The administration of metropolitan police services in South Africa: A case study of eThekwini Municipality.

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DECLARATION

I, Rubandra D. Naidoo declare that:

i.   The research reported in this case study, except where otherwise indicated, is my original research.

ii.   This case study has not been submitted for any degree or examination at any other university.

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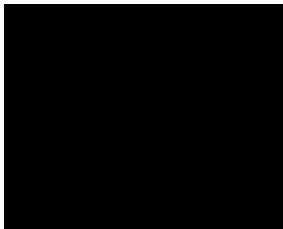
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ABSTRACT

Section 206 of the Constitution of the Republic of South Africa makes provision for the establishment of a municipal police force. The Police headquarters houses the Chief of Police as well as the 2 Deputy Heads (Operations and Logistics). The purpose of the municipal police is to enforce bylaws, traffic control and crime prevention within the municipal jurisdiction. As the population is growing, there are more vehicles on public roads, with an increase in motor vehicle accidents. Crime rates are increasing continuously, and bylaw infringements are occurring daily. The onus lies with the municipality to ensure that law and order is always maintained. This includes the enforcement of municipal bylaws.

This research was conducted to examine the management of the Durban Metropolitan Police Services due to the constant negative publicity and lack of service delivery highlighted in the media. This negative publicity has consequently demoralised staff and policemen have become less interested in serving the community. This research used a qualitative narrative design and open-ended questions to get in-depth information from the respondents, who work in the operations and management of the Durban Metropolitan Police Service. Data was collected in the form of interviews, with 6 Senior managers including the head and deputy head, as well as 2 focus groups consisting of 15 inspectors and captains.

Findings showed that political interference in daily operations and as an influence in promotions, led to low staff morale, which in turn led to a decline in service delivery. Political interference has created high levels of discord amongst police officers, and this has also affected the private lives of the police officers as this has increased their levels of stress.

The research concluded by recommending a framework to improve service delivery and staff morale. It recommended that key vacancies be filled with competent people who are passionate about service delivery. This will alleviate a lot of the problems that the Durban Metropolitan Police Service is facing i.e. the shortage of uniformed police officers. The appointment of additional staff will alleviate the pressure on the current workforce. The research also found that political inference in the administration of the Municipality has created divisions amongst the staff who lose focus on their primary function and this also leads to a decline in service delivery. Nepotism is also prevalent in the police force. It was recommended that more stringent checks be done prior to recruitment. The research showed that the current policies are not followed stringently when employing or promoting individuals.

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ABREVIATIONS

CBD: Central Business District

DMPS: Durban Metropolitan Police Service

ETA: eThekwini Transport Authority

KZN: KwaZulu Natal

IDP: Integrated Development Plan

LTDF: Long Term Development Framework

SA: South Africa

SAPS: South African Police Service

RSA: Republic of South Africa

DCP: Durban City Police

IPID: Independent Police Investigative Directorate

IDP: Integrated Development Plan

MPS: Municipal Police Service

MEC: Member of the Executive Council

iTrump: Inner City eThekwini Regeneration and Urban Management Programme

UDZ: Urban Development Zone

MFMA: Municipal Finance Management Act

MSA: Municipal Systems Act

ANPR: Automatic Number Plate Recognition

Chapter 1 – Introduction

1.1 Introduction

There has been a constant decline of the service provided by the Durban Metropolitan Police Service. This has led to an increase in crime, increased traffic congestion, and a total disregard of the city bylaws due to the lack of policing and prosecution. This research was conducted to identify the cause of the decline in service delivery by the Durban Metropolitan Police Service, and the proposed solutions given. This chapter provides an overview of the study, and the history of the broad and narrow background to the research problem is presented in this chapter. The research questions, research objectives, significance of the study, the study justification, and relevance of the study is presented in this chapter. Lastly, the limitations of the study are also discussed.

1.2 Background to the Broad Research Problem

The research looked at the decline in service delivery of the Durban Metropolitan Police Service and the possible causes of this decline. This study has concentrated on the management aspects of the police force. There have not been any new senior managers employed in the police force over the last 10 years. The last intake of police officers was done in 2010 where a total of 340 police officers were recruited. The training programme that they followed was the same as the previous batch of recruits. The trainers were the same over the last 20 years. The total number of police officers is 1065 members. As the political leadership changed in the city over the last 15 years, the service delivery of the police force has also deteriorated. Police officers have observed a change in the police culture as time went on. As police morale declined, so did service delivery. There was traffic congestion in the city, an influx of illegal traders blocked the sidewalks and motorists parked illegally on the roadway causing traffic congestion. Petty crime also increased due to a lack of visible policing. This has prevented businesses from moving into the city. Tourists were scared to walk freely as the chances of them getting robbed was very high. These problems reduce the income of the city as the tourists are sceptical about coming to Durban. Also, businesses have moved out of the city due to these ongoing issues. Some businesses leave the province and move to another province. This movement reduces income into the city coffers.

The first local police force in Durban was formed in 1854 and was called the Durban City Police. In 2000 the city of Durban incorporated surrounding boroughs to become a metropolitan municipality. The Durban Metropolitan Police Service was then formed under the

South African Police Service Amendment Act of 1998. The Durban Metropolitan Police incorporated all local traffic police structures from towns that formed part of the amalgamation. The metro police have 3 core functions:

"1. Traffic Policing, subject to any legislation relating to road traffic;

2. The policing of municipal bylaws and regulations which are the responsibility of the municipality in question; and

3. The prevention of crime." (South African Government, 1995:65).

The appointment of Municipal police officers is guided by the South African Police Services Amendment Act 83 of 1998. "To amend the South African Police Service Act, 1995, so as to provide a framework for the establishment, functions and control of municipal police services; and to provide for matters connected therewith." (South African Government, 1998).

1.3 Problem Statement

The Durban Metropolitan Police Service was formed in 2000. It was the amalgamation of all the local traffic police departments that fell within the eThekwini Municipal boundaries. This was done to conform to the Local Government: Municipal Structures Act 117 of 1998. This Act was responsible for the formation of the eThekwini Municipality. Prior to 2000, there were many different local authorities that managed the area within their jurisdiction. These local authorities were independent of each other. The purpose of the Durban Metropolitan Police Service is as follows:

- Bylaw enforcement

    Regulations created by the city council need to be policed to ensure order prevails in

    the area of jurisdiction. These bylaws include street trading, parking, general inconveniences. If these bylaws are not policed, there will be chaos in the city.

- Traffic control

    Traffic in the city centre can become congested, especially during pay days or when it rains. The DMPS deploys traffic officers to major intersections to ensure a smooth flow of traffic.

- Crime prevention

    Plain clothes officers conduct operations to apprehend criminals involved in petty crime as well as in armed robberies. These operations are at times conducted with the SAPS.

- Visible policing

    Uniformed members in 4-wheel vehicles, bikes, horseback, and on foot, patrol the streets and beaches to ensure the public is safe and that criminals move out of the area.

There has been a great deal of negative publicity surrounding the Durban Metropolitan Police Service over the last 10 years. There was an increase in crime as well as bylaw infringements. The media as well as police officers share the same sentiments, that political interference has reduced the effectiveness of the Durban Metropolitan Police Service. This problem has direct consequences for tourism and the safety and security of the citizens of Durban. Due to the decline in the effectiveness of the Durban Metropolitan Police Services, there is chaos in the central business district as motorists do not adhere to the general rules. Traffic is often gridlocked in the C.B.D due to the absence of traffic officers. The influx of informal traders has hindered the movement of people on the sidewalk as their trolleys have taken up most of the space that is meant for pedestrians. This chaos on the sidewalks makes it easy for people to get robbed. This research was critical as it has recommended the changes that need to take place at an administrative level to improve the effectiveness and efficiency of the Durban Metropolitan Police Service. This was in line with the National Development Plan 2030 which states that it is critical to improve the quality of public services to achieve transformation.

1.4 Research Questions

- What is the legislative and policy framework for metropolitan police services in South Africa, more specifically in Durban?
- How can the eThekwini metropolitan police enhance service delivery?
- Is the metropolitan police service being managed efficiently and effectively in Durban?
- Is there a management model that can be developed for metropolitan police services in South Africa?

1.5 Research Objectives

There has been a lot of negative publicity surrounding the Durban Metropolitan Police service over the past 10 years. This study evaluated the management of the Durban Metropolitan Police service and the effect it has on service delivery. The appointment of municipal police officers is guided by the South African Police Services Act 68 of 1995 (Amendment 64 of 2000). The mandate of the Durban Metropolitan Police Service is to deal with crime prevention, traffic control, enforcement, as well as bylaw enforcement. The decline in service delivery of the Durban Metropolitan Police service has a direct effect on tourism. Event organisers are sceptical about hosting large events in the city as the performance of the Durban Metropolitan Police service is constantly declining. The current management style of the Durban Metropolitan Police Service will need to be revised to ensure an improvement in service delivery and the optimum usage of police resources. This study has created an enhanced model to maximise the effectiveness and efficiency of the Durban Metropolitan Police Service. This model has made recommendations on how to improve the overall effectiveness of the Durban Metropolitan Police service in delivering its mandate.

This study has proposed administrative changes that will guide service delivery and optimal use of police resources whist minimising the negativity surrounding the Durban Metropolitan Police Service.

The objectives of the study are as follows:

- To evaluate the legislative and policy framework for the metropolitan police services in South Africa especially eThekwini Municipality.
- To find ways of improving service delivery in the Durban Metropolitan Police Service.
- To determine whether police resources are being used effectively and efficiently to enhance service delivery.
- To develop an administrative model for the Durban Metropolitan Police Service to enhance service delivery.

1.6 Significance of the study

The research aimed to develop a model that will assist executive management to optimise the use of police resources and better manage the overall operations of the Durban Metropolitan Police Service to improve service delivery. The implementation of the recommendations will ensure improved service delivery and more productive police personnel. This will have a direct impact on crime, tourism, and direct foreign investment.

1.7 Justification of the study

This study was conducted to improve the negativity that has surrounded the Durban Metropolitan Police Service. Service delivery needs to improve as this affects the people that the service is supposed to serve and protect. Income via tourism and events in the city are also affected as the negative publicity has a damaging impact on tourism, thus reducing income in the city coffers. Tourists are discouraged from visiting Durban whilst event organisers consider hosting events in other cities. Businesses have moved out of the city whilst foreign investors are sceptical about investing in the city.

1.8 Study site

The research was conducted at the Durban Metropolitan Police Services headquarters situated at 16 Old Fort Place. The study site is located in central Durban. The population of Durban is approximately 3.5 million people (Statistics South Africa, 2011) and the total area is 2292 Km². The study site is located within a 2 Km radius of major attractions such as the Moses Mabhida Stadium, the International Convention Centre and the Golden Mile. This site was chosen as it is where all the senior management of the police service is based. This site also houses the specialised enforcement unit. The Durban Metropolitan Police Service consists of 3 main regional centres besides its headquarters. The 3 regional command centres are situated in Chatsworth (South regional command), Kwa-Mashu (North regional command) and Queensburgh (West regional command). The total staff complement of police officers is 1065.

1.9 Theoretical framework

 Maslow's theory of human motivation was the theoretical framework that was used in this study. "There are at least five sets of goals, which may be called basic needs. Briefly, these are; physiological, safety, love, esteem, and self-actualisation. In addition, humans are motivated by the desire to achieve or maintain the various conditions upon which these basic satisfactions rest and by certain intellectual desires." (Maslow, 1943). This theory focused on what motivates a person. This is directly linked to Maslow's hierarchy of needs. Political discord in an organisation especially when it begins at an executive level, affects the basic needs of all the people in that organisation directly. This discord will be highly visible at the level of service delivery. When the municipal police force is demotivated, the safety of the city is threatened. The citizens do not have faith in the police to maintain law and order. Mob justice to punish criminals. is becoming more prevalent in communities Legislation is very clear in respect of the operations of the police service. The problem that the police service and other government departments face is when there is political interference in administration. This type of interference affects staff morale negatively as operational decisions and staff appointments are politically influenced. People get appointed to positions that they are not fully competent in. "The study found there is indeed interference by politicians in administration and that it might be due to lack of capacity among the public officials and the fact that most were appointed not according to their qualifications but according to their political connections, because they were not appointed on merit." (Seloba & Seloba, 2006). The study also found that political and administartive personnel did not understand the boundaries of their functions clearly. Once both parties fully understand their functions and limitations, there will automatically be an

increase in staff morale and servcie delivery. Politcal interference has also been reported in eThekwini Municipality. "A leading and controversial figure within the ranks of the Durban Metro Police, Logistics Manager Innocent Chamane, was gunned down at his home late on Tuesday night the 10th November 2015. Chamane was reportedly linked to several scandals that beset the beleaguered Metro Police – which ultimately contributed to city officials pledging to launch a commission of inquiry into the entire organisation. So wide was the chasm between the police officers on the ground and their management structures, a group of senior officers wrote in desperation to the city manager." (Wicks, 2015). Police officers were not consulted about different aspects of their operations. The instructions from seniour management was not constant and was changed daily. Some of the instructions did not take the wellbeing of the officers into account. This had a negative impact on staff morale.

Figure 1.2 Maslow's hierarchy of needs

(Service futures, 2018)

1.10 Research Methodology

The research has adopted a transformative paradigm. A transformative worldview deals with politics and political change. The outcome of the research will change the attitudes of the

employees of the Durban Metropolitan Police Service and ensure an improvement in service delivery. This study examined the administrative state of the Durban Metropolitan Police Service. A Qualitative Narrative design was used in this study. This research reviewed the negativity surrounding the Durban Metropolitan Police Service by probing the conflicting aspects of human behaviour caused by political interference. The research analysed the participant's version of events and reasons that lead up to the state of political discord at the Durban Metropolitan Police Service. This information was used to create corrective measures to address the political discord and negative publicity of the the Durban Metropolitan Police Service. The research was conducted at the Durban Metropolitan Police Service headquarters which is located in central Durban and has a population of approximately 595 000 people. This Study site was chosen as it is where the specialised enforcement unit as well as senior and executive management of the Durban Metropolitan Police Service are based. The total staff complement is 1085 police members. The sample population was chosen due to their rank within the police force and the impact of political discord that was experienced at the different levels. There are 7 levels within the ranking structure of the Durban Metropolitan Police Service. All 7 levels are affected by the political discord within the service. There were two data collection methods that were used. i.e. interviews and focus groups. Interviews were conducted with senior management whilst focus groups were conducted with lower management and their subordinates. There were 2 focus groups which consisted of 10 participants each and a total of 5 structured interviews were conducted with senior management. The subjects that were selected are high ranking officials as well as officers who are trusted with very sensitive information. Peer debriefing was used to authenticate the data that was collected. The data was interpreted by means of content analysis.

Due to the sensitive nature of the interviews, participants were given consent forms before the start of the interview. A copy of the signed consent form was given to the participants for their peace of mind. Anonymity was guaranteed as the information that was gained could have career limiting consequences for the participants. All participants were informed that they could withdraw from the process at any time and all interactions were strictly confidential. The interviews were recorded on a device that is password protected and all recordings are encrypted. All confidential correspondence was secured. All electronic documents are password protected and encrypted. The participants were informed of this before the interview began because of the confidential nature of all interactions.

1.11 Limitations of the study

The outcome of the study was based purely on data obtained by the sample that was chosen. There was a possibility that the outcomes could be manipulated by these individuals to paint a specific picture that's beneficial to their personal interests. The researcher needed to have an analytical mind when analysing the data, to prevent any manipulation of the results. This researcher is currently working in the same environment and needed to keep a neutral position when conducting the research. This was achieved by using a person from outside the organisation to ensure the results of the research were based purely on the information obtained and were not influenced by any personal views.

1.12 Structure of the dissertation

Chapter 1 – Introduction

This chapter introduces the study. The background of the research problem, the problem statement, significance of the study, relevance, justification, as well as the study site is explained in this chapter. Further on in the chapter, the theoretical framework and the limitations to the study are outlined.

Chapter 2: Municipal Governance and development in South Africa with particular reference to eThekwini Municipality

This chapter explored the legislative and policy governance aspects of metropolitan municipalities in South Africa, placing emphasis on eThekwini Metropolitan Municipality. The researcher has also looked at other studies that were done in the field of safety and security.

Chapter 3: Metropolitan Policing in South Africa with particular reference to eThekwini Municipality

This chapter discussed the policy and legislative aspects of metropolitan policing in South Africa, placing emphasis on eThekwini Metropolitan Municipality.

Chapter 4: Research Methodology

This chapter looked at the research design, study area, target population, sampling method, data collection methods, and ethical considerations.

