police Misconduct
Two tables are provided with information relating to JMPD officer conduct. The first table provides a breakdown of the 165 complaints it received between January to March 2005. There are 12 descriptive categories of which 79 cases (48%) are classified as 'conduct unbecoming.' The next highest number of complaints 31 cases (19%) are of 'fraud and corruption', followed by 20 cases of negligence (12%) and then 15 cases of bribery (9%).

Another table provides a breakdown of the numbers of cases that have been investigated

and finalised. A total of 134 cases were finalised and placed in eight different categories. The single highest outcome is that cases are withdrawn, which happened in 63 (47%) cases. There is no information on the reason for withdrawal, or why so many cases were withdrawn. The next highest category is described as 'referrals' (of 37 cases), presumably to another agency for investigation (i.e. the SAPS or ICD). Of the remaining cases, seven were substantiated and 17 were unsubstantiated, three were classified as 'duplicate files and seven were temporarily closed'. None of these cases resulted in a dismissal or a written warning. From the information in the report, it appears that no disciplinary sanctions followed the finalisation of 134 cases.

As no other information is provided it is impossible to tell from the report whether the internal systems for dealing with public complaints and officer discipline are working effectively or not.

3.2 Key Shortcomings of the MPD Quarterly Review Reports

Following an analysis of the three latest available MPD quarterly reports to the Gauteng MEC for Community Safety, it appears as if these agencies are involved in a large variety of activities and to varying degrees have systems in place that allow them to capture data on these activities. It can be assumed that the management and personnel of these agencies want to achieve their vision and mission statements. However, it is not clear from the reports what is really being achieved in line with core mandates and in relation to the budgets.

In order for the Provincial Department to better fulfil its oversight role with regards to assessing the effectiveness and efficiency of the service delivery of these police agencies, or the conduct of their members, further information is needed. The shortcomings of the reports for the Department's ability to monitor the MPDs in Gauteng will be briefly described.

3.2.1 Objectives and Performance Indicators

A general shortcoming in the reports is the absence of clear objectives that can be linked to the vision and mission. The TMPS was the only agency that presented targeted objectives that could be linked to enhancing community safety (i.e. the percentage reduction in the number of traffic accidents). Even then, much of the scorecard focused on numbers of outputs (i.e. numbers of operations, notices issued, etc.) as opposed to indicators of community safety (such as a reduction in road fatalities, or a reduction of by-law infringements). Similarly, the other two MPDs counted numbers of arrests, notices and fines issued. While these demonstrate that these agencies are hard at work, it does not provide information as to whether or not resources are being effectively utilised to achieve key objectives relating to community safety.

For example, indicators for traffic-law enforcement should include broad objectives such as 'enhancing road safety through targeted traffic law enforcement'. Specific objectives should then be defined as 'reducing the number of accidents in identified hot-spots'. After careful research and an analysis of why certain hot-spots have more accidents than other areas, each hot-spot needs to be listed and the primary causes identified (e.g. speeding, road conditions, or drinking and driving, or reckless driving). A number of traffic-law

enforcement operations or other appropriate interventions then need to be conducted targeting these hot-spots within a specific time period. If accidents are reduced during or following interventions, then clear links can be made between the stated objective, the resources allocated, the methods used and the measured outcome achieved.

The reports also lack information as to the amount of resources that are being utilised towards achieving objectives in each of the mandates. Without such information it is impossible for the Department to assess whether or not the MPDs are being effective or efficient in their performance. For example, if an objective was to improve road safety through targeted and random patrols, then the number of patrol vehicles and officers tasked with improving road safety, and hours worked per month needs to be presented. Monthly totals of notices issued for a range of specific traffic law violations (i.e. reckless driving, speeding, overloading, cell-phone use, etc.) could then be correlated with the resources allocated. This would then highlight the extent to which changes were due to increased or decreased compliance with traffic regulations or largely a result of shifting resource allocations. Reductions in notices issued for traffic violations where resource allocations remained constant could then be measured against other impact indicators (i.e. reduction in accidents), to establish whether road safety was indeed being enhanced.

All three MPD reports emphasised the notion of partnership with other role-players or stakeholders. At some point in the reports, mention is made of the following types of initiatives: joint operations with the SAPS; memorandums of understanding; and 'social crime prevention' initiatives that often consist of education and awareness programmes. Ideally, information on the budget and resources used for such programmes and the intended objectives with measurable outcomes should be included in the reports.