Chapter 5: Data Collection, Analysis, and Findings

This chapter analysed the response from the participants of the interviews and focus groups.

Chapter 6: General Conclusions and Recommendations

This chapter concluded the research by creating a framework for the optimisation of police resources and an improvement in service delivery.

1.13 Definition of Key Terms

Metropolitan Police: A police force that is established and maintained by a metropolitan municipality and is appointed by section 64A of the SAPS Act. (South African Government, 1995)

South African Police Services: The national police force of South Africa as specified in section 214(1) of the Constitution. (South African Government, 1995)

Bylaws: laws that are passed by specific municipalities and are valid only within the specified municipal boundary. (South African Government, 2000)

Traffic Officer: "means an officer appointed in terms of section 3A of the National Road Traffic Act, 1996 (Act No. 93 of 1996) and any member of a municipal police service, both as defined in section 1 of the South African Police Service Act, 1995 (Act No. 68 of 1995)". (Road Traffic Management Corporation, 1999)

Police Officer: A member of the South African Police/Metropolitan Police service whose main function is crime prevention.

Peace Officer: A person appointed under section 334 of the Criminal Procedure Act that is employed by a government department whose function entails arresting or prosecuting an offender of a specific bylaw. (EThekwini Municipality, 2011)

Metropolitan Municipality: A municipality that performs all functions of local government for a city. (South African Local Government Association, 2017)

1.14 Conclusion

Chapter 1 has detailed the background to the broad research problem. This was followed by the problem statement which outlined the negative publicity and poor service delivery by the DMPS. The research objective, the research question, significance of the research, and the research justification were then discussed. This was followed by the theoretical framework and the limitations of the research was outlined. In the following chapter, legislation and policies concerning policing and bylaws are discussed. Research on politics and service delivery is also outlined.

Chapter 2 – Municipal Governance and Development in South Africa with particular reference to eThekwini Municipality

2.1 Introduction

This chapter outlines the legislative and policy framework that governs the metropolitan police and police related activities at a municipal level. Policies regarding law enforcement and the prosecution thereof is discussed in this chapter, as well as literature on politics, administration and service delivery. This chapter also looks at the enforcement executed at a municipal level in respect of Bylaw infringements by the relevant municipal departments. "Some cases around the world show that while metropolises are evolving, their respective nation states are either declining or not developing at the same pace. These asymmetries are intensifying pre-existing tensions and creating new ones. However, if we seek to change the paradigm, it is important to focus on quantitative and qualitative evidence that links the efficiency of metropolises strongly to the wealth of nation states. National governments should participate more actively in organising metropolitan governance schemes, as they are crucial actors in the development of their respective countries." (Inter-American Development Bank, United Nations Human Settlements Programme, Development Bank of Latin America, 2017).

2.2   Local Government in South Africa

The origin of a local government structure is South Africa dates as far back as when the Dutch and British occupied the Cape of Good Hope in 1652. Local authorities started to form after the arrival of Jan van Riebeeck in Table Bay. Cape Town gradually evolved from a hamlet to a city as it is known currently. "The foundations for a system of local government with an elected council, comparable with present-day city and town councils, were laid when the Municipal Ordinance for the Cape Colony took effect on 15 August 1836. The college of Landdrost and Heemraden of Stellenbosch was the first South African local authority compared to present-day South African local authorities." (Tsatsire, et al., 2009).

The Natal Municipal Ordinance of 1847 originated from the Cape Municipal Ordinance of 1836which formed the basis of local authorities in South Africa. The South Africa Act of 1909 prescribed the creation of municipal and other local authorities. This Act was that of the British Parliament as South Africa did not have its own parliament. South Africa became a republic on the 31 May 1961. Once South Africa became a republic, free from British rule, the South African Parliament did not repeal the act relating to the provincial and local authorities but

reinstated it as Provincial Government Act 32 of 1961 (South Africa, Government Gazette (10318),1986.) This is how the provincial authority structures came about till the present.

2.3 Legislative Provisions

Prior to a democratic government which was established in 1996, municipalities were called local authorities. The power of the local authorities was limited, and powers were granted to them by the provincial legislature. Post 1996, there was a 3-phase transformation process i.e.

"The first, pre-interim phase commenced with the coming into operation of the Local Government Transition Act 209 of 1993 (LGTA) and the establishment of the negotiating forums in local authorities pending the first local government election.

The second phase began when the first local government elections were held in 1995/1996, establishing integrated municipalities although these were not yet fully elected democratically.

The third and final phase commenced with the local government election on 5 December 2000, establishing the current municipalities. Underpinning the transition process were the interim Constitution of 1993 and the final Constitution of 1996." (South African Local Government Association, 2017).

The establishment of a municipality is done by the MEC of the province in terms of the following acts: 1. Constitution of South Africa

2. Local Government Municipal Demarcation Act

3. Local Government Municipal Structures Act

4. Local Government Municipal Systems Act

"The benefits were a single bureaucracy, integrated development planning and economies of scale; an equitable standardised budgeting system; and financial stability" (Reddy, 2008:84).

There are currently 8 metropolitan municipalities in the Republic of South Africa. These municipalities have either a metropolitan police service or are in the process of forming a metropolitan police service. There is a total of 257 municipalities in South Africa. The following Metropolitan Municipalities will be discussed in greater depth later on.

Table 2.1 South African Municipalities

SOUTH AFRICA'S METROPOLITAN MUNICIPALITIES			
MUNICIPALITY	PROVINCE	SEAT	POPULATION
Buffalo City	Eastern Cape	East London	755,200
City of Cape Town	Western Cape	Cape Town	3,740,026
City of Johannesburg	Gauteng	Johannesburg	4,434,827
City of Tshwane	Gauteng	Pretoria	2,921,488
Ekurhuleni	Gauteng	Germiston	3,178,470
eThekwini	KwaZulu-Natal	Durban	3,442,361
Mangaung	Free State	Bloemfontein	747,431
Nelson Mandela Bay	Eastern Cape	Port Elizabeth	1,152,115

(SALGA, 2015)

The newly created municipalities were given the power to govern over affairs concerning the local communities that fell within their jurusdiction. These municipalities had the power to pass bylaws without provincial government approval. These new structures were responsible for the provision of basic services including safety and security. "It was accepted that a single dedicated entity would improve service delivery through economies of scale and ensure benefits, namely a rationalised rating system, a subsidy for the indigent, and convenient access point for payements." (Reddy, 2008).

An application for the establishment of a metropolitan police service is made by the executive committee of the metropolian municipality. The final decision on whether this application is approved or declined is ultimately the decision of the provincial minister of safety and security. The SAPS amendment act no 83 of 1998 outlines the process and conditions that need to be fulfilled by a municipality in order to establish a metropolitan police service.

The new constitution introduced 3 categories of local government. These categories are dependant on various factors being fulfilled.

Category A Municipality (Metropolitan Municipality) : "An area must have a single category "A" municipality if that area can reasonably be regarded as-

(a) a conurbation featuring-

(i) areas of high population density,

(ii) an intense movement of people, goods, and services,

(iii) extensive development,and

(iv) multiple business districts and industrial areas,

(b) a centre of economic activity with a complex and diverse economy;

(c) a single area for which integrated development planning is desirable; and

(d) having strong interdependent social and economic linkages between its constituent units." (South African Government, 1998).

Category A municipalities must have exclusive municipal executive and legislative authority within its jurisdiction. There are currently 8 metropolitan municipalities in South Africa.

Category B municipality (local municipalities): These municipalities are established in areas that do not meet the requirements of a metrpolitan or a district municipality. They share municipal executive and legislative authority in its jurisdictional area with a category C municipality. There are currently 205 district municipalities in South Africa.

Catogory C municipality (district municipality): This type of municipality is smaller than a metropolitan municipality. There are currently 44 district municipalities in South Africa.

2.3.1 The Constitution of the Republic of South Africa

The Constitution of the Republic of South Africa is the highest law of the land. No other legislation or legislative body can supersede the provisions of the Constitution. The first democratic constitution was adopted in 1996. The purpose of the new constitution as per the preamble is as follows: "1. Heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights.

2. Lay the foundations for a democratic and open society in which government is based on

the will of the people and every citizen is equally protected by law.

3. Improve the quality of life of all citizens and free the potential of each person; and

4. Build a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations." (South African Government, 1996).

Chapter 11, section 205 gives authority for a national police service to be formed to ensure the safety and security of all subjects within the Republic of South Africa, which is a fundemental right of all citizens as contained in the bill of rights.

"205. (1) The national police service must be structured to function in the national, provincial and, where appropriate, local spheres of government.

(2) National legislation must establish the powers and functions of the police service and must enable the police service to discharge its responsibilities effectively, taking into account the requirements of the provinces.

(3) The objects of the police service are to prevent, combat, and investigate crime; to maintain public order; to protect and secure the inhabitants of the Republic and their property; and to uphold and enforce the law." (South African Government, 1996).

Safety and security of all citizens within the republic is a provision of the bill of rights which form chapter 2 of the constitution. The rights contained in the bill of rights are the responsibility of the state. They need to ensure that provisons are made to fulfil the requirements as stated in the constitution.

2.3.2 The Bill of Rights

The bill of rights form chapter 2 of the Constitution of the Republic of South Africa and it outlines the rights of all citizens of and visitors to the Republic of South Africa. It contains the most important rights of the citizens of the country. Section 12 of the bill of rights outlines the rights of persons with regards to safety and security, and it states that "Everyone has the right to freedom and security of the person, which includes the right —

(a) not to be deprived of freedom arbitrarily or without just cause;

(b) not to be detained without trial;

(c) to be free from all forms of violence from either public or private sources;

(d) not to be tortured in any way; and

(e) not to be treated or punished in a cruel, inhuman or degrading way." (South African Government, 1996). The provision of security services for the citizens and visitors are contained in SAPS act.

The government needs to ensure that provisons are made to fulfil all the rquirements in the bill of rights. This will ensure that the rights of the citizens are proctected and ensures fair treatment of all people within the Republic.

2.3.3 South African Police Service Act 68 of 1995

The purpose of this act is "To provide for the establishment, organisation, regulation and control of the South African Police Service; and to provide for matters in connection therewith." (South African Government, 1995).

The act provides clear guidelines on the efficient administration of the police service, from administration to the code of conduct, of police officials. The South African Police was formed in 1913. Their main aim was to protect the apartheid government and ensure blacks were kept in line during the apartheid regime. When apartheid ended, the South African police was renamed the South African Police Service. The new minister ensured that the training of police personnel revolved around human rights and fair treatment of all people irrespective of race. Chapter 12 of the act makes provision for the establishment of a metropolitan police service. The act also outlines the main functions of the metropolitan police service.

2.3.4   Local Government Municipal Demarcation Act

The establishment of new municipal boundaries was the first step in providing equitable services to all citizens of South Africa. Prior to the national demarcation board that was formed in 1999, municipal demarcations were carried out in terms of the Local Government Transition Act, No 209 of 1993. The MEC determined municipal boundaries based on the recommendations of the provincial demarcation boards. The new constitution that was adopted in 1996 made changes to the way municipal demarcations were handled. The Constitution made provision for an independent constitutional body responsible for municipal demarcation. The provisions in the new Constitution gave rise to the Local Government: Municipal Demarcation Act No 27 of 1998 as well as the Local Government: Municipal Structures Act, 1998. This led to the formation of the independent constitutional body i.e. The Municipal Demarcation Board. They were mandated to deal with all municipal demarcations within the Republic of South Africa. The functions of the board are:

- determination and redetermination of municipal boundaries,

- delimitation of wards for local elections,

- assessment of the capacity of district and local municipalities to perform their functions as provided for in the Constitution and the Local Government Municipal Structures Act' and

- the declaration and withdrawal of the declaration of district management areas.

In addition, Cabinet approved a leading role for the Board in assisting Government Departments in aligning their functional service delivery boundaries to municipal boundaries." (Municipal Demarcation Board, 2013).

This Act was one of the first acts to facilitate the local government transformation process. It enabled an independent body to restructure municipal boundaries to ensure that equitable service delivery occurs throughout the Republic. Public funds will be used efficiently to uplift the poor.

FUNCTIONS OF MUNICIPAL DEMARCATION BOARD

What does the Municipal Demarcation Board (MDB) do?

Legislation mandates the MDB to perform the following functions:

Determine and redetermine (Demarcate) municipal boundaries (In terms of the Local Government: Municipal Demarcation Act of 1998)

Delimit municipal wards for municipal elections (In terms of the Local Government: Municipal Structures Act of 1998);

Assess the capacity of district and local municipalities to perform their functions and to exercise their powers (In terms of the Local Government: Municipal Structures Act of 1998); and

Render an advisory service in respect of matters provided for in the Local Government: Municipal Demarcation Act of 1998 and other appropriate legislation.

The diagram below outlines the abovementioned responsibilities of the MDB:

MDB mandate and functions

Determination of municipal outer-boundaries
- Section 4(a) of the Municipal Demarcation Act 27 of 1998
- Section 4 of the Municipal Structures Act (MSA) 117 of 1998 **provides for categorisation of municipalities**

Delimitation of municipal ward boundaries
- Schedule 1 of the MSA – MDB, after consultation with the Electoral Commission must **delimit wards for purposes of local elections**

Assessment of municipal capacity
- Section 85 of MSA provides for the MDB to **assess municipal capacity when determining boundaries**
- Impact analysis and evaluation of Board decisions

Rendering of advisory services to stakeholders
- Section 4(b) of the MDA
- Opportunity to follow through on implementation of redeterminations

mdb
municipal demarcation board

Physical Address	Postal Address	Telephone: +27 12 342 2481
Eco Origins Office Park, Block C1	Private Bag x123	Facsimile: +27 12 342 2480
349 Witch-Hazel Street	Centurion	
Highveld, Centurion	0046	MDB Email	MDB Website
0157	South Africa	info@demarcation.org.za	www.demarcation.org.za

(MDB, 1998)

2.3.5 Local Government Municipal Structures Act

The purpose of this act is to establish municipalities as well as to categorise and define those municipalities based on predetermined criteria as set out in the Act. "To provide for the establishment of municipalities in accordance with the requirements relating to categories and types of municipality; to establish criteria for determining the category of municipality to be established in an area; to define the types of municipality that may be established within each category; to provide for an appropriate division of functions and powers between categories of municipality; to regulate the internal systems, structures and office-bearers of municipalities; to provide for appropriate electoral systems; and to provide for matters in connection therewith." (South African Government, 1998).

This act complements the Constitution and the Municipal Demarcation act.

2.3.6 Local Government Municipal Systems Act

The purpose of this act is to ensure that all citizens of a municipality receive access to essential services. " To provide for the core principles, mechanisms and processes that are necessary to enable municipalities to move progressively towards the social and economic upliftment of local communities, and ensure universal access to essential services that are affordable to all; to define the legal nature of a municipality as including the local community within the municipal area, working in partnership with the municipality's political and administrative structures; to provide for the manner in which municipal powers and functions are exercised and performed; to provide for community participation; to establish a simple and enabling framework for the core processes of planning, performance management, resource mobilisation and organisational change which underpin the notion of developmental local government; to provide a framework for local public administration and human resource development; to empower the poor and ensure that municipalities put in place service tariffs and credit control policies that take their needs into account by providing a framework for the provision of services, service delivery agreements and municipal service districts; to provide for credit control and debt collection; to establish a framework for support, monitoring and standard setting by other spheres of government in order to progressively build local government into an efficient, frontline development agency capable of integrating the activities of all spheres of government for the overall social and economic upliftment of communities in harmony with their local natural environment; to provide for legal matters pertaining to local government; and to provide for matters incidental thereto." (South African Government, 2000). This

legislation ensures that municipalities put in place, tariff structures, and credits that do not disadvantage the poor. An example of this is the 200 litres of drinking water that is not charged within the eThekwini Municipality. This applies to all citizens of the municipality that receive water from eThekwini Water. The first 200 litres per meter is not billed. This Act also enables the participation of local communities in local governance. The table below shows how municipalities and local communities should work together to ensure community upliftment.

Table 2.2 The Rights and Duties of Municipal Councils, Municipal Administration, and Local Communities

	Municipal Council	Local Community	Municipal Administration
Rights	"Has the right to **govern its own affairs** without interference Has the right to **charge fees for services** and to impose surcharges on fees and rates on property (in line with national legislation) Must **act in the best interests of the community** and **encourage community participation**"	"Has the right to **contribute to decisions** made by municipalities and to be informed of any decisions affecting their interests Has the right to **submit recommendations and complaints** and to prompt responses to these Has the **right to access information** on a municipality's (including financial details) Has the right to use **public facilities**"	
Duties	"Must provide democratic and accountable government and provide **equitable access to services** Must promote **gender equity** and **financial and environmental sustainability** of services Must promote the progressive realisation of **fundamental rights"**	"Must obey the procedures of the municipality and comply with any municipal bylaws Must pay service fees, rates, taxes and levies on time (with some exceptions) Must respect the municipal rights of other community members Must allow municipal officers reasonable access to their property in order to perform their work"	"Must establish a **relationship with the local community** and be responsive to its needs Must inform the local community of how it is managed and indicate the costs of services Must promote a **culture of public service** amongst staff and take measures to **prevent corruption** Must provide the community with any information that they have the right to access"

(OSSAFRICA, 2007)

2.4 Metropolitan Councils in South Africa

"A Metropolis refers to a mother city and has of late denoted a very large urban area with a population in excess of one million people. The entire urban area surrounding a metropolis is referred to as a metropolitan region or metropolitan area and it generally extends beyond the political boundaries of a single city." (de Vries,Reddy,Shamsul Haque,2008). There are currently 8 metropolitan municipalities in South Africa. The Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) specifies the criteria for a municipality to be graded as category A (Metropolitan Municipality). Durban has the first and oldest municipal police force in the country.

Table 2.3 Metropolitan Police/Traffic

MUNICIPALITY	PROVINCE	POLICE STRUCTURE
Buffalo City Metropolitan Municipality	Eastern Cape	Traffic Police
City of Cape Town Metropolitan Municipality	Cape Town	Metropolitan Police
City of Johannesburg Metropolitan Municipality	Gauteng	Metropolitan Police
City of Tshwane Metropolitan Municipality	Gauteng	Metropolitan Police
Ekurhuleni Metropolitan Municipality	Gauteng	Metropolitan Police
eThekwini Metropolitan Municipality	KwaZulu Natal	Metropolitan Police
Mangaung Metropolitan Municipality	Free State	Traffic Police
Nelson Mandela Bay Metropolitan Municipality	Eastern Cape	Metropolitan Police

(Self-generated by researcher)

2.4.1 Buffalo City Metropolitan Municipality

Buffalo City Metropolitan Municipality is situated in the Eastern Cape province of South Africa. The total area of the municipality is 2536 km^2 and consists of 50 wards. There are 100 councillors that make up the city council. Buffalo City Metropolitan Municipality does not

have a metropolitan police service. The motor industry plays a big role in the economy of Buffalo City. There is a vehicle assembly plant that's situated in close proximity to the port that exports different types of vehicles. The total annual budget for the 2018/2019 financial year is R 8 254 117 145. (Buffalo City Metropolitan Municipality, 2018)

2.4.2 City of Cape Town Metropolitan Municipality

Cape Town is situated on the southwest coast of South Africa. The total area of Cape Town Metropolitan Municipality is 2445 km^2 and consists of 116 wards. The city council is divided into 24 sub councils. The total number of councillors for Cape Town is 231. Cape Town is a port city that is a well-known tourist destination. The wineries that surround Stellenbosch, Franschhoek and Paarl, produce some of the world's best wines. A lot of these wines are exported due to the high price they bring internationally. The total annual budget for the 2018/2019 financial year is R 47 700 000 000. (City of Cape Town, 2018) The Municipal police force of Cape town is called the Cape Town Metropolitan Police Department.

2.4.3 Johannesburg Metropolitan Municipality

The City of Johannesburg is situated in the eastern plateau area of South Africa known as the Highveld. The total area of Johannesburg Metropolitan Municipality is 1645Km^2 and consists of 130 wards. The total number of councillors for Johannesburg Metropolitan Municipality is 270. Johannesburg is known as the city of gold as it is the wealthiest province in South Africa. Mining played a big role in building the initial economy of the city. Africa's largest stock exchange is based in Johannesburg. The total annual budget for the 2018/2019 financial year is R 59 000 000 000. (Johannesburg Metropolitan Municipality, 2018) The Municipal police force of Johannesburg is called the Johannesburg Metropolitan Police Department.

2.4.4 Tshwane Metropolitan Municipality

The City of Tshwane is situated in the northern part of Gauteng. The total area of Tshwane Metropolitan Municipality is 6298 km^2 and consists of 107 wards. The total number of councillors for Tshwane Metropolitan Municipality is 214. The total annual budget for the 2018/2019 financial year is R 36 800 000 000. (Tshwane Metropolitan Municipality, 2018) The Municipal police force of Tshwane is called the Tshwane Metropolitan Police Department.

2.4.5 Ekurhuleni Metropolitan Municipality

The Ekurhuleni Metropolitan Municipality is situated in the East Rand Region of Gauteng. The total area of Ekurhuleni Metropolitan Municipality is 1925 km^2 and consists of 101 wards. The total number of councillors for Ekurhuleni Metropolitan Municipality is 224. The total annual budget for the 2018/2019 financial year is R 44 400 000 000. (Ekurhuleni Metropolitan Municipality, 2018). The Municipal police force of Ekhuruleni is called the Ekurhuleni Metropolitan Police Department.

2.4.6 Mangaung Metropolitan Municipality

Manguang Metropolitan Municipality is situated in the Free State province of South Africa. The total area of Manguang Metropolitan Municipality is 6284 km^2 and consists of 50 wards. The total number of councillors for Manguang Metropolitan Municipality is 100. The total annual budget for the 2018/2019 financial year is R 7 300 000 000. (Manguang Metropolitan Municipality, 2018). The Municipal police force of Manguang is called the Manguang Metropolitan Police Department. This province also has a taffic department.

2.4.7 Nelson Mandela Bay Metropolitan Municipality

Nelson Mandela Bay Metropolitan Municipality is situated in the Eastern Cape province of South Africa and includes the port city of Port Elizabeth. The total area of Nelson Mandela Bay Metropolitan Municipality is 1959 km^2 and consists of 60 wards. The total number of councillors for Nelson Mandela Bay Metropolitan Municipality is 120. Manufacturing is the largest contributor to the economy. The total annual budget for the 2018/2019 financial year is R 10 197 685 000. (Nelson Mandela Bay Metroplolitan Municipality, 2018). The Municipal police force of Nelson Mandela Bay Municipality is called the Nelson Mandela Bay Metropolitan Police Department.

2.4.8 eThekwini Metropolitan Municipality

eThekwini Metropolitan Municipality is situated in the coastal town of Durban. Durban is a port city that is home to the second largest port in South Africa and is one of the busiest ports in Africa. Durban is a popular destination for tourists and for international conferences. The metropolitan municipality was formed in 2000. eThekwini Metropolitan Municipality was formed by the combination of 7 local councils. The total area of eThekwini Metropolitan Municipality is 2291 km^2 and consists of 103 wards. The total number of councillors for eThekwini Metropolitan Municipality is 219. Sugar and the automotive sector are major industries in the city. Tourism is also a major contributor to the city's economy. The total

annual budget for the 2018/2019 financial year is R 45 800 000 000. (eThekwini Metropolitan Municipality, 2018). The Municipal police force of eThekwini is called the Durban Metropolitan Police Department.

2.5 eThekwini Metropolitan Municipality Structure

The eThekwini Metropolitan Municipality was formed in 2000. All the local city councils surrounding Durban amalgamated to create the eThekwini Metropolitan Municipality. The eThekwini Metropolitan Municipality consists of 10 clusters and is responsible for the management of the city. The clusters are as follows:

Figure 2.2 City Organogram
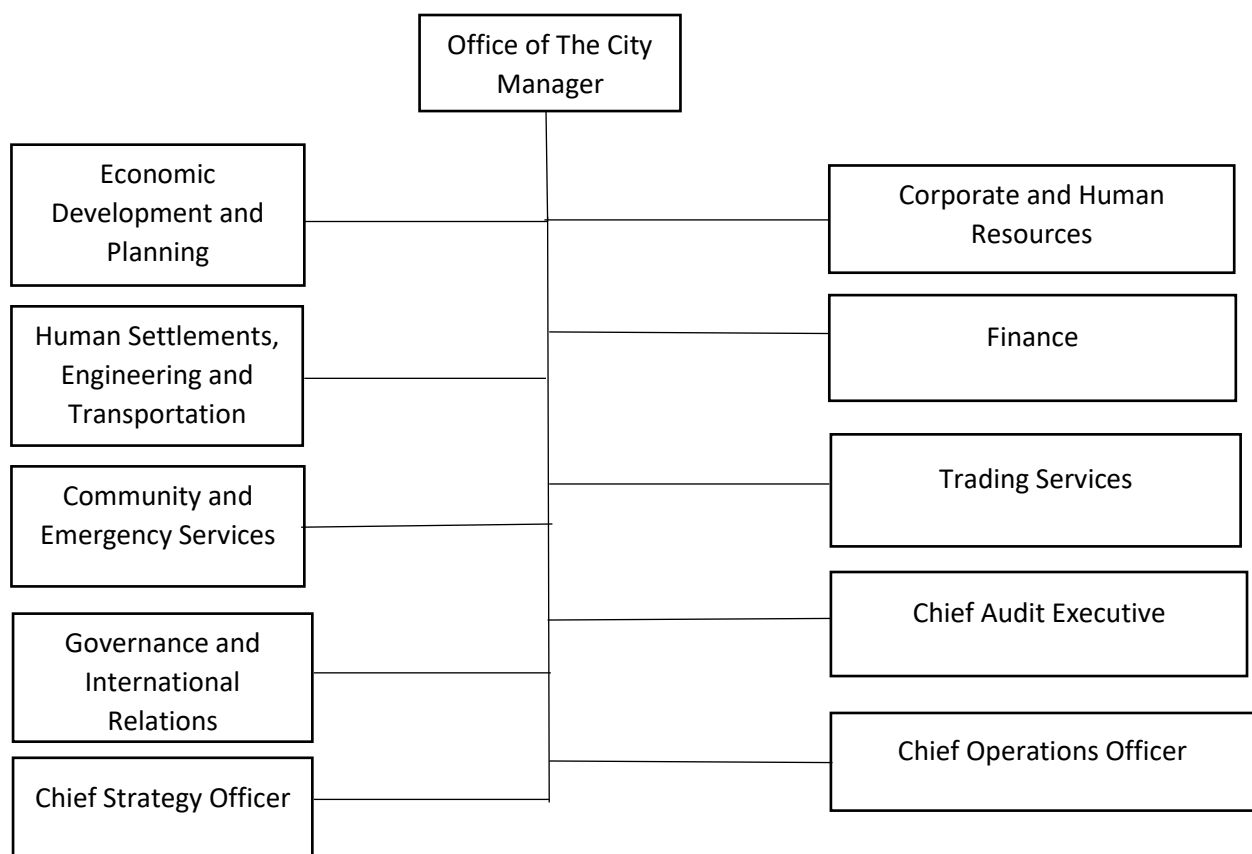
(eThekwini Municipality, 2016)

2.5.1 Community and Emergency Services

Figure 2.3 CES Organogram


```
                              CITY MANAGER         ⟱
                    DEPUTY CITY MANAGER (COMMUNITY AND EMERGENCY SERVICES)
                                       T25(I)
                                      40000000

                                      Vacant
                                       14001
                                         Y
                                         9
```

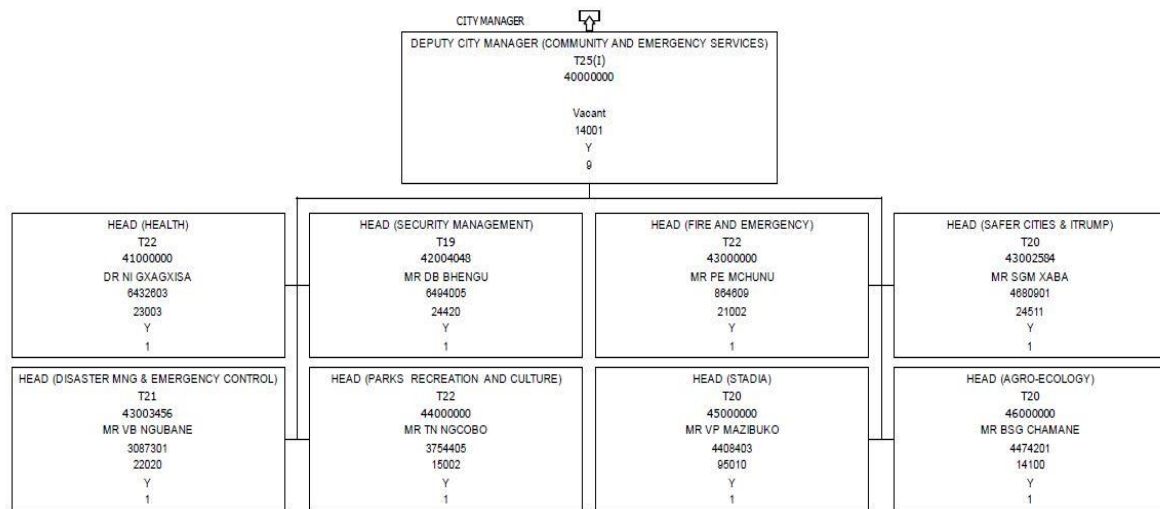| HEAD (HEALTH)	HEAD (SECURITY MANAGEMENT)	HEAD (FIRE AND EMERGENCY)	HEAD (SAFER CITIES & ITRUMP)
T22	T19	T22	T20
41000000	42004048	43000000	43002584
DR NI GXAGXISA	MR DB BHENGU	MR PE MCHUNU	MR SGM XABA
6432603	6494005	864609	4680901
23003	24420	21002	24511
Y	Y	Y	Y
1	1	1	1

HEAD (DISASTER MNG & EMERGENCY CONTROL)	HEAD (PARKS RECREATION AND CULTURE)	HEAD (STADIA)	HEAD (AGRO-ECOLOGY)
T21	T22	T20	T20
43003456	44000000	45000000	46000000
MR VB NGUBANE	MR TN NGCOBO	MR VP MAZIBUKO	MR BSG CHAMANE
3087301	3754405	4408403	4474201
22020	15002	95010	14100
Y	Y	Y	Y
1	1	1	1

(eThekwini Municipality, 2016)

This cluster consists of 6 departments:

- Health – Responsible for primary healthcare services for the community.

- Security Management – Responsible for guarding municipal assets

- Fire and Emergency Services- Responsible for the cities fire brigade

- Safer Cities and ITRUMP – "The aim of the Safer Cities is to ensure that every citizen within the eThekwini Municipality is safe and shares common understanding on community safety issues. Other stakeholders include all council departments, South African Police Service, NGOs, Community Safety Structures, Business Forum, National and Provincial Government Departments. "(eThekwini Municipality, 2011)

- Disaster Management and Emergency Control – Responsible for the management of the cities emergency call centre, emergency despatch and CCTV. This unit also creates warnings and responds to natural disasters in the city.

- Parks, Recreation and Culture – This department is responsible for the management of all public libraries, community halls, museums, municipal parks, and nature reserves. (Ruban, 2019)

The Metropolitan Police Service belongs to the community and emergency services cluster. This cluster is responsible for all safety and security aspects of the city, including health. Staff from these departments are trained as peace officers. This enables them to issue fines to individuals or businesses that are in contravention of bylaws that are specific to their department e.g. the health department issues a fine in the form of a section 56 notice to food establishments that are not compliant with the bylaws and regulations pertaining to food safety.

2.6 Conclusion

This chapter examined the historical development of local authorities in South Africa to present day Municipal structures. The legislative provisions that lead to the establishment of a metropolitan police service was then outlined. The constitution was the starting point as this is the ultimate law of the land. The discussion moved to the bill of rights which explained the rights of the citizens of the country. This was followed by the municipal demarcation and municipal systems act. This act explained the optimisation and classification of municipal boundaries. The chapter then moved onto the SAPS act that gives authority to establish municipal police service and concluded with the integrated approach of the metropolitan police service with the other municipal departments.

Chapter 3 - Metropolitan Policing in South Africa with particular reference to eThekwini Municipality

3.1 Introduction

This chapter provides an overview of the evolution of municipal policing in Durban. The functions of the metropolitan police together with its mandate is discussed in this chapter. The chapter then moves on to look at the bylaws that are prosecutable by the metropolitan police. The current municipal policing framework is also examined. The chapter then moves on to explain the difference between the metropolitan police and the South African Police together with the legislative provisions that separate and differentiate between the two entities.