3.2.2 Public Complaints and Police Conduct

Citizens concerns and experiences of abuses of police powers tend to undermine overall community police relationships and therefore the ability of police agencies to effectively achieve their community safety objectives. For this reason, oversight concerns internationally have primarily focused on tackling police officer abuse. This was also the case in South Africa, especially during the initial period following the birth of our democracy.

The Constitution makes specific reference to the role of provincial secretariats investigating any breakdown of community police relations, and the investigation of police misconduct or offences. However, subsequent legislation does not provide secretariats with the necessary powers to investigate specific incidents. Rather, secretariats can embark on fact finding exercises and analyse data supplied by the police in order to reach decisions that relate to the policing needs and priorities of the province.

The Constitution called for a separate body to investigate alleged cases of police misconduct or offence committed by a police official. Towards this end the Independent Complaints Directorate (ICD) was established and given the necessary investigative powers. However, the ICD has inadequate numbers of investigators to deal with the numbers of complaints generated by both the SAPS and all MPDs (roughly 160 000 police officials). The capacity constraint is apparent when one considers that during 2003/2004 the ICD received a total of 5 906 cases. While in the same period the SAPS reported a total of

21 283 cases received through only two of its complaints telephone hotlines (SAPS, 2004, p. 134).

Nevertheless, it is generally accepted that external agencies can never be as effective in investigating police misconduct as well-resourced and supported internal investigation structures. Police management has to take responsibility for ensuring discipline in a police agency and clearly demonstrate the acceptance of this responsibility by:

- ensuring that effective and accessible public complaints systems are in place;
- that thorough investigations take place when allegations are made;
- that the appropriate disciplinary or criminal action is taken where evidence against officers emerges.

The role of local, provincial and national police accountability bodies headed by elected representatives is to ensure that police management demonstrate their commitment towards improving police discipline and tackling police officer abuses through ensuring that effective internal disciplinary systems and internal investigation units are in place.

However, it was a positive sign in the quarterly reviews that the MPDs have some dedicated internal investigative and disciplinary capacity to deal with officer misconduct. Two of the reports presented some statistical information relating to the numbers of cases of misconduct opened and finalised. However, only the JMPD presented data as to the outcomes of these cases. Unfortunately, from the information provided it appeared as if no officer received any disciplinary sanctions following the investigation of 136 complaints received over the three-month review period. This indicator provides a basis for external oversight agencies to examine whether the systems and processes being used are effective or not.

3.3.3 Comparability

Each report contains different information that is presented in very different formats. This makes it impossible for the Department to use the reports to compare one agency's performance against another - an exercise which could allow for the identification of best practices.

However, any exercise to compare the performance of each to the MPDs must be undertaken carefully. This is because each agency has unique characteristics, with differing numbers of personnel, budget allocations, resources and geographic areas to cover. The table below outlines these differences (Newham, 2004).[7]

Table 5: Overview of Gauteng MPD Resources and Jurisdictions as of 2004

Agency	Budget	Operational Personnel	Vehicles	Area	Population
EMPD	R262 million	719	Not available	8 200 km^2	2.4 million

| TMPS | R347 million | 787 | 450 | 2292 km^2 | 1.8 million |
| JMPD | R192 million | 1 350 | 610 | 1 644km^2 | 2.8 million |

Base-line indicators of expenditure and performance need to be collected for each MPD. This will enable one to compare the results of each MPD's with its baseline over time, but also so that each MPD can, to a limited extent, be compared with another.

That each MPD is quite different from another provides opportunity for inter-agency learning to occur around best practices. For example, if the Department is able to identify particular strengths of one agency it can try to ensure that the lessons are documented and shared with others. This information could benefit each of the MPDs operating in Gauteng, but it could also be of use to MPDs nationwide.

4. Recommendations to Improve Oversight of the MPDs

Given that the Gauteng Department of Community Safety is in the process of improving its oversight function of MPDs in the province, this section outlines a number of recommendations as to how this could further be achieved.