3.2 Provincial Policing – Road Traffic Inspectorate

The Kwa-Zula Natal Road Traffic Inspectorate is the provincial police force that is responsible for keeping the national and provincial roads safe within the province. This Department falls under the control of the Kwa-Zulu Natal Department of Transport. The main objective is to reduce road traffic accidents on these major roads. This is achieved by regular patrols using unmarked as well as marked police vehicles, roadblocks to examine the roadworthiness of vehicles especially heavy motor vehicles, speed timing enforcement, and CCTV monitoring and response. These police officers ensure motorists are in compliance with the National Road Traffic Act, National Land Transport Act, and Administrative Adjudication of Road Traffic Offences Act (AARTO).

3.3 Municipal Policing in South Africa

The municipal police forces in South Africa were formed during the apartheid era. These forces emerged from the local traffic departments. There was a total of 11 police forces in South Africa during apartheid. Post-apartheid, it was decided to have a single police force in the country. All other police forces were incorporated into the South African Police Force. Municipal policing was not always favoured politically for various reasons. These municipal police officers terrorised the local community and instilled fear in non-whites. They were therefore frowned upon by the oppressed community. Municipal police were not funded by local government neither were they accountable to local government. They were often accused of violence by the community members. Municipal police departments are funded by the local municipality from rates and taxes. Their main function was to assist the South African Police

Force to maintain law and order as there was growing resistance to the apartheid government and to keep non-whites in check. These officers were called "blackjacks". "The origins of the current municipal police are more appropriately traced back to the traffic departments established at local government level in the 1930s and the unique 146-year-old Durban City Police." (Rauch, Shaw, Louw, 2002:4) The Durban City Police is the oldest municipal police force in the country. "The DCP was a self-styled British constabulary and the wording of the municipal ordinances which established it are almost identical to the 1835 Act of the British parliament which established borough and county police." (Rauch, et al., 2006). Municipal police now concentrate on bylaw enforcement, traffic control and the prevention of crime. Municipal courts deal with bylaw contraventions as enforced by the Metropolitan police. A benefit of having a municipal police force is that in most provinces that have municipal police forces, the municipal police officers are more visible when compared to the SAPS officers. This could be due to limited funding from national government as the SAPS is funded by the national treasury whereas the municipal police are not. The powers of municipal officers are slightly less than that of the SAPS officers. A major difference between the two agencies is that municipal police officers do not investigate crime and they do not have holding cells for prisoners.

3.4 Durban City Police

The Durban City Police was formed in 1854 by the Durban City Council. "The city of Durban implemented its own police force, the Durban City Police (DCP), in 1854. The DCP was a self-styled British constabulary and the wording of the municipal ordinances which established it are almost identical to the 1835 Act of the British parliament which established borough and county police." (Rauch, et al., 2006). Everything about the DCP revolved around the British equivalent, from the rank structure to the uniforms, they all resembled the British police force. The head of the DCP was called a Chief Constable. The main purpose of the DCP was traffic control and bylaw enforcement. In 1992 crime prevention was officialy added and made a priority of the DCP due to the increasing levels of crime, vagrancy, and street children. The DCP shared a good working relationship with the SAPS. This set a precedent to other cities especially metropolitan municipalities where the formation of a municipal police service works in reducing crime, controlling traffic, and enforcing bylaws without straining relations with the SAPS. The response time of the DCP officers was much quicker than the SAPS officers. This was due to DCP offiers working on foot as well as in motor vehicles across the city. The number of officers on the streets was constantly increasing on a yearly basis as the city injected more

funds for the recruitment of DCP officers and the purchasing of new equipment. The level of training was exceptionally high. This was also a factor that ensured the success of the DCP. The city council decided to employ retired officers as scholar patrols and summons servers. Their function was to cross school children on a public road outside a school before school starts and after school. The summons servers were responsible for hand delivering infringment notices to people at their residence, who had outstanding traffic and other bylaw infringment fines. The employement of retired officers ensured the safety of the children who were waiting outside the school to be picked up as the retired officers were fully trained and competent in handling any situation that may arise. The summons servers were fully versed in serving summons to the public. The funding for these offices was made possible via rates and taxes of the citizens of Durban. The DCP was known world wide for their efficient and effective operations in all facets of their job. Smaller traffic departments used to send their recruits to the DCP training centre to train them for traffic control and firearm training. DCP officers were fully trained in the use of a wide range of firearms ranging from handguns to rifles. It was compulsory for officers to practise at least once a year in the shooting range with firearms that were issued to them.

3.5 Durban Metropolitan Police Service

"The interim constitution, concluded in 1993 before the first democratic elections, allowed for the establishment of municipal police services but limited their functions to crime prevention and the policing of local government bylaws." (Rauch, et al., 2006).

In 1999 the eThekwini Metropolitan Municipality was formed. The municipality was classified as a category "A" municipality. (Ethekwini Municipality communications, 2011) This was a new classification and it came with new challenges. The integration of all other local councils with the Durban City Council needed to take place to form a single local government structure called the eThekwini Municipality. Durban, being a metropolitan area brings about a host of problems that need to be addressed. The influx of foreigners increased the incidence of xenophobic violence in the city. The increase in the number of informal settlements has seen an increase in crime in the city. (Jain, 2009) [i]These problems require an efficient and effective police force to maintain law and order as well as protect the citizens and visitors to the city.

As the informal settlements increased, crime in the urban areas increased as criminals' target areas away from their residence. This is explained by the crime pattern theory: "there may be environmental features in a neighbourhood that may draw criminals who do not live in the

immediate area but may otherwise be familiar with or frequent the area." (Eck & Weisburd, 2015). Section 64A of the South African Police Services Act 68 of 1995 gives authority for the metropolitan police service to be formed. This act allows any municipality to apply to establish a municipal police force. All members of the municipal police force are peace officers. The administrative head of the metropolitan police service is the municipal manager who appoints an operational head of police to manage all aspects of the metropolitan police service to ensure service delivery.

The metro police service is a paramilitary structure that adheres to strict protocols which include rank and file. There is currently a sharp decline in service delivery in the Durban Metropolitan Police Service. Former "City Manager S'bu Sithole said the goal was to improve and modernise the municipal police force, while ensuring the public showed confidence in the men and women in blue" (eThekwini Municipality, 2014). "Service delivery is a critical part of the performance of any municipality. There does seem to be widely disparate performance in some services and varying cost per service delivery unit across the metropolitan municipalities." (South African Cities Network, 2004a, pp. 138-40).

The former municipal manager has identified a decline in operational efficiency of the Durban Metropolitan Police Service. "The first step would involve a thorough organisational investigation which would happen over the next year. The research will look at how the police are managed and what management issues exist. The long-term economic development strategy of the city of Johannesburg has identified crime as being the single greatest constraint on economic development. The city of Johannesburg has made crime prevention a key priority in the city. (City of Johannesburg, 2006:224). This would involve recruiting external experts to analyse the force and find its weaknesses. These experts would include academics, along with individuals, who have worked in policing structures.

 Is the management of the metro police at the level it should be at? Are we dealing with racial tension?" (Lancaster, 2014). Gareth Newham from the Institute for Security Studies stated that the police force will run optimally only when the senior structures are solid. In November 2016, there were numerous reports that showed the logistics department at the Durban Metropolitan Police Service was in shambles as there was a shortage of dog and horse food, grooms were not paid, and the uniform stores had only limited sizes and quantities of equipment and uniform available for the police officers. There were allegations made by the trade unions that the logistics manager was incompetent and did not know how to do his job. "In 2014, the Sunday

Tribune reported that a rift between Metro Police officers and their management led to the deliberate spoiling of over 60% of all hand-written fines, and the resultant loss of R30 million for the city." (Wicks, 2015).

There was a lot of protest action by disgruntled police officers that could not protect the public effectively due to logistical hindrances. "In August 2012, the metro police embarked on an illegal protest, blocking roads, barging into the city's administrative offices and threatening to burn down the city hall over unhappiness with the management and appointments. In June 2012, metro police head Eugene Nzama was placed on special leave for three months after calls for his removal by metro policemen, the taxi industry, and unions, following accusations of nepotism and corruption" (The Mercury; 2014). On the 18 April 2017 Eugene Nzama, the head of metro police filed an affidavit in the high court claiming that his powers were reduced by the acting city manager and the newly appointed mayor, among Chief Nzama's gripes was the appointment of his deputy, Steve Middleton.

He said that he was entirely excluded from the process of short listing the candidates, despite pointing out the applicable law, he was ignored, leading to the appointment of a Deputy Head.

This newly appointed Deputy Head now receives instructions directly from the second respondent Nene who is the acting municipal manager, in effect rendering him ineffectual and preventing him from fulfilling his duties" (Wicks, 2017). This discord at the Durban Metropolitan Police Service has created a lot of animosity between senior officials as well as junior members as they do not have a clear chain of command as instructions given by the head can be overridden by his deputy or his superior. This problem affects service delivery as well as staff morale.

The formation of "camps" provides a further problem as it affects discipline in the organisation, staff morale, and service delivery. "Political camps within eThekwini Municipality are hindering the hiring of Durban Metro Police officers, resulting in about 1000 vacancies. Officers, constables, sergeants, and inspectors were all desperately needed at operational level, but no one appeared to be pushing to eradicate the "camps" to make the metro police a fully functional unit." (Gopi, 2017).

In a paramilitary organisation, discipline and organisational structure is very rigid. This ensures protocol is followed which leads to an effective and efficient organisation. This automatically ensures that service delivery is not hindered. "[1] Maslow's Hierarchy of Needs outlines that to move toward self-actualisation, safety and security are necessary. However, in current

societal trends, higher and lower order Maslow needs are not seen as separate, creating confusion as to who holds responsibility for fulfilling these needs. [2] Currently, law enforcement has responsibility for not only the balance between the public's need for safety and service, but also for the definition and fulfilment of both. Without a balance between the two, citizens are either dissatisfied with law enforcement, or concerned with their safety both negatively affect law enforcement morale and job satisfaction" (Maslow, 1943).

Figure 3.1 DMPS Organogram
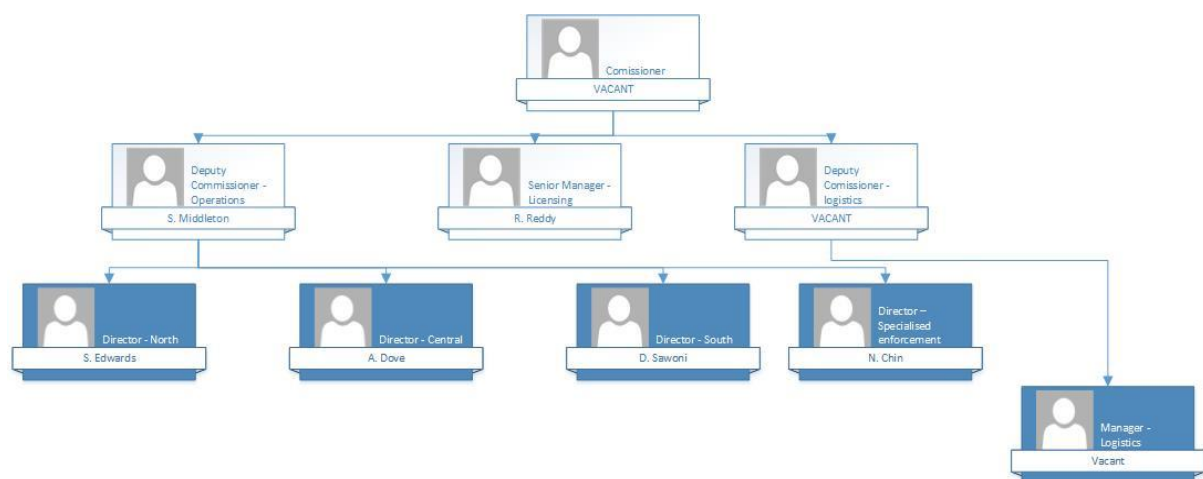
(Naidoo, 2017)

In the organogram above, strategic positions remained vacant for over 2 years. This has a negative impact on the daily operations of the police. The organogram above shows there is nobody in charge of logistics. This poses a threat to the smooth running of the department as nobody takes the responsibility to order food for the dogs and horses. Police uniforms are not ordered. Regular upkeep of the police stations declines, causing a health and safety hazard. "The 'goings on' at the eThekwini Metro Dog Unit are appalling. Apart from Innocent Chamane's (Manager- logistics) horrifying directive it seems that the unit is plagued by shortages. Handlers are having to buy dogs' food and shampoo from their own pockets. The issue of the shampoo may seem innocuous, but this is something that is vital in looking after our dogs and we have not had any supplied by the Metro Police in over a year, reported a policeman. The guys have got their own shampoo, but why should it come to this? We love our dogs and so we make sure it gets done, but it is highly unfair. Some of the younger dogs are eating food that is meant for adult dogs because they refuse to order puppy food. They are meant to be fed the correct, nutritional dog food so that they may develop properly and see out their tenure as working dogs. The system is broken at the Metro Police." (Young, 2015).

3.6 Framework of municipal policing in Durban

The Durban Metropolitan Police service is the local municipal police force that falls under the jurisdiction of the eThekwini Municipality. The head of the metropolitan police department reports to the municipal manager of the eThekwini Municipality. The DMPS is made up of a head office with several regional offices. The head office is located in Archie Gumede Place which is in central Durban. There are 4 regional command offices based in the four regions of the municipality. The geographic boundaries of the DMPS is different to that of the SAPS. The municipal boundaries are similar to those used by the department of justice and the courts. There are numerous local stations in each region that report to their respective regional command. There is a civilian component that is responsible for the investigation of maladministration within the municipality including the DMPS. This unit is called the City Integrity Unit, formerly known as the office of the Ombudsman. There are 3 main functions of the DMPS i.e.

1. Traffic Control – This function is mainly carried out only by auxiliary officers. They are stationed at the major intersection in the C.B.D. as well as busy intersections in the different regions of the municipality. Metro police officers also perform this function.

2. Bylaw enforcement – This function is carried out by both auxiliary as well as metro police officers. Enforcement of specialised functions e.g. building regulations enforcement is carried out by peace officers who belong to those departments that are responsible for those bylaws.

3. Crime prevention – This function is carried out by both auxiliary officers as well as metro police officers. Usually the auxiliary officers provide a visible policing function on foot whilst the metro police office patrol in vehicles and respond to serious crimes. Auxiliary officers do not carry firearms as their primary function is not crime related, but more traffic related.

3.6.1 Traffic Control

The main function of the Metropolitan Police is to ensure the free flow of traffic and to enforce the parking bylaws of the city. "The Bylaws shall apply to the public streets and public places or portions thereof specified in terms of these Bylaws; provided that any other bylaws of the Council for the time being in force regulating and controlling the parking of vehicles in public streets or places shall continue to apply to a metered zone, except to the extent to which such bylaws are inconsistent or in conflict with any of the provisions of these Bylaws." (City of

Durban, 1957). This is achieved by officers walking on the streets to move double parkers as well as officers in vehicles or motor bikes assisting the foot patrols. These officers enforce the parking bylaws by issuing fines to motorists that park in the wrong parking bays e.g. private vehicles parked in a bus stop, loading zone, or paraplegic bay. "No driver or person in charge of a vehicle shall park such vehicle—

(*a*) in a metered parking bay across any painted line marking the bay or in such a position that the said vehicle shall not be entirely within the area demarcated as a metered parking bay;

(*b*) in a metered parking bay which is already occupied by another vehicle;

(c) in a metered parking bay in contravention of any road traffic sign prohibiting the parking or stopping of vehicles in the street or portion of the street concerned." (City of Durban, 1957). Motorists are also issued with fines if they do not pay for parking in the correct parking bay or they exceed the maximum time allowed to park in a specific bay. "When any vehicle shall be parked in a metered parking bay, the driver or person in charge of such vehicle shall forthwith deposit or cause to be deposited in the parking meter installed at such bay the prescribed coin or coins as indicated on such meter for the period of time during which he desires to park his vehicle in such bay and shall set the meter in operation, by the insertion of the prescribed coin where applicable, with the instructions appearing thereon. Thereupon the metered parking bay may be lawfully occupied by the vehicle during the period indicated on the parking meter, but no longer; provided that the driver or person in charge of such vehicle, may without payment, park the same during such time (if any) as may be indicated on the parking meter as being unexpired from its previous use." (City of Durban, 1957).

Auxilliary officers are deployed to major intersections in the CBD during peak times (07:00-08:30 and 16:00 – 17:30) during the weekdays and from 09:00 – 13:30 on Saturdays. Their deployment to these intersections is to ensure that the intersections are free from any traffic congestion. These officers provide a visible policing and enforcement function close to their intersections. This area of work is reffered to as their "beat". These officers play a vital role in easing traffic congestion in the CBD during busy periods.

3.6.2 Bylaw Enforcement

Bylaw enforcement is conducted by metro police officers as well as peace officers who are appointed as contemplated in the Criminal Procedure Act, 1977 (Act No. 51 of 1977). These officials belong to other departments within the municipality. The enforcement officers from

other departments undergo peace officer training at the metro police training academy. Their training is focused on the enforcement of bylaws pertaining to their department.

3.6.2.1 Parks and recreational bylaws

The parks department has got its own parks enforcement unit that is responsible for ensuring the parks bylaws are not contravened. The parks enforcement officers are peace officers who walk in the parks and prosecute people who contravene the parks bylaws. "A person who –

(a) contravenes, refuses, or fails to comply with any provision of this bylaw;

(b) refuses or fails to comply with any –

(i) notice issued; or

(ii) lawful instruction given,

in accordance with this bylaw; or

(c) obstructs or hinders any authorised official of the Municipality in the execution of his or her duties under this bylaw,

is guilty of an offence.

(2) A person who is convicted of an offence under this section may be sentenced to a maximum fine of R40 000or to imprisonment for a period not exceeding two years or to both such fine and period of imprisonment.

(3) In the case of a continuing offence an additional fine of an amount not exceeding R200-00 or imprisonment for a period not exceeding 10 days, for each day on which such offence continues or both such fine and imprisonment, will be imposed." (City of Durban, 2015).

The parks enforcement officers have got the power to remove any person or persons from the park if at the discretion of the parks officer, an individual or a group of people are a nuisance to other people using the park. "(1) An authorised official may exclude or remove from a park any person who –

(a) is in a state of intoxication or under the influence of narcotics;

(b) behaves in a manner which is disorderly, unseemly or disruptive to other persons visiting the park; or

(c) commits, or is reasonably suspected by an authorised official to have committed, an

offence or any other act which is in contravention of any provision of this bylaw.

(2) Failure or refusal by a person referred to in subsection (1) to leave a park upon being ordered

by the authorised official to do so is an offence in terms of this bylaw." (City of Durban, 2015).

3.6.2.2 Beach Bylaws

The beaches have got their own beach law enforcement department. The officers are also peace

officers who enforce the beach bylaws including the seashore regulations. These officers patrol

the coastline in motor vehicles as well as in quad bikes. They have the authority to issue fines

and to arrest individuals along the coastline. The offences that are enforceable by the beach

law enforcement officials are strictly limited to the coastline and are restricted to beach bylaws.

"(1) A person commits an offence if he or she–

(a) contravenes any provision of this bylaw;

(b) contravenes any conditions, restrictions or prohibitions imposed in terms of this bylaw;

(c) fails to comply with the terms of any notice or signage displayed in terms of this bylaw;

(d) obstructs, hinders, or in any manner interferes with an authorised official who is acting

or entitled to act in terms of this bylaw; or

(e) fails to obey any lawful instruction or direction given to him or her in terms of this bylaw.

(2) A person is guilty of a continuing offence if he or she continues with an offence after notice

has been served on him or her in terms of this bylaw requiring him or her to cease committing

such offence, or after he or she has been convicted of such offence.

Penalties

17.(1) Any person who is convicted of an offence under this bylaw is liable to a fine of an

amount not exceeding R40 000 or to imprisonment for a period not exceeding 2 years, or to

both such fine and imprisonment.

(2) In the case of a continuing offence, an additional fine of an amount not exceeding R100 or

imprisonment for a period not exceeding 10 days, for each day on which such offence continues

or both such fine and imprisonment, will be imposed." (City of Durban, 2015).

3.6.2.3 Building Bylaws

Building inspectors carry out daily inspections on properties that are being built within the municipal boundaries. These buildings need to comply with the requirements of the building regulations. If builders do not comply with any requirement set out by the act, the owner is then issued with a fine.

"(1) Any person who—

(a) contravenes any provisions of these bylaws; or

(b) contravenes any conditions imposed upon the granting of any application, consent, approval, concession relaxation, permit, or authority, in terms of these bylaws; or

(c) fails to comply with the terms of any notice served upon him in terms of these bylaws;

shall be guilty of an offence and liable, upon conviction, to the maximum penalty prescribed or the offence by section 266 (7) (a) of the Local Authorities Ordinance, No.25 of 1974.

[R. (1) substituted by PN 370 of 1983.]

(2) Failure to comply with the terms of any condition or notice referred to in subsection (1) (b) or (c) above shall constitute a continuing offence and a person failing to comply with the terms of such condition or notice shall be guilty of a separate offence for each day during which he fails to comply with such terms.

[R. (2) substituted by PN 370 of 1983.]

(3) Upon failure to carry out the terms of any notice issued under any provision of these bylaws on the part of the person on whom such notice was served, the City Engineer may himself cause such terms to be carried out and the cost of his so doing shall be payable by such person.

[R. 270 amended by PN 488 of 1966 and by PN 141 of 1972 and substituted by PN 513 of 1980.]" (City of Durban, 1932).

3.6.2.4 Health bylaws

The Municipal health department has employed health inspectors who are also peace officers trained to enforce health and food bylaws. They have the authority to issue a fine or confiscate food items that are not compliant to the act. Their main job is to visit food establishments including mobile food vehicles, to ensure that they are compliant with the bylaws and to issue

a fine if they are not. Members of the public can also send in complaints via e-mail or in writing about food establishments that they feel are not compliant. These complaints are then registered and directed to the correct official for investigation with a report. The complainant is then informed of the outcome of the complaint.

"Offences and penalties. — (1) Any person who—

(a) contravenes any provision of these bylaws; or

(b) contravenes any conditions imposed upon the granting of any application, consent, approval, concession, relaxation, permit or authority in terms of these bylaws; or

(c) fails to comply with the terms of any notice served upon him in terms of these bylaws,

shall be guilty of an offence and liable, upon conviction, to the maximum penalty prescribed for the offence by section 266 (7) (a) of the Local Authorities Ordinance, No. 25 of 1974.

(2) Failure to comply with the terms of any condition or notice referred to in subsection (1) (b) or (c) above shall constitute a continuing offence and a person failing to comply with the terms of such condition or notice shall be guilty of a separate offence for each day during which he fails to comply with such terms." (City of Durban, 1950).

3.6.2.5 Bylaws enforced by DMPS

The main function of the metropolitan police is bylaw enforcement. The DMPS uses auxiliary officers for the majority of the bylaw enforcements. This may include seizing a traders goods or towing and impounding a vehicle that's causing an obstruction. If the accused wishes to dispute the fine, he can appear in the municipal court and plead his case in front of a magistrate.

Informal Trading: Due to the high rate of unemployment and the vast number of informal traders converging on the C.B.D., trying to make a living, the municipality created an informal trading framework to allow informal traders to trade legally in the C.B.D. The number of traders are regulated by means of a permit system. There are different types of permits that carry different trading conditions. The traders that do not comply with the bylaws or their permit conditions are prosecuted by the DMPS; their goods can also be impounded.

"A person is guilty of an offence if he or she—

(a) trades without an informal trading permit;

(b) contravenes any provision of this bylaw;

(c) contravenes any condition on which a permit has been issued to him or her;

(d) contravenes any provision of an applicable informal trading policy;

(e) fails to comply with any lawful instruction given in terms of this bylaw;

(f) threatens, resists, interferes with or obstructs any authorised official in the

performance of official duties or functions in terms of or under this bylaw; or

(g) deliberately furnishes false or misleading information to an authorised official.

(2) A person is guilty of a continuing offence if he or she continues with an offence after notice

has been served on him or her in terms of this bylaw requiring him or her to cease committing

such offence, or after he or she has been convicted of such offence." (City Of Durban, 2014).

If a trader continues to trangres the bylaws, there are strict conditions that the police officers

follow in dealing with the contravention."

"Removal and impoundment:35. (1) An authorised official may remove and impound any goods of an informal trader which

he or she reasonably suspects is being used, has been used or is intended to be used for or in

connection with informal trading which is in contravention of this bylaw or any other

applicable law.

(2) The removal and impoundment of goods in terms of subsection (1) may be carried out

irrespective of whether or not such goods are in the possession or under the control of any

third party at the time.

(3) Any authorised official who removes and impounds goods in terms of subsection (1) must,

except where goods have been left or abandoned, issue the informal trader a receipt which─

(a) itemises the goods to be removed and impounded;

(b) provides the address where the impounded goods will be kept;

(c) states the period of impoundment;

(d) states the terms and conditions which must be met to secure the release of the

impounded goods;

(e) states the impoundment fee to be paid to secure release of the impounded goods;

(f) states the terms and conditions on which unclaimed goods will be sold or otherwise disposed of; and

(g) provides the name and address of a municipal official to whom any representations regarding the impoundment may be made and the date and time by which representations must be made.

(4) If any goods to be impounded are attached to immovable property or a structure, an authorised official may order any person who appears to be in control of the immovable property or structure to remove the goods to be impounded and, if that person refuses or fails to comply, then ─

(a) that person shall be guilty of an offence; and

(b) the authorised official may remove the goods himself or herself.

(5) Goods which have been impounded may be released after –

(a) proof of ownership in the form of the presentation of the receipt contemplated in subsection (3); and

(b) payment of the impoundment fee,

is received.

(6) The Municipality may at any time after the impoundment sell, destroy or otherwise dispose of─

(a) impounded perishable goods if the goods represent or might represent a health risk or a nuisance; and

(b) foodstuffs which are unfit for human consumption.

(7) Impounded goods other than perishable goods, may be sold by the Municipality if the

owner does not, or is unable to, pay the impoundment fee within 1 month from the date of impoundment of those goods.

(8) If impounded goods are sold by the Municipality in terms of subsections (6) or (7), and upon the presentation of the receipt contemplated in subsection (3) as proof of ownership, the Municipality must pay to the person presenting the inventory the proceeds of the sale less the impoundment fee.

(9) If in the reasonable opinion of an authorised official, an informal trader is suspected of trading in illegal goods, then those goods may be immediately confiscated and, in the event of such a confiscation, the authorised official must—

(a) comply with the requirements of this section; and

(b) immediately surrender the suspected illegal goods to the possession of the South

African Police Service." (City Of Durban, 2014).

A trader who does not pay an admission of guilt fine can opt to appear in court. The trader can also face imprisonment as well as a fine depending on the decision by the court.

Parking Meters: Enforcement of parking meters was previously done by traffic wardens "meter maids", after the formation of the metropolitan municipality, all traffic wardens were converted to either auxiliary officers or police constables. The majority of the parking meter enforcement is conducted by auxiliary officers. "12. Offences. —No Person shall—

12.1 Park in a metered parking bay, without paying the prescribed fee, unless exempt by clause 8 hereto

12.2. Remain in a metered parking bay, after the expiration of the period for which he may remain legally parked, whether he pays for his over-stay or not

12.3. Deface or tamper with a parking meter or pay and display machine or appurtenance thereto, or affix or attempt to affix or place any placard, advertisement, notice, list, document, board or thing, or paint or write thereon.

12.4 Remove, deface or tamper with a parking ticket.

12.5 Use anything other than the means of payment, indicated on the parking meter or the pay and display machine for the payment of parking.

12.6 Utilise a physically challenged persons permit issued to a physically disabled person when such person is not in the vehicle.

12.7 Park and stop a vehicle in a metered parking bay at any time prohibited by a road traffic sign displayed in accordance with any other law." (City of Durban, 2006).

Obstructing, blocking or disturbing of traffic and pedestrians: This includes all types of obstuctions caused by motor vehicles as well as people begging on the street. Auxilliary officers as well as police constables carry out this type of enforcement. If a vehicle is found to be causing an obstruction, the vehicle is charged and impoundend. Beggars are arrested and taken to the nearest SAPS where their names are entered into the warning book. No person may–

(a)

" in a public place, intentionally block or interfere with the safe or free passage of a pedestrian or motor-vehicle, unless to the extent authorised by law; or

(b)

approach any pedestrian or a person inside a motor-vehicle on any public road or public road intersection or any other public place for the purposes of begging from such pedestrian or person in a motor-vehicle.

(2)

Any person, who unlawfully blocks, occupies or reserves a public parking space, or begs, stands, sits, lies in a public place, or does anything which hinders or disturbs the flow of pedestrian or road traffic must immediately cease to do so when directed by an authorised official." (City of Durban, 2015)

Bad Buildings:

A bad building is defined as a building that is vacant and neglected by the owners and is home to criminal elements. These buildings are unsafe and uninhabitable. The dire need for low cost housing has forced people to rent in these derilict buildings with no proper running water,making these buildings very unhygenic. These conditions are breeding grounds for

sickness and disease. The landlords are still charging people a monthly rental of R1500 to live in the building. The use of these bad buildings by criminals in the CBD has increased drastically over the past few years. The DMPS have confiscated a lot of narcotics and other prohibited items from some of these buildings, which are an eyesore and their presence devalues neighbouring buildings. This has prompted the municipality to create a bylaw to prosecute these owners as well as to control and rehabilitate these buildings.

Figure 3.2 Sleeping conditions - derelict building

iTrump(2017) *Ana Capri-sleeping*

iTrump (2017) *Ana Capri-sleeping2*

Figure 3.4 Ablution facility -derelict building

iTrump (2017) *Ana Capri-ablutions*

In 2015 the Problem Buildings byLaw was promulgated. This bylaw enabled the Metro Police to take action against the owners of these buildings. The objectives of this bylaw are : "(a)

provide a mechanism for the co-ordinated identification, control and rehabilitation of problem buildings; (b) set minimum standards for consultations with owners, and people who occupy or reside in problem buildings; and (c) ensure the health and safety of people occupying problem buildings and of the public in general." (eThekwini Municipality, 2015)

The municipality uses other legislation to prosecute landlords or to assist landlords in reclaiming buildings that have been "hijacked". The application of these regulations strengthens the municipality's case when the matter goes to court. Apart from the problem buildings bylaw, the other bylaws and regulations used are:

- National Buildings Regulations
- Health Bylaw
- Fire Regulation
- Electricity Bylaw
- Water Bylaws
- Licensing Regulation
- Criminal Procedure Act

Figure 3.5 Property profiling form

PROPERTY PROFILE		
NUMBER	HEADINGS	INFORMATION
	GPS COORDINATES	S00˚00.000' E000˚00.000'
	PHYSICAL ADDRESS	
	RATE No.	
	ERF No.	
	CATEGORY	
	PROPERTY OWNERS	
	ID NUMBER	
	RESIDENTIAL ADDRESS	
	CONTACT PARTICULARS	
	MANAGING AGENT	
	SUPERVISOR/ CARETAKER	
GENERAL INFORMATION		
	NUMBER OF FLOORS	
	NUMBER OF ROOMS	
	ESTIMATED NUMBERS OF PERSONS total	

	BIOGRAPHICAL DATA	NO OF MALES NO OF FEMALES NO OF CHILDREN
	RENT PAID pm	
	ESTIMATED TOTAL RENT PAID pm	
	HEALTH INFRINGEMENTS	
	NBR INFRINGEMENTS	
	LAND USAGE INFRINGEMENTS	
	ELECTRICITY INFRINGEMENTS	
	FIRE & EMERGENCCY INFRINGEMENTS	
	Water Dep. Infringements	
	SAPF/DMPS STATISTICS	
	OTHER PROPERTIES LINKED TO	
	NAME OF PROFILER	
	DATE PROFILING COMMENCED/COMPLETED	
	STATUS	
	SENIOR MANAGER/HEAD SIGNATURE	

(eThekwini Municipality, 2019)

The DMPS together with iTrump, SAPS and the city health department continuously raid bad buildings. When the bad buildings task team begin profiling buildings in the city, the following approach is taken:

- Identify the buildings that where used for less than legitimate activities
- Identify those that were badly maintained and managed in terms of municipal bylaws and property laws of the country
- Identify those that posed a serious health and security risk to the public

The citiy's legal department is tasked with taking action against the owners of these buildings.

The aim of this process is to return hijacked buildings to their owners, to assist in rejuvenating and regenerating the buildings rather than closing them down, and to get rid of negative elements from in and around the building. The bad buildings task team also deals with homeless shelters as these are also havens for criminals. There are approximately 22 privately owned homeless shelters in the C.B.D. The owners charge a daily rate ranging

from R10 per day to R60 per day. Majority of these shelters are very dirty. There is a lot that the city is doing to reclaim buildings that are dilapidated and are a haven for criminals. Some buildings are "hijacked" by criminals who collect and pocket rent from tenants of the building. The buildings are then neglected as the owners are not receiving their rental income to upkeep the building. There are currently 29 buildings that have been identified as high risk bad buildings in central Durban. Due to limited staff available to deal with these buildings, the process is moving very slowly. The process of reclaiming these buildings is a very lenghty process as can be seen in the case of Ana Capri vs eThekwini Municipality. There are 9 stages that need to be fullfilled when dealing with bad buildings i.e.