4.1 Adopting a New Approach to Monitoring

A number of key points emerge from the literature which could guide the new approach. They are as follows:

- Specific indicators should be consistently measured over time. These indicators can then be used to discuss police performance with police management. Indicators allow police managers and oversight bodies to make the link between the allocation of resources to specific policing activities and the impact on community safety objectives.
- The format for collecting and analysing data from each of the MPDs should be the same. This will allow for better analysis of the performance of the particular MPD over time and comparison between the various MPDs.
- A combination of quantitative data (statistics) and qualitative information should be used as performance indicators.
- Some oversight methods rely on data sources from places other than the police agency itself. For this reason cooperation and coordination with other structures and organisations is advisable.
- A monitoring template, such as appears in the annexure to this report, could be developed. This should clearly identify the broad focus areas, specific information and the particular format of the information that the Department requires from each MPD.
- Information should be provided to the Department well in advance of the scheduled quarterly review meeting. For example, the report for the first quarter (January to March) should be delivered to the Department by the end of the first week of April. The Quarterly Review meeting should then be held during the first week of May. This would allow the Department a month to analyse the data provided in the report, identify particular patterns or variances and formulate questions for further clarity. Questions that cannot be answered at the meeting can be answered later by

correspondence and the answers reviewed in the next formal meeting. Departmental recommendations agreed to by the MPDs can be minuted. Indicators for monitoring implementation of the recommendations can also be agreed on and included in the monitoring template for the next reporting session.

The Department may also want to monitor the oversight and accountability environment within which the MPDs operate. This will allow for a better assessment as to what other demands are being made by immediate state oversight structures (i.e. mayoral and other executive portfolio committees), as well as other useful information about community perceptions of MPD impact on safety (through collecting data from opinion surveys and media reports), or other information on conduct-related challenges (i.e. from cases referred to the ICD or SAPS or investigation).

4.2 Developing a Template for Monitoring MPDs

As has been highlighted in this report, the notion of monitoring requires that oversight bodies focus on specific issues and empirical measures of a police agency over time. It is therefore recommended that the Department develop and implement a template for the monitoring of MPDs (see the draft template in the Appendix of this report as an example). The MPDs could then be requested to submit their reports to the Department following the format provided in the template.

The benefits of a monitoring template include:

- It would ensure that each MPD regularly provides the Department with specific and consistent empirical data on its core mandates. This will allow the Department to monitor objective indicators so as to establish base-line figures, and identify trends, patterns and variances in the performance of each MPDs in relation to its core mandates over time.
- It will enable the Department to link specific MPD objectives to specific policing activities and thereby promote a better understanding of MPD effectiveness.
- It will enable the Department to start linking resource allocation to specific policing activities so as to get a measure of efficiency.
- Each MPD will provide the same data in the same format which will enable the Department to compare agencies with regards to best performance against common objectives.

The draft template attached to this report includes both quantitative and qualitative measures. Each of the indicators in the draft template could be discussed with each of the MPDs to assess to what extent the information is available and reliable. Most of the measures can be used to assess MPD performance in relation to their core mandates over time. These changes can then be used to assess the success or otherwise of MPD Annual Plans (comparing one year against another) or specific operational plans that may result in specific changes in certain months.

The template does not preclude the Department from focusing on other areas relating to police performance that may emerge. For example, a MPD crime prevention programme that is expected to be completed within one year. Space is made for MPDs to insert their specific objectives and present other key indicators they think appropriate to measure

success. This will allow the Department the opportunity to acquire new indicators against which to monitor MPDs.

4.3 Analysis of Available MPD Information for Monitoring

It is recommended that the Department undertakes a specific project to develop a monitoring template. The project should aim to achieve the following objectives:

- To identify the types of empirical data that are collected by MPDs relating to core mandates that could be used as Key Performance Indicators;
- To understand the specific information systems used to collect and capture the data;
- To understand the way that data is collated and analysed by senior management and towards what purpose;
- To identify which of this information should be presented to the local government oversight committees.

This would assist the Department to:

- Establish the extent to which the current data systems being used by the MPDs are producing valid and reliable data. This could form part of the ongoing monitoring process whereby Departmental Community Safety Officers join MPD operations and then carefully track the information that is used as particular performance indicators (e.g. arrests, traffic fines, illegal dumping notices, etc) as it passes through the system and finally arrives in the Quarterly Review report.
- Identify strategic knowledge or data gaps that can be closed over the longer term in a collaborative approach with the local councils and the MPDs.

4.4 Establishment of a Data Capturing and Analysis System

As part of the project to develop a monitoring template and assess current MPD information, the Department will have to establish an electronic data capturing system. This system will allow the Department to undertake time and comparative-based analyses of the information provided by the template of each MPD.