1. Inception
2. Basic profile
3. Combined site inspection
4. Full Profile
5. Issuing of notices
6. Follow-up inspection
7. Issuing of section 56 notice
8. Court preperation
9. Court attendance (eThekwini Municipality, 2017)

The minimum time it takes for the process to reach step 9 is approximately 3 months, this is on condition that all the documentation is completed correctly.

The task team that deals with bad buildings contains representatives from different municipal and provincial government departments. There are numerous interventions that this task team implements i.e:

- Assisting developers with line departments in fast tracking plans for rehabilitation of buildings.
- Sealing/closure of buildings generating high crime.
- Supporting problem buildings to allow advertising, income used to pay city debt, and rehabilitation of buildings.

There are 5 buildings that have been identified by this task team for the city to change the rate code of the buildings to enable the owners to be penalised with higher rates on the property for failing to abide by the task team's recommendations.

There are 107 problem buildings that have been identified in the inner city (95 privately owned buildings, 5 municipal owned buildings, 7 government owned buildings).

The municipality has just won 1 case at the high court for a problem building. This building is currently under rehabillitation. There are a further 3 cases that are now ready to go to court for different problem buildings. The municipality will use problem buildings for public advertisements. The income generated from these adverts will be used for the rehabilitation of the building as well as the city's debts. There is currently UDZ tax incentives that are available to developers of buildings that form part of the UDZ. The municipality will begin aggressively marketing of this incentive shortly to encourage owners to rehabilitate bad buildings.

3.6.3 Crime Prevention

The 3rd task of the metro police is crime prevention. Officers work within the ambits of the criminal procedure Act 51 of 1977. DMPS officers work in conjunction with the SAPS to reduce crime. DMPS officers provide a visible policing and crime response function by means of foot patrol and vehicle patrols. They are also involved in search and seizure operations involving suspected drug dealers. The members on the beachfront also make use of bicycles and horses to increase visibility and to respond to crime. There are 3 additional units that were formed: the metro police search and rescue unit, public order policing unit, and V.I.P. protection unit. These units fall under the command of the specialized enforcement department. The search and rescue and the public order policing unit work in conjunction with the corresponding unit at the SAPS. Metro police members attend the same training together with the SAPS. The members are also based at the respective SAPS stations and respond with the SAPS to any incidents. The purpose of forming these 2 units was to supplement the SAPS manpower and to improve service delivery as the SAPS units are understaffed whilst there has been an increase in the services required by these units. Both these units attend to callouts together with SAPS officials or by themselves. The V.I.P. protection unit was formed to provide a body guarding service to political officials of the city. This function is also carried out by the security management unit which is not part of the Durban Metropolitan Police Service.

3.7 The South African Police Services

The South African Police Services is the official police force in the Republic of South Africa. The SAPS has been created in terms of Chapter 11, section 205 – 208 of the Constitution of the RSA. The SAPS act of 1995 made provision for the establishment of a single police service. Chapter 12 made provisions for the establishment of a metropolitan police service. The mandate of the SAPS as per the constitution of the RSA is as follows:

1. "Prevent, combat and investigate Crime
2. Maintain Law and order
3. Protect and secure the inhabitants of the Republic and their property
4. Uphold and enforce the law
5. Create a safe and secure environment for all people in South Africa
6. Prevent anything that may threaten the safety or security of any community
7. Investigate any crimes that threaten the safety or security of any community
8. Ensure criminals are brought to justice and participate in efforts to address the causes of crime." (South African Police Service, 2017).

The SAPS is structured as follows:

1. National head office
2. 42 Area Command offices
3. 1121 police stations

There are 9 provincial commissioners that are assigned to each province of the RSA. Their functions are to ensure the smooth operations of the SAPS and to ensure the police personnel are delivering on their mandate. Section 206 of the Constitution of the RSA gives authority for the appointment of Metropolitan police officers around the country. "National legislation must provide a framework for the establishment, powers, functions and control of municipal police services." (South African Government, 1993). Municipal police officers get their powers from the SAPS Amendment Act of 1998. "To amend the South African Police Service Act, 1995, so as to provide a framework for the establishment, functions and control of municipal police services; and to provide for matters connected therewith." (South African Government, 1998).

There are some major differences between the SAPS and the DMPS. The main differences are as follows:

1. Metropolitan police service does not detain prisoners as they do not have holding cells.
2. SAPS have a bomb disposal unit that responds to bomb related reports.
3. SAPS investigate crimes whilst DMPS does not.

Figure 3.6 SAPS Organogram
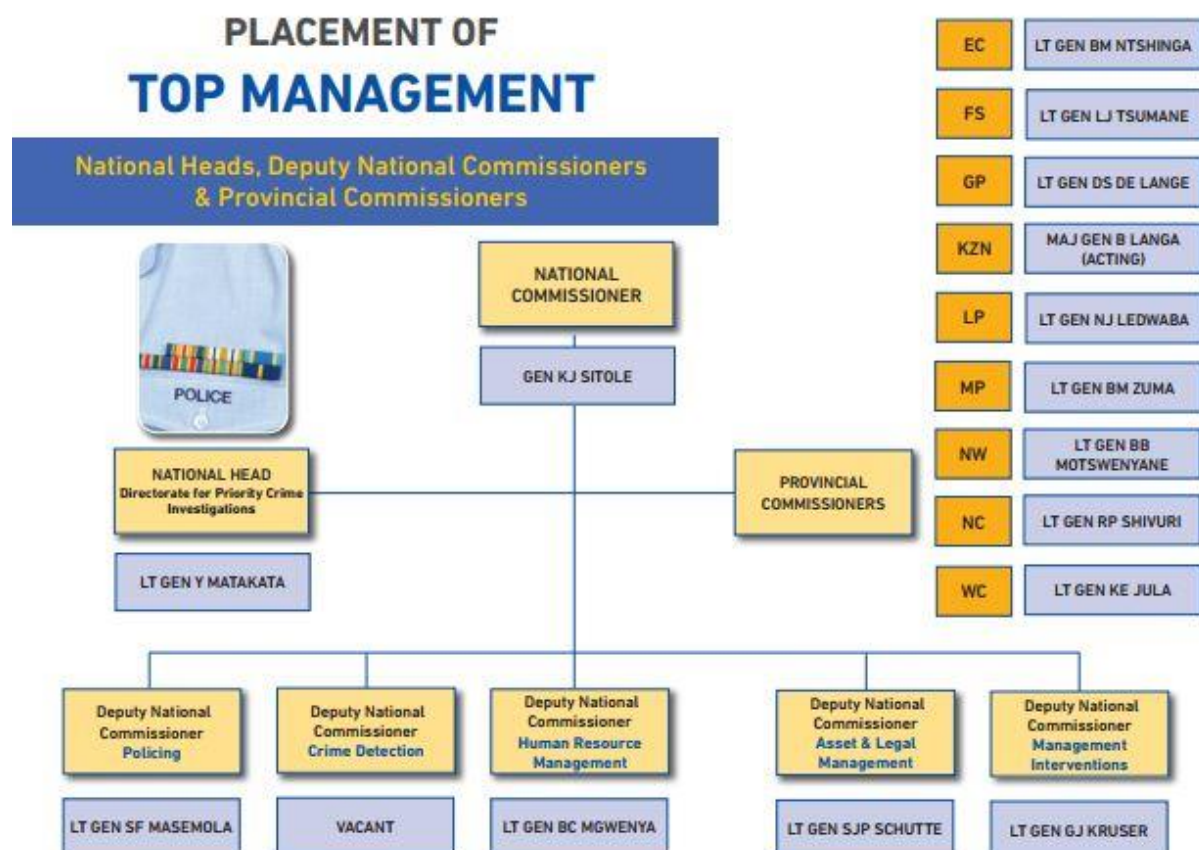
(South African Police Services, 2016)

 SAPS officers are sometimes disgruntled about their salaries, compared to municipal officers. This sometimes causes animosity between members as metropolitan police officers generally get paid higher salaries compared to their SAPS counterparts. Salaries of SAPS officers are negotiated at a national level whilst municipal officers' salaries are negotiated at a municipal level. All complaints against the SAPS as well as the metropolitan police service countrywide is investigated by the independent police investigative directorate. They provide an independent oversight function for the police nationally. This includes all types of police agencies in the country. "The aim of the Independent Police Investigative Directorate (IPID) is to ensure independent oversight over the South African Police Service (SAPS) and the Municipal Police Services (MPS), and to conduct independent and impartial investigations of

identified criminal offences allegedly committed by members of the SAPS and the MPS and to make appropriate recommendations." (IPID, 2017). The IPID then reports to the Minister of police. The IPID is guided by the IPID Act of 2011. The purpose of the act is as follows: "To make provision for the establishment of an Independent Police Investigative Directorate and to regulate the functions of the Directorate, to provide for the establishment of a Management Committee and Consultative Forum and their respective functions, to provide for the appointment and powers of investigators, to provide for reporting obligations and cooperation by members of the South African Police Service and Municipal Police Services, to provide for transitional arrangements, to provide for the repeal and amendment of certain laws, and to provide for matters connected therewith." (The South African Government, 2011). All IPID investigators are given police powers as contemplated in section 24 (2) by the minister.

3.8 Conclusion

This chapter elaborated on the legislation that is responsible for the governance of the metropolitan police in South Africa. The chapter looked at the SAPS and its role in relation to the metropolitan police service. The chapter further explained the evolution of municipal policing in Durban and how the DCP evolved into the DMPS and their respective roles in service delivery. The DMPS policing framework was discussed in this chapter.

Chapter 4 - Research Design

4.1 Introduction

This chapter explains the guidelines that the research has followed. The chapter begins with the research design explaining the paradigm that was implemented. It then moves on to explain the research approach and the steps that the research followed. Further on in the chapter, the target population, sampling strategies, sample size, and sample is explained. This is followed by the data quality control, data analysis, and ethical considerations.

4.2 Research Paradigm

"A paradigm is a shared world view that represents the beliefs and values in a discipline and that guides how problems are solved." (Schwandt, 2001). Different paradigms direct the researcher to ask specific questions. An example would be, if you ask if vampires exist, the questions would be: What is the source to prove the statement? What methods can be used to prove their existence?

Table 4.1 Comparison of selected paradigms

	Positivist/Post - positivist Paradigm	Constructivist/ Interpretive Paradigm	Transformative/ Emancipatory Paradigm	Postcolonial/ Indigenous Paradigm
Reason for doing the research	To discover laws that are generalisable and that govern the universe.	To understand and describe human nature.	To destroy myths and empower people to change society radically.	To challenge deficit thinking and pathological descriptions of the former colonised and reconstruct a body of knowledge that carries hope and promotes transformation and social change among the

				historically oppressed.
Philosophical underpinnings	Informed mainly by realism, idealism, and critical realism.	Informed by hermeneutics and phenomenology.	Informed by critical theory, postcolonial discourses, feminist theories, race specific theories, and neo-Marxist theories.	Informed by indigenous knowledge systems, critical theory, postcolonial discourses, feminist theories, critical race- 6 specific theories and neo-Marxist theories.
Ontological assumptions	One reality, knowable within probability.	Multiple socially constructed realties.	Multiple realties shaped by social, political, cultural, economic, race, ethnic, gender and disability values.	Socially constructed multiple realities shaped by the set of multiple connections that human beings have with the environment, the cosmos, the living and the non-living.
Place of values in the research process	Science is value free, and values have no place except when choosing a topic.	Values are an integral part of social life; no group's values are wrong, only different.	All science must begin with a value position; some positions are right, some are wrong.	All research must be guided by a relational accountability that promotes respectful representation, reciprocity, and rights of the researched.

Nature of knowledge	Objective	Subjective, idiographic	Dialectical understanding aimed at critical praxis	Knowledge is relational and indigenous knowledge systems built on relations.
What counts as truth	Based on precise observation and measurement that is verifiable	Truth is context dependent	It is informed by a theory that unveils illusions	It is informed by the set of multiple relations that one has with the universe.
Methodology	Quantitative, correlational, quasi-experimental, experimental, causal comparative survey.	Qualitative phenomenology, ethnographic, symbolic interaction, naturalistic.	Combination of quantitative and qualitative action research, participatory research.	Participatory, liberating, and transformative research approaches and methodologies that draw from indigenous knowledge systems.
Techniques of gathering data	Mainly questionnaires, observations, tests, and experiments.	Mainly interviews, participant observation, pictures, photographs, diaries, and documents.	A combination of techniques in the other two paradigms.	Techniques based on philosophic sagacity, ethnophilosophy, language frameworks, indigenous knowledge systems, talk stories, and talk circles.

(Chilisa, 2011)

This study has implemented a transformative paradigm. "A transformative worldview holds that research inquiry needs to be intertwined with politics and political change agenda to confront social oppression at whatever level it occurs. Thus, the research contains an action agenda for reform that may change the lives of the participants, the institutions in which individuals work or live." (Creswell, 2014). The Durban Metropolitan Police Service has been portrayed in a negative light in the media over the past 24 months due to political reasons. This has negatively affected service delivery. This study has examined the current administrative state of the Durban Metropolitan Police Service and the findings will help improve the administrative process to ensure better service delivery whilst minimising the negative publicity surrounding the DMPS.

4.3 Research Design

Research design commences with the selection of a topic and a paradigm that mirrors the framework and values for researching that specific topic. A research can take the form of being a qualitative, quantitative, or mixed methods research design.

Figure 4.1 Types of Research Design

Types of Research Design

Quantitative Research Design	Qualitative Research Design	Combined Qualitative/Quantitative Research Design
1. Experimental Research 2. Correlational Research 3. Survey Research	1. Grounded Theory Research 2. Ethnographic Research 3. Narrative Research	1. Mixed Method 2. Action Research

(GSE Bookbinder, 2018)

A Qualitative Narrative design was used in this study. Qualitative research is "not meant to have a rigid approach to analysis. It is an interpretive, very dynamic, free flowing process, and unless researchers understand the basics of what they are trying to do, they lose these aspects of analysis." (Corbin & Strauss, 2015:1). Qualitative research is used when a researcher wants to probe categories such as behavioural aspects of people or animals. This type of research is ideal when researching the problems at the DMPS as it involves human behaviour and perceptions. This research investigated the negativity surrounding the Durban Metropolitan Police Service by probing the conflicting aspects of human behaviour caused by political interference. Narrative research is a "means by which we systematically gather, analyse, and represent people's stories as told by them, which challenges traditional and modernist views of truth, reality, knowledge and personhood." (Etherington, n.d.:3). The research analysed the participant's version of events and reasons that lead up to the state of political discord at the Durban Metropolitan Police Service. The information was collected using focus group and individual interviews. This information was used to create corrective measures to address the political discord and negative publicity of the Durban Metropolitan Police Service. The focus groups blatantly revealed the existence of camps and how this had a ripple effect on members at all levels. Some of the members in the focus groups were trying to defend certain actions of executive management.

4.4 Target Population

The population of the Durban Metropolitan Police Service consists of 1085 uniformed police personnel who are currently operational. The rank structure of the uniformed members are as follows, in order of seniority:

- Chief of Police
- Deputy Chief of Police X 2
- Director X 4
- Senior Superintendent
- Superintendent
- Captain
- Inspector
- Sergeant
- Constable

4.5 Sampling Strategies

A sample is a percentage of the total population within the area of study. The chosen sample will represent the total population of the study area. A sampling strategy is "the plan you set forth to be sure that the sample you use in your research study represents the population from which you drew your sample." (Landreneau, 2005). Sampling strategy can be divided into 2 categories: probability and non-probability sampling. The table below shows the differences between the 2 types of strategies. A sampling strategy is critical in choosing the sample for the research as the sample represents the total population and the information provided by the sample will ensure the validity of the results.

Table 4.2 Sampling Strategy

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Probability sampling	Non-probability sampling
Includes some form of random selection in choosing the elements.	The elements that make up the sample, are selected by non-random methods.
Greater confidence can be placed in the representativeness of probability samples.	This type of sampling is less likely than probability sampling to produce representative samples.
This type of sampling involves a selection process in which each element in the population has an equal and independent chance of being selected.	Even though this is true, the researcher can and use non-probability samples.
Four main methods include: 1) simple random, 2) stratified random, 3) cluster, and 4) systematic.	The three main methods are: 1) convenience, 2) quota, and 3) purposive."