The template would guide the design of the system. At its most basic level it could consist of an electronic spread sheet that allows for select data to be collated, presented and analysed as graphs and charts. The system could also be designed so that the MPDs could enter the data directly via the internet.

Once this has been completed, the Department will be able to compare the most recent performance indicators with those provided in the previous quarters. Links can then be made between changes in different indicators. For example, it could be seen if the reduction in accidents can be linked to increased notices issued for reckless and negligent driving.

Once a year has passed, the Department will be in a position to start comparing the performance of MPDs from one year to the next. Moreover, the Department will be able to start comparing the performance of each MPD in relation to core indicators. Where one MPD is performing well in fulfilling certain objectives, the indicators might allow the Department to identify the key reasons. These can then be shared with other MPDs that

may not be performing as well.

It is recommended that a specialist in developing such data systems be utilised so as to ensure that the system:

- Is large enough to capture indicators over a number of years
- Can be updated with new indicators that might emerge over time
- Can compare different indicators (e.g. resource allocation and numbers of arrests)
- Can compare indicators across different MPDs
- Presents information in graph or chart form (i.e. comparing the vehicle accident rate recorded by each MPD over 12 months)

4.5 A Coordinated Approach to Provincial Oversight

The primary responsibility for overseeing metropolitan police departments falls with the various metropolitan councils that exist at local level. Local governments have to provide the funding for these policing agencies and therefore have a direct interest in ensuring that the resources provided are spent effectively.

However, oversight structures at city level may present certain challenges to the Department in carrying out its own oversight role. In some parts of the world it has been found that local level political structures may hinder effective police accountability for a number of reasons.

Walker (2001, p. 9) highlights how in the USA mayors or city council officials have not only tended to ignore some of the most problematic areas of policing but in some cases have directly contributed to it. This can occur when elected officials buy into politically expedient approaches to a generalised crime problem without being aware of the negative consequences it can have for policing. It can also occur when elected local officials see local police agencies as a political tool for reasons other than promoting community safety.

Finn (2001, p. 104) cautions that if conflict emerges amongst local government officials as to who has authority or if different individuals, 'wish to have things done their way', politics may interfere with oversight. Similarly, mayors or council officials may not want to hear bad news about their police department and may encourage suppression of it as they fear it will reflect badly on their governance. Moreover, local officials may feel protective over their policing agencies and may want to avoid having to ask difficult questions relating to the performance of these agencies.

In order to enhance overall oversight of the MPDs, it may be appropriate for the Department to consider how it develops and coordinates its oversight approach with the local level city council committees that are tasked with this responsibility (i.e. Section 80 committees). It may also be useful to develop the monitoring process with Mayoral Committee members responsible for public safety in the metropolitan areas.

Furthermore, the Department should consider how to use the Civilian Oversight Committees as stipulated in the SAPS Amendment Act of 1998. The Act allows the MEC to assign functions to these committees established by the municipal council to ensure civilian oversight of the MPDs (Section 64J).

However, recent research highlights that this is not happening and that these committees are battling to come to terms with their role and function ([Newham, 2004](#)). The Department therefore needs to explore the functioning of these committees and what types of tasks it could assign to them, with the objective of enhancing their contribution to oversight.

As well as contributing to general oversight, there may also be important indicators of MPD performance which may need to be sourced from structures other than the MPDs. These could include the local Civilian Oversight Committees, Independent Complaints Directorate, academic institutions, the media, the South African Police Services, the Automobile Association of South Africa, hawker's associations, etc. Once such indicators have been clarified, it would be necessary to approach these structures to find out if they could provide the necessary data. In this way, the Department would also have independently sourced information with which to make performance assessments.

Notes:

[1] Act 83 of 1998.

[2] At the time of writing there were six local level police agencies established in line with the national legislation. These are in Ethekwini, Cape Town and Swartlands, Tswane, Ekurhuleni and Johannesburg.

[3] David, H., Bayley (1994), author of 'Police for the Future' and internationally renowned expert on policing states simply that police need to be held accountable for 'what they do and how they do it.'

[4] Entitled, *The Ekurhuleni Metropolitan Police Department Review Session, Police Agencies, 28-29 April 2005*.

[5] 'Tshwane Metropolitan Police Service Feedback: 3 Quarters: 1 July 04 to 30, March 2005

[6] Entitled 'JMPD Quarterly Review Report Jan – March 2005'.

[7] Please note that some of these figures have changed substantially since they were collected. The point of the table is to highlight some key differences.

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Appendix - A Draft MPD Monitoring Template

The aim of this template is to draw attention to the key areas and performance indicators that the Department could use to monitor the performance of MPDs. As highlighted in the report, such a template should ideally be developed by identifying what information is currently available from the MPDs. The template could then be refined and would guide the format and content of the information presented to the Department in their Quarterly Reports. Similar arrangements should be made with other agencies that may have relevant information for monitoring purposes.

The first part of the template outlines specific information that each MPD could provide to the Department at regular intervals. Although information is asked for in a monthly format, it could be sent to the Department at quarterly or bi-annual intervals.

Where numbers are asked for per category for each month of the reporting period, the presentation of the data should be in the form of a table as demonstrated below:

	January	February	March
Category A			
Category B			
Category C			
Category D			
Total			

The last part of the template provides broader ideas as to the possible information sources from where the Department could access other information relevant for assessing the performance of MPDs.

This template includes input, output and outcome/impact indicators.

- *Input indicators* refer to the resources that are available for achieving police objectives. These include budgets, personnel, vehicles, etc.
- *Output indicators* refer to the specific activities that result from the use of the input indicators.

It is through comparing input and output indicators that a sense of the efficiency of an organisation can be obtained. These indicators present an empirical basis to determine the extent to which the police organisation is effectively achieving a key public safety objective (e.g. reduced vehicle accidents, improved feelings of safety amongst communities, etc).

Metropolitan Police Department: (Name inserted here)

Reporting Period:
From Day/Month/Year - to Day/Month/Year

1. Organisational Overview

This section of the monitoring template should aim to monitor the MPD in relation to its budget, personnel, resources, and organisational structure.

1.1 Budget and expenditure
1.1.1 Total Annual Budget
(insert total budget here)

1.1.2 Total expenditure

- Amount and percentage of remuneration
  (For each indicator provide figures for each month of the reporting period)
  Categorised into:
  - Amount on salaries
  - Amount on overtime
- Amount and percentage on Capital Expenditure
  (List primary expenditure categories and amounts for each month of the reporting period)

1.1.3 Total Income
(List key income categories and amounts received for each month of the reporting period)

1.1.4 Narrative

- Briefly highlight key financial challenges confronting the police department and the steps taken to address the challenge.
- Briefly describe any other concerns relating to the budget and expenditure.
- Present any amounts paid out due to litigation and provide a brief summary of each separate case (differentiate between legal fees, out of court settlements paid and court ordered payments).
- Explain any variances of budget, income and expenditure.

1.2 Organisational Structure
Produce an organisational 'line of authority' organogram that demonstrates the spread of employees and vacant posts throughout the organisation (include numbers).

Colour code the organogram to indicate the primary nature of the work undertaken:

- Administrative   - Yellow
- Crime Prevention   - Red
- Traffic-law enforcement   - Green
- By-law enforcement   - Blue

Include other functions (e.g, licensing) but no need to colour code.

1.3 Personnel
1.3.1 Total Staff Component

- Provide the total staff complement of the MPD.

1.3.2 Total number of employees assigned to functional policing
Categorised into:

- Numbers of managers per rank
- Numbers of officials per rank
- Number of new recruits per month

1.3.3 Total number of employees assigned to administrative/support duties

- Numbers of managers per rank
- Numbers of officials per rank
- Number of new recruits per month

1.3.4 Medical leave
For each month of the reporting period, present the medical leave days taken both as a number and a ratio (divide the total number of employees by the number of days taken).

1.3.5 Deaths

- Numbers of deaths as a result of natural causes per month.
- Numbers of deaths as a result of non-natural causes on duty and off-duty.

1.3.6 Training
Provide a table of the courses and numbers of officers trained during the reporting period.

1.3.7 Promotions
Provide a table of the promotions granted during the reporting period.

1.3.8 Narrative

- Briefly highlight any personnel related challenges that have been experienced.
- Briefly highlight any personnel related successes that have occurred (awards, commendations).

1.4 Resources
1.4.1 Total number of vehicles for operational purposes (per month)

- Number of operational vehicles under repair per month
- Number of vehicles boarded per month (out of operation)

1.4.2 Total number of vehicles for administrative/support purposes

- Number of operational vehicles that were repaired per month
- Number of vehicles boarded per month

1.4.3 Total number of weapons available

- Provide categories of types of weapons
- For each category include losses that occurred during the reporting period

1.4.4 Narrative

- Briefly highlight particular key resource shortages being experienced.
- Briefly highlight particular resource acquisitions that have occurred and the intended benefits.
- If there is an overlap between crime prevention, traffic and by-law enforcement duties, please explain the nature of the overlap.