(Landreneau, 2005)

The sample population were police officers from the Durban Metropolitan Police Service that have a minimum of 5 years of operational experience from the rank of constable. The sample population was chosen due to their rank within the police force and the impact of political discord that will be experienced at the different levels. The head and deputy head were chosen as they were the most affected by political influence. The discord at this level has filtered down the ranking structure and has affected their subordinates. The other subjects were chosen as the research will focus on the specialised enforcement unit of the Durban Metropolitan Police Service. The specialised enforcement unit deals with protests, taxi violence, political violence, and escorting political leaders, etc.

4.6 Sample Size

The total sample size was 21 people that comprised of 6 structured interviews and 2 focus groups made up of 15 individuals in total.

4.7 Sample

The individuals are as follows:

Deputy Chief of Police

Director X 3

Senior Superintendent X 2

The focus groups consisted of 6 Captains in one group. The other group consisted of 3 constables, 3 sergeants and 3 inspectors. The subjects were part of the specialised enforcement section. This unit deals with specialised work including protests and political violence. The specialised unit was most prone to political interference due to the nature of their work. The specialised enforcement unit is privy to restricted information that other police officials do not have access to e.g. the president's movement when he is in Durban.

4.8 Data Quality Control

Data quality control is very important part of research as it ensures the results that the research produces is valid.

Figure 4.2 Eight Components of Data Quality

(Radhakrishna, et al., 2012)

The subjects that were selected are high ranking officials as well as officers who are trusted with very sensitive information. The information that was obtained from these officers is deemed to be credible by virtue of the position that they hold. The specialised enforcement section deals with serious matters such as taxi violence, service delivery protests, and roadblocks. These members also interact with the president and ministers when they are in Durban. Commanders in this unit are trustworthy and ethical as they are trusted with sensitive information that deals with public safety. Peer debriefing was used to authenticate the data that was collected. According to Creswell, peer debriefing is defined as "the review of the data and research process by someone who is familiar with the research or the phenomenon being explored" (Creswell, 2014:202). It is also known as analytic triangulation. "A peer reviewer provides support, plays devil's advocate, challenges the researchers' assumptions, pushes the researchers to the next step methodologically, and asks hard questions about methods and interpretations." (Creswell & Miller, 2000:129). Peer debriefing is used to enhance the credibility of the study.

4.9 Data Analysis

The data was interpreted by means of content analysis. "Content analysis is the systematisation of text analysis. It analyses the form and substance of communication. Underlying meanings and ideas are revealed through analysing patterns in elements of the text, such as words or phrases." (Yang & Miller, 2008). There are generally two categories of data analysis. i.e. conceptual analysis and relational analysis.

Conceptual analysis is "the use of thought experiments and reflection on possible cases to reveal to ourselves the boundaries of our concepts: what it is for something to count as an F. The idea is to try to bring the contours of an ordinary concept into sharper focus. We learn from our reactions to cases; we learn something about what we think could count as a thing of a certain kind." (Jackson, 1998).

Relational analysis is "a technique used that explores the relationships of identified concepts in a text. Qualitative research is a technique used that involves non-statistical methods of analysing information. By combining these two techniques, a relational analysis qualitative research is conducted and written. This type of research takes non-statistical methods to explore the relationships of concepts found in groups of text." (VanBaren, 2017).

The researcher used relational analysis to interpret the data as data was collected from 2 focus groups and 6 interviews .

4.10 Ethical Considerations

Due to the sensitive nature of the interviews, participants were given consent forms before the start of the interview. A copy of the signed consent form was given to the participants for their peace of mind. Anonymity was guaranteed as the information that was gained could have career limiting consequences for the participants. All participants were informed that they could withdraw from the process at any time and all interactions are strictly confidential. The interviews were recorded on a device that is password protected and all recordings was encrypted. All confidential correspondence was secured at all times. All electronic documents were password protected and encrypted. The participants were informed of the same before the interview begun due, to the confidential nature of all interactions. The printed data was disposed of by means of a shredder and the electronic data will be deleted and emptied from the recycle bin after 5 years.

4.11 Conclusion

The preceding chapter shaped the structure of the research. The different worldviews were explained whilst honing in on a transformative worldview that the research adopted. This was followed by the research design which explained the qualitative narrative design of the research. The chapter then moved on to explain the target population at the DMPS, sample, sample size, and the sampling strategy that were used. Data quality control was elaborated on. Content analysis was then explained as the data analysis method. The following chapter has elaborated on the findings and analysis of the data collected through focus groups and interviews.

CHAPTER 5 - Data Findings and Analysis

5.1 Introduction

This chapter introduces data that has been collected from respondents during focus group interviews as well as individual interviews. The chapter begins with the administrative background of the DMPS. The functions of the DMPS together with the demography of the area that makes up the jurisdiction of the DMPS is then presented for the researcher to provide a better understanding of the underlying factors that affect the research. Lastly, data collected via focus groups and individual interviews is presented.

5.2 Background of Municipal Policing in eThekwini Municipality

The Durban City Police was the municipal police force that was responsible for Bylaw enforcement, traffic control, and crime prevention in central Durban. In 2000 the Durban City police amalgamated with all other local traffic departments that fell within the eThekwini Jurisdiction. The amalgamated departments became the DMPS. The DMPS is responsible for all bylaw enforcement including cattle theft, traffic control, and crime prevention in the eThekwini Municipality. The DMPS is divided into 4 regions i.e. North, South, West and specialised. The focus of this research is based on the specialised region of the DMPS which is located at the police headquarters based at 16 Archie Gumede Place, Durban.

The specialised unit is responsible for specialised functions i.e. drunk whist driving roadblocks, horseback patrol, public transport monitoring and enforcement, and recovering outstanding traffic fines.

5.3 Data Collection Methods

The research followed a qualitative research design. According to Creswell, a qualitative research design should be detailed and descriptive. "In order to achieve a qualitative research aim, data collection should be detailed and descriptive. For a qualitative design, data collection includes the collection of information through unstructured or semi structured observations and interviews, documents and visual materials as well as establishing the protocol for recording information." (Creswell, 2014:61).

There were 2 types of data collection methods:

1. Focus group interviews
2. Structured interviews

Focus Group Interviews

There were 2 focus group interviews that were conducted to collect detailed information from operational members. The first focus group consisted of police officials that held the rank Constable, Sergeant and Inspector. The second focus group consisted of police officials that held the rank of Captain. The first focus group consisted of 9 participants and the second focus group consisted of 6 participants, each was randomly selected. These participants had varied years of experience within the DMPS. "focus group participants build on each other's ideas to provide an in-depth understanding of the study." (Gray, 2013:69).

Structured Interviews

There were 6 structured interviews that were conducted with senior management from different sections within the DMPS. The participants in the structured interviews had a minimum of 10 years management experience within the DMPS.

5.4 Data Analysis and Interpretation

5.4.1 Focus Group 1 Interview

The first focus group consisted of 10 participants who are operational police officials. The focus group consisted of police officials who had varied years of experience ranging from 5 years to 25 years of performing operational police duties. The first focus group discussion was aimed at getting responses from operational staff who are most affected with the political discord at the DMPS.

5.4.2 Focus Group 1 Findings

1. Police vehicles

There is currently a major shortage of patrol vehicles in the city. The state of the current fleet especially on the beachfront is in a terrible condition. The rust that has accumulated on the vans is a risk when transporting suspects. "if a suspect gives the back of the van a boot, the door will open, and the suspect can run away." (Anonymous, 2019, Focus group). "we were working at a roadblock one night and we arrested a suspect for drunken driving. We locked him in the back of the van. He then kicked the door and because the van was badly rusted, the door flew off the vehicle and the suspect tried to run away." (Anonymous, 2019, Focus group). Police officials are expected to do the job whilst vehicles are defective i.e. blue lights and siren do not work.

"when we work nightshift, the control room calls us to attend to an accident. We then try and use the blue lights and siren and then realise that it does not work. This puts our lives in danger because the blue lights do not work" (anonymous, 2019, Focus group).

Vehicles are not replaced as per the fleet policy. "we are still using cars that was bought in 2008. These cars are doing over 350 00kms." (anonymous, 2017, Focus group). Police vehicles that are sent to city fleet take months to repair thus affecting service delivery due to a shortage of vehicles. "I'm waiting for a vehicle that was sent to city fleet to be repaired. It's now gone over 10 months and I did not get the vehicle back." (Anonymous, 2019, Focus group).

2. Uniforms

There is a shortage of police uniforms. This has been a problem for many years. "for years we have not had any uniforms. There is a problem with the administration of the stores." (anonymous, 2019, Focus group). The administration of the stores is non-existent. The police members go out on patrol in civilian clothes as well as mixed or half uniforms. This is very unprofessional and dangerous for the police personnel. "imagine trying to apprehend a suspect whilst you are not in full uniform and you have a firearm, if other policeman sees you, they might shoot you." (Anonymous, 2019, Focus group). Traffic control is very dangerous. Policeman need to be highly visible to the motorists. If a policeman gets knocked by a vehicle whilst controlling traffic, workmen's compensation will not pay because the officer was not in full uniform. "some of the policemen go to an intersection to alleviate congestion whilst they do not have a reflective vest, but they want to get the job done. If something happens to them on the road they will not be covered." (anonymous, 2019, Focus group). There were 400 recruits that underwent training for 1 year. There were no uniforms available for the recruits. "for 1-year management couldn't sort out their uniforms. We got new recruits doing police work wearing blue overalls and takkies. They are controlling traffic without a reflective vest. This is putting their lives in danger and bringing disgrace to the department. They don't have police caps but use beanies. They look like gangsters" (anonymous, 2019, Focus group). The quality of uniforms has deteriorated drastically. "we used to get uniforms previously from Sparks and Ellis, these uniforms used to last a long time. Now we are getting uniforms that are terrible. After one wash the colour changes." (anonymous, 2019, Focus group).

3. Shortage of manpower

There is a huge shortage of manpower. Recruitment hasn't taken place in many years. Whenever there is a recruitment drive, a problem always crops up. The process is either stopped

by the unions or there is a discrepancy in the recruitment process. This has led to a shortage of staff. This shortage of police officers has a direct impact on the levels of crime in the city. "we do not have enough manpower to make a major impact on crime in the city. If we had more policemen on the road then it would increase visible policing whilst decreasing crime." (anonymous, 2019, Focus group). Criminals know that there is a shortage of policeman on the road. "the criminals watch the policeman. As the policemen move out of a specific area, the criminals start pick pocketing and robbing people in that area." (anonymous, 2019, Focus group). Ladies stockings has not been available for a long time. "we didn't get stockings for many years. Some of the ladies don't use stockings and some buy their own stockings. This leads to policewoman having different coloured stockings and there is no uniformity." (anonymous, 2019, Focus group).

4. Emergency Control Centre

The Emergency Control Centre is the main link between the police and civilians. When the public needs any form of assistance that's related to crime of motor vehicle collisions, their first point of contact is the Emergency Control Centre. The call taker has to be efficient in handling that call as it could be a life or death situation. The current state of the Emergency Control Centre is in a terrible condition. Calls from the public and even police officials are not answered. "whenever you phone the com-centre, the response is very poor. Whenever you phone the emergency line, the call taker puts you on hold before talking to you. You have to phone 3 or 4 times before they answer the call. If you ask for metro central, they transfer the call to the metro central desk and the person sitting there takes the call and immediately cuts it. This affects the policeman on the road that requires urgent assistance as response times will be very poor. There needs to be policeman manning those radios and telephones." (anonymous, 2019, Focus group). The centre needs to be manned by police officials as they are trained and have experience in how to deal with emergency situations. "if you call the radio controller to report a robbery in progress or a serious motor vehicle accident, the operator does not know how to effectively deal with the situation. They will tell you to be on standby whilst they find out what to do. This is precious time that could mean life or death for a person" (Anonymous, 2019, Focus group). The operators that work on these police channels do not even know the road names. "When there is load shedding and the traffic lights go off, the operator has no clue on what to do or how to despatch police officials to man the intersections." (anonymous, 2019, Focus group). The CCTV centre monitors the city for crime and other emergencies. The effectiveness of the CCTV system is dependent on the CCTV operator. The CCTV centre has

a direct link to the call takers and the police and fire operators. "if you call on the radio that you are chasing a stolen motor vehicle and you are using police codes and police lingo in your commentary, the CCTV operator is lost. Some of the operators don't even know the road names as they are not from Durban." (anonymous, 2019, Focus group). The majority of the cameras do not work due to administrative problems and the lack of in-house technical skills. The administration of the Emergency Control Centre is hindering the police from providing effective and efficient service delivery. Civilians are monitoring the CCTV cameras, answering calls on the city's emergency line, and operating police radios. The civilians do not have any police experience or training in how to deal with life threatening situations. This puts the life of police officers and civilians in danger as the correct assistance is not rendered for the issue at hand.

5. Acting Appointments

Due to the dire shortage of supervisory and management resources, officers are made to act in those positions that are lacking. There is a city-wide acting policy that deals with acting appointments in the city. This policy is not applied correctly in the D.M.P.S. "I had an issue for the past 3 weeks, a police vehicle met with an accident 6 months ago and nobody reported the accident or submitted any paperwork for that vehicle. It was just parked in the back of the parking lot. I had to investigate to ascertain who the driver was, and which captain attended the scene. I discovered that it was an acting captain that attended the scene. This person was a constable for less than 5 years and he was made to act. When I questioned him for the paperwork, he told me he was not aware that he had to submit it to me, I had to then run around and get all the information to complete the paperwork to ensure the vehicle gets repaired." (anonymous, 2019, Focus group). If a person is acting in a position, they need to be selected based on merit and their experience and not based on who they are connected to. "people are put in acting positions because of who they know and not on merit. There are very experienced members that are overlooked due to them not being connected to the right people." (Anonymous,2019, Focus Group). This will ensure the right calibre of people are promoted. Acting staff need to be guided by their senior counterparts to ensure that they follow the correct procedures. The appointment of the right calibre of people in the positions will make management of officers much easier. This will also ensure an improvement in service delivery. The acting policy need to be implemented correctly. There are people that are made to act in management positions without any supervisory experience. The substantive supervisors are overlooked when there is acting positions available in management. "people get promoted

based on who they know. They get close to senior management to secure their promotions." (Anonymous, 2019, Focus Group).

6. Logistic challenges

The Durban Metropolitan Police Service is dependent on other departments within the eThekwini Municipality to provide services that are required to operate efficiently. There are currently no service level agreements with other departments e.g. City Fleet. Vehicle repairs are undertaken by City Fleet. There is no fixed turnaround time for the vehicles to be repaired and returned to the relevant department. Police vehicles need to be prioritised when they go to City Fleet. "when we send vehicles to City Fleet for repairs, it can take months before the vehicle is ready for collection. Sometimes we don't even get the vehicle back because city fleet says that the vehicle is too old and needs to be disposed. We are not given replacement vehicles immediately. If we don't have the correct tools, how can we be expected to still get the job done. This demotivates the staff and they lose interest in working. When the department get new vehicles, it is not guaranteed that the people whose vehicle was disposed will get the new vehicles. If you are a favourite with management then you will get first preference, or you will be taken to a new unit who will get most of the new vehicles." (anonymous, 2019, Focus group).

D.M.P.S is an emergency service. There cannot be a shortage of vehicles as this will directly affect service delivery. The administration of the fleet needs to be improved to ensure service delivery. This will also ensure the morale of the policeman is maintained and they do not lose interest in working.

The municipal tender processes are hindering the smooth operation of the D.M.P.S. causing the public to view the police as incompetent. Administrative staff are not trained on how to write tender specifications that is in line with what is required by the supply chain management department. This causes a huge delay in getting important tenders such as uniform tenders approved. There is no manager for logistics, therefore there is nobody who is responsible for driving the procurement process effectively. "There needs to be a manager-logistics appointed to ensure that all logistic issues are taken care of. The manager-logistics is responsible for ordering of vehicles, uniforms and other operational tools that's required. Currently there is nobody at the top that has taken full responsibility for those processes." (anonymous, 2019, Focus group). Other logistic issues that need attention is the maintenance of police buildings as well as monitoring cleaning services. "A lot of the times the toilets in the buildings are not

cleaned on time. Dispensing equipment takes months to fix and the cleaners are not monitored to ensure that they are doing their job and fulfilling the contractual obligations that their company has with the city." (anonymous, 2019, Focus group).

7. Bylaws

The current bylaws are outdated and have not been updated. This causes a problem as police cannot enforce outdated bylaws. These bylaws include street trading, vagrancy, public disturbance, drinking in public, etc. The street traders know the law, if a police officer acts outside of the outdated bylaws, the traders are ready to sue the municipality. The department doesn't even have hawker patrols that was responsible for street trading infringements. There is currently no secure facility including refrigeration available for patrols to store confiscated goods. The vagrancy bylaw needs to be revisited as this bylaw does not solve the problem of vagrancy. "vagrancy is a vicious circle. The bylaws want us to arrest the vagrants, but the vagrants are homeless. They don't have a place to go, therefore they sleep on the streets. By arresting the vagrants, you are wasting the police officers time as the vagrant will be released after a few hours and he will be back on the street. The police officers can be used for more productive crime fighting task. When there are big conferences in the city, vagrants are relocated. This is against the constitution as we are hindering the vagrant's freedom of movement, but we have no option but to do it." (anonymous. 2019, Focus group). Street trading has caused a nuisance in the C.B.D. as hawkers' setup their stalls anywhere on the sidewalk. Some hold the goods in their hands and stand on the sidewalk causing a hinderance to pedestrian traffic. "there are currently more foreigners trading illegally in the city compared to the locals. Once they see a police officer approaching, they take their goods and run, sometimes injuring other pedestrians" (anonymous, 2019, Focus group). The foreigners who are trading on the streets are illegal immigrants. When they are arrested, they do not have the correct paperwork. "If you arrest the traders, you find out they do not have any papers. They are illegal immigrants. After a few hours you will find them back on the streets. The immigration laws are not implemented by the SAPS." (Anonymous, 2019, Focus group).

Drinking in public is a bylaw that exists but is rarely enforced. There is a difference between drinking in public and being intoxicated in public. During the festive period there are plenty of people who are drinking on the beachfront and nothing is done about it. "The drinking in public bylaw needs to be relooked at. People come to the beachfront to have a good time. They will have a braai and have a few ciders. They are in their right senses not causing a nuisance to

anyone. On the other hand, if a person is drunk and causing trouble on the beachfront, then action needs to be taken. We need to relook at this bylaw so that people are encouraged to come to the beachfront and enjoy themselves responsibly." (Anonymous, 2019, Focus group).

8. Overtime

Overtime is a necessity in an emergency services environment. This will ensure that service delivery is not hindered when there is a shortage of staff or when there are major events in the city. The allocation of overtime needs to be done fairly and in line with the overtime policy. This will ensure that there is no abuse taking place and staff are treated fairly. Currently there is a problem with overtime allocation. Some people work unlimited overtime whilst others are restricted to a specific number of hours that can be worked. "some people work overtime every single day because they are friends with the bosses. Most of us are only allowed to work 40 or 60 hours. If we exceed that then there is a problem. Some people work 300 hours overtime and it's not a problem." (Anonymous, 2019, Focus Group). Overtime needs to be distributed fairly, and not be based on favouritism.

5.4.3 Overcoming administrative hurdles

Policemen are expected to get the job done even though there are administrative hurdles that prevent them from getting the job done efficiently. Members' private cell phones are used for work purposes without any compensation, to ensure the job gets done because of poor radio communication and inefficient radio operators. The police standing orders prevent members from using their private cell phones. This has now become a conflicting/questionable standing order as the members need to use their cell phones as a matter of urgency. "we use our cell phones to make work related calls to the control room and to our captains, but we do not get compensated for our airtime. We don't mind doing this as we need to go the extra mile to ensure efficient service delivery." (Anonymous, 2019, Focus Group).

There is a shortage of vehicles for the members to be transported to their points of work. Members use their private vehicles to get to their points or to any event that they are ensigned to work at. If a member gets involved in an accident whilst on duty, going to his place of work in his private vehicle due to vehicle shortage, workman's compensation will not cover that member as he was not in an official police vehicle.

Members that have extra uniform, assist other members that wear the same size uniforms, some members pay to get uniforms made up for them as they do not want to use civilian clothes.

5.4.4 Focus Group Recommendations

1. Put the right people in the right job

Members who have been trained in specialised functions e.g. Drunk Whist Driving roadblocks need to be used at the roadblocks and to assist when other members arrest a driver for driving under the influence of alcohol.

2. Refresher Training

As legislation changes, members need to be briefed on the new legislation. Most of the members are scared to make specific arrests as they are not comfortable in compiling the relevant docket. Refresher training will improve their confidence as well as keep their skills up to date.

3. Firearms training

Members do not go for refresher training on all aspects of a firearm. This training includes practical shooting skills. Members need to have precise shooting skills as they will be dealing with armed suspects. When a member is under attack, he must be comfortable in firing his weapon at a suspect knowing that he has practised shooting and his skills are accurate. "the criminals are always training, and most times are more skilled than the policeman. That is why we are losing the fight against crime. Management is more interested in members issuing tickets than in training members in combat" (anonymous, 2019, Focus group). Some criminals are ex-military and ex-police. Police management needs to train members in different scenarios that they may be faced with in their daily jobs, e.g. building penetration, hijacking, hostage taking.

4. Open communication with the public and media

The Department needs to open the communication lines with the public without the public fearing for their safety if they talk to the police. Members of the public need to feel comfortable in passing information regarding criminal activities to the police. The media also needs to report on the good work that the police are doing. This will ensure that the police are not always painted in a negative light. It will also boost police morale.

Management needs to get an independent person to interview police officers as to the problems that they are facing currently. This will include complaints of nepotism and favouritism. Management needs to take recommendations from the members on how to optimise police

work. The members on the road will be able to give valuable information regarding the problems they face in their daily operations. This will improve service delivery and ensure the members will want to go the extra mile to get the job done whilst not being fearful of reprisal by management as an independent person will be interviewing them.

5.4.4.1 Focus group 2 interview

The second focus group consisted of 10 participants who are Captains and consist of police officials with varied years of experience ranging from 5 years to 25 years of performing supervisory functions at the rank of Captain. The second focus group discussion was aimed at getting responses from supervisory staff who are affected the most with the political discord at the DMPS.

5.4.4.2 Focus group 2 findings

1. Lack of administrative leadership

People who are tasked with making decisions are scared to make these decisions that are subjected to change. "people are scared to make decisions and when they do make decisions, these decisions are counteracted very quickly. Whether it's a good decision or a bad decision it is nullified very quickly. This causes a huge problem with the running of the department." (anonymous, 2019, Focus group). Important decisions tend to take longer to finalise, yet petty issues are finalised very quickly.

People's progress was being hindered due to the lack of vacancies being advertised. This is an administrative hindrance. "if we look at progress within this department, there was a huge gap where peoples progress was retarded. Poor administration of the department will lead to poor performance of the staff. The staff do not want to work." (Anonymous, 2019, Focus Group).

The chief of police is the administrative head of the department. If the head does not administer the department properly, it will filter down the organisation and affect the organisation and service delivery. "the chief of police runs this department as e-policing. Is that what police administration is about. From the time of his appointment, did he come down and say that he is the chief of metro police? At a supervisory level, he has never introduced himself to us. All we see is e-mails. People are being measured using pictures. Do we measure a person's performance by pictures?" (anonymous, 2019, Focus group).

The department was administered very poorly in the past. Standing orders are outdated, procedures are outdated, and processes are outdated.

Discipline is a crucial element of police personnel. Selective discipline is being practised within the department. "the major setback is politics. This makes disciplining members difficult because if you try to discipline someone that's connected, the next thing you find yourself being transferred or management starts victimising you." (Anonymous, 2019, Focus Group). Politics has played a major role in demoralising the police members. This causes the members to lose interest in working and this affects service delivery negatively. "the factors that has seriously affected our administration to a point that it has become defunct is politics, fear and corruption. Positions have been bought off in the past. Everybody knew about it, but nothing was done due to corruption. The department is rotten from the top to the bottom." (anonymous, 2019, Focus group).

2. Political Interference

Politics plays a very negative role in the department. Politicians communicate directly with junior staff members and members are aligning themselves with politicians to increase their chance of promotion and for purposes of power. The administrative head of the municipality is the municipal manager. All communications to municipal staff need to come via the municipal manager. Politicians are supposed to deal solely with the municipal manager who will in turn communicate with municipal officials. Police officers and management that are aligned with politicians are protected. Police officers independent of rank are aligning themselves to politicians. "we know that when vacancies are advertised, the people that are close to the political leadership is guaranteed to get promoted, even though there were much better candidates that applied for the job." (Anonymous, 2019, Focus group).

3. Favouritism

Favouritism is blatant in the D.M.P.S., management openly shows that they favour specific people. Some of these people don't ever go on the road to do police work. They sit in the office the entire day. There are some people who work on the road but are never audited on their day's work, especially females. "it is a known fact that females are being accelerated into positions. Some females face sexual harassment in lieu of promotions. Some females that are girlfriends to management get promoted. A lot of these females are not competent to do the job, but they are promoted anyway." (Anonymous, 2019, Focus group).

5.4.4.3 Overcoming administrative hurdles

1. Promote competent people

One of the factors for poor service delivery is the fact that incompetent people are promoted. Qualifications and experience are overlooked due to people's political affiliations or people's sexual relationships. A lot of the negativity surrounding the D.M.P.S is due to this problem as the people who are in those positions, do not have the necessary experience or qualifications to manage staff as well as to find solutions to problems as they happen. Only a person with experience will know how to address a problem as it occurs with minimal negative recourse.

2. Research and development

People have got different skills and talents. These skills and talents need to be used to improve service delivery. Continuous research and development will lead to an improvement in service delivery and will ensure that the police keep abreast of technology and is always 1 step ahead in the fight against crime. There needs to be research into what problems the community is experiencing and how effective is the policing strategy in dealing with those issues. Sometimes the police may be doing something that has no effect on the problems that the community is facing. There also needs to be research into the operations of the police. Processes need to be optimised as policing techniques change.

3. Staffing

There is a current shortage of staff at all operational levels. The staff shortage puts extra pressure on the current staff to get the job done and also has a negative effect on service delivery. "if you take the top down approach, look at the gaps that haven't been filled over the number of years, you expect that gap to do about 20 people's job and then you got the gap below that has not been filled, you got 1 person doing about 40 peoples job. Most of us are in acting capacities for a while now. When will that change?" (Anonymous, 2019, Focus group). The staff feel that they are being used by management. Members are asked to act in positions, mostly without an acting allowance. "we are acting in positions for a long time now. Perceptions are created. When we go for the interview, we don't get the job but someone who was not acting gets the position." (Anonymous, 2019, Focus group).

4. Working Tools

The police need the right tools to fight crime. Resources such as vehicles, police radios, firearms etc. need to be in optimum condition to ensure service delivery. "the new radios are

an example of how important it is to have proper resources to get the job done. With the old radios when you are called, you can't hear the radio as the communications was very bad and was highly dependent on the weather and your location. With the new radios, we are now getting a much better response when members are being called. Members answer the radio. There is no such thing as members can't hear themselves being called." (anonymous, 2019, Focus group). This shows that with the right tools, productivity will improve and so will service delivery. There are resources available. Resources need to be allocated fairly. "if you look at the number of rusty vehicles we have, we make a plan and get the job done but there are new vehicles that are meant to replace the old and rusty vehicles, but those vehicles are going elsewhere and not to the people that it supposed to replace." (anonymous, 2019, Focus group).

5. Transfers

There is a transfer policy that is in place. The policy is not complete and does not address all issues relating to members' transfers. Some of the members are transferred as a form of punishment, whilst others are transferred as a form of favouritism. Some members continue to work in a specific way, and this may not be the optimum way of working but it becomes the norm and is accepted due to the member working there for a long period. The transfer policy will ensure that members work in different units within the police whilst getting experience on how to deal with different functions: "you must have a policy in place to transfer and reshuffle staff. A lot of the staffing problems will be sorted out. You can't keep a person in a section for 10 years and when you want to move that person then it will be hard because he thinks that that is his house. That person will be under the impression that everything that they are doing there is correct. You need to have a proper policy in place with timelines." (anonymous, 2019, Focus group).

5.4.4.4 Focus Group Recommendations

1. Change in top management

"Management is stale. There is old blood that does not listen to the members. If we want to see a change in the organisation, that management needs to change. When you have important documents that need approval, you cannot find management for a week. When last did we get that management giving us direction? We may think that what we are doing is right, but little do we realise that something that we are doing is wrong. Where is the assistance of that so-called top management?" (anonymous, 2019, Focus group).

Top management has not provided clear direction to the members. This has led to different units working in silos and doing their own operations as they feel is required. The entire force needs to talk one language. This requires clear direction from top management, but there is no clear direction from top management on the way forward. There is a lack of supervision that's affecting service delivery.

2. Open communication channels

There needs to be 2-way communication between management and staff. When issues such as the purchasing of resources e.g. vehicles are done, management needs to take suggestions from the staff on what is the most appropriate vehicle for the job. Ultimately, it's the staff that use these resources and they are the ones that are best suited to give feedback on the issue. Management may think that they know what's best, whereas the members in the field would be best suited to give advice on what is practical.

3. Accelerated order processing

All departments within the municipality follow supply chain management processes. This is done to comply with the municipal finance management act. The police need to be exempt from following this long process as it is hindering the efficient operation of the department. This in turn leads to a slower response to service delivery. The police requests need to be accelerated through this process as people's lives can be at stake due to a shortage of resources that takes too long to procure due to supply chain management red tape. "the charge office doesn't have chairs for the past 2 years. We have a chair there right now that will collapse anytime now, and somebody will get injured. If you put a request to have that chair replaced, it will take about 1.5 years to get a new chair from the time you start by filling in the report. When you enquire, you are told that it is following supply management process." (Anonymous,2019, Focus Group). If the members are not comfortable at work, this will affect their productivity. They will not assist citizens efficiently. "In the warrants department the laptop that's used to bring in money is broken. How much of money do we bring in and they cannot replace the laptop. How do they want us to do the job?" (anonymous, 2019, Focus group). The shortage of uniforms due to supply management process delays, makes policeman look terrible as they mix and match uniforms and civilian dress. There is no uniformity in their dress code. his makes the police look unprofessional.

5.4.5 Structured interviews

There were 5 structured interviews that were conducted with senior management. All 5 respondents were sceptical to participate in the interview as they felt that their responses are career limiting. The officers have over 20 years' experience in the police service. The participants at this level are most affected by the political discord in the municipality.

5.4.5.1 Structured Interview Findings

1. Administration

The current operations of the D.M.P.S is not administered properly. There is a new head of police that has been appointed. "we have had just one meeting with the head of Metro Police and at that stage the meeting was not based on a constructive agenda." (Anonymous, 2019, Structured interview). There is a weekly meeting that is held with senior management and the deputy head – operations. This meeting deals with the daily operations for the week, stats, special events and disciplinary cases. "As a senior manager in this department, there is no strategic direction or shared vision with senior management in this department. I do not know what the strategic direction of this department is." (Anonymous, 2019, Structured interview). There is no consultation with senior management on issues such as resource allocation, policy decisions or manpower requirements. There are many loopholes that need to be addressed. People who are in acting positions are asked to sit in on interview panels as well as represent the employer regarding grievances. Senior management is not given the respect they deserve. "A few days back I received a call from an acting superintendent. And he informed me that he received a call from the deputy head operations who informed him that he needs to bring a group of members on overtime to perform specific duties. There is a major gap in the current administration structure of the D.M.P.S." (Anonymous, 2019, Structured interview). This communication should have occurred between a director and the Deputy head and not a junior member. "regional commanders are being called to be responsible for certain issues and are totally excluded from other issues. How can you hold me accountable when you don't give me the tools or the authority to execute the functions that are mine?" (Anonymous, 2019, Structured interview). There is no uniformity in the management of the different units "I have been in the police for over 25 years and I have been under many different chiefs. Currently it is not administered properly. Directors are given power on paper only and not in reality. Some sections are administered properly, and some are administered incorrectly." (Anonymous, 2019, structured interview). The shortage of critical resources such as firearms and ammunition are a major hindrance to the police. "there is no uniform in our stores. You sometimes find that

there are no firearms available for members. That is crucial equipment that a police officer needs to have." (Anonymous, 2019, Structured interview). New recruits that pass out from training do not have uniform. This is a danger to the officer as he is not identifiable as a police officer as well as to the department which leaves itself vulnerable to lawsuits. There is no supervision of staff. The C.B.D. gets congested for hours with no officers controlling traffic. Crime is also on the rise. "When you go on the road, you can't find any policemen. There is poor