2. Crime Prevention

2.1 Resources

- Number of personnel allocated to crime prevention duties
- Number of vehicles allocated to crime prevention duties

2.2 Routine Police Activities
2.2.1 Calls for assistance received

- Number of calls for assistance received per category (for each month)
- Provide a list of the top ten locations from which calls are received.

2.2.2 Arrests

- Provide a table of the numbers of arrests per crime category (for each month).
- Provide a table with the outcome of the arrests (i.e. Numbers of criminal cases opened, cases withdrawn, and cases referred to court).
- Provide a table of the number of MPD officers appearing in court to testify in a case as a result of arrests (per month).

2.2.3 Recoveries

- Provide a table with the number/ amount of recoveries of stolen goods and contraband (e.g. firearms, stole motor vehicles, narcotics) per month.

2.3 Specialised Operations

2.3.1 MPD Operations

- Number of specialised MPD operations per month
- Total number of MPD officers and vehicles involved per month
- Locations of MPD operations (include objectives and outputs)

2.3.2 Joint Operations

- Number of joint operations with the SAPS per month
- Total number of MPD officers and vehicles involved in Joint SAPS operations per month

2.4 Social Crime Prevention

- Provide a list of the social crime prevention projects presently undertaken by the MPD. For each programme, include the overall aim, specific objectives, the budget, the numbers of MPD officials directly involved, the time line for the entire project.
- Provide key performance indicators to date.

2.4.1 Narrative

- Present the specific objectives of the MPD in relation to crime prevention and include key performance indicators.

3. Traffic Law Enforcement

3.1 Resources

- Number of personnel allocated to traffic-law enforcement duties
- Number of vehicles allocated to traffic-law enforcement duties

3.2 Calls for assistance received

- Number of calls for assistance received per category (for each month)

3.3 Accidents

- Numbers of accidents per month per the following categories: fatal injuries, serious injuries, slight injuries and damage only (for each month)
- Identify location of top ten accident hot-spots

3.4 Traffic Control Points

- Number of Traffic Control Points per month
- Number of vehicles stopped
- Number of fines issued at Traffic Control points (provide key categories) per month.

3.5 Fines issued

- Total number of fines issued per traffic violation (provide key categories) per month
- Number of fines paid per month
- Amount (in Rands) of the fines issued per month
- Amount (in Rands) of fines collected per month

3.6 Narrative

- Present the specific objectives of the MPD in relation to traffic-law enforcement. Include the measurable performance indicators related to each objective for the reporting period.

4. By-law Enforcement

4.1 Resources

- Number of personnel allocated to by-law enforcement duties
- Number of vehicles allocated to by-law enforcement duties

4.2 Public Complaints received

- Number of by-law related complaints received from the public per category (for each month)

4.3 Notices issued

- Numbers of by-law contravention notices per category for each month

4.4 Fines issued

- Numbers of fines issued for by-law contraventions per category for each month
- Amount in Rands of fines issued by-law contraventions per category for each month

4.5 Narrative

- Present the specific objectives of the MPD in relation to by-law enforcement. Include the measurable performance indicators related to each objective for the reporting period.

5. Service Delivery

5.1 Other Services Provided
Please provide a table of the other key services that are provided to the public and figures that quantify the services delivered for each month (eg. licensing services, municipal courts).

5.2 Resources

- Number of personnel allocated to the above services

- Number of vehicles allocated to the above services

6. Complaints and Misconduct

6.1 Resources

- Number of personnel allocated to complaints, investigations and discipline management
- Number of vehicles allocated for public complaints against the MPD
- The structure of the internal complaints investigations and disciplinary capacity

6.2 Public Complaints Received

- Total number of public complaints received against MPD officials received per category for each month
- Number of complaints that are sustained (or referred for further steps), numbers of cases that are withdrawn, and number of cases not sustained

6.3 Disciplinary Cases

- Number of formal disciplinary hearings held per category of misconduct for each month

6.4 Sanctions Imposed

- Number of sanctions imposed per the following categories: verbal warning, written warning, final written warnings, fines imposed, dismissals for each month

6.5 Criminal Cases

- Number and type of criminal cases opened against MPD officials for each month
- Number and type of criminal convictions against MPD officials for each month

7. Partnerships

7.1 Community

- Numbers of CPF meetings attended for each month
- Numbers and types of other community meetings attended (excluding those reported on in terms of social crime prevention projects) for each month

7.2 SAPS

- Numbers of formal meetings attended with the SAPS per category (i.e. Area crime combating forums, stations crime combating forums, etc) for each month

7.3 Other Metropolitan Police Departments

- Describe any initiatives with objectives undertaken with other MPDs in the current reporting period.

7.4 Criminal Justice Structures

- Identify and describe any initiatives with objectives undertaken with other criminal justice departments (i.e. courts and prisons) in the reporting period.

7.5 Local Level Structures

- Describe any initiatives undertaken in partnership with other local government departments in the reporting period. Provide objectives of such initiatives and any performance indicators used.

Additional Oversight Information from Other Structures

Oversight Environment

These indicators provide further insight into a variety of oversight related challenges facing the MPD.

Local Council

- Monthly minutes of Section 80 Council Committee that oversees the MPD
- Directives issued to the MPDs by the relevant City Councillors (i.e. Mayor, Chair or the Portfolio Committee on Public Safety)

Civilian Oversight Committee

- Minutes of meetings held in the reporting period
- Any reports released by the committee

Independent Complaints Directorate (ICD)

- Number of cases of deaths as a result MPD officer action or while in MPD custody received per month
- Number of complaints received against the MPD per descriptive category for each month

Human Rights Commission

- Number of complaints received against the MPD per descriptive category for each month

Public Protector

- Number of complaints received against the MPD per descriptive category for each month

Public Safety Outcome/Impact Indicators

These indicators will provide further information as to the environment within which the MPD will be operating.

Crime and Victimisation Surveys
Surveys that ask questions related to criminal victimisation, whether crimes are reported to the police, perceptions of safety at home or in the streets where people live, and perceptions of police performance provide useful indicators of the broader attitudes of the public towards the police. These results are considered important as they reflect core variables linked to notions of public safety and can point towards key challenges or shortcomings confronting a police agency in a particular area.

Oversight bodies should develop links to institutions that undertake such surveys and ensure that they receive the results. Surveys are more useful when key variables are measured over time. If there are institutions that undertake regular surveys, it may be possible for the Department to negotiate that a few key questions are included which would be more cost effective than running an entire survey.

Academic Studies
Universities often conduct detailed studies of social phenomenon that are related to public safety concerns. These could include:

- Studies of how marginalised groups survive in cities (i.e. undocumented migrants, hawkers, the homeless, etc)
- The variables that impact on economic or social activity in certain urban environments
- The impact of different types of development, etc. Such studies can assist in highlighting particular factors that will influence or be influenced by policing activity. Police agencies and oversight structures should be aware of these issues.

Links to universities or research institutions that undertake such studies should be established so that the Department is notified when relevant reports are available.

Housing Prices and Building Occupancy
A valuable indicator of community safety can be found in changes in the prices of buildings (either to rent or to buy). Safety is a valuable commodity in cities and changes in the average prices for houses can be an indicator of perceived safety of an area. Similarly, occupancy rates for retail premises can also be a useful indicator. The advantage of this information is that it can be used to identify changes in specific geographic locations over time. Therefore, if an inner-city rejuvenation programme is being implemented; such figures can reflect if the programme is having the desired impact. Similarly, a drop in prices or occupancy could be used as an early warning indicator that community safety in a particular area is dropping. Small scale community surveys could then be used to further test this hypothesis.

MPD Organisational Environment

As part of assessing the organisational health of MPDs, a number of initiatives can be undertaken to establish the effectives of policies and procedures, management systems and staff morale.

Policy Audits

These can be undertaken to identify if policies are appropriate, are being effectively implemented and if there are any gaps where inefficiencies may occur due to a lack of policy.

Work studies

Studies can be undertaken as to the precise work activities that are undertaken by police officials tasked to different components. Such studies can identify where inefficiencies are occurring because of a lack of regulation, formal procedures, or training.

Organisational Climate studies

Internal organisational climate studies often take the form of a survey and are useful for establishing the extent to which staff morale is affecting productivity if so for what reasons.

Reports from Unions

Unions can provide useful information as to challenges facing their members and how these could be impacting on organisational productivity. Certainly, poor relations between management and organised labour can have a substantial impact on productivity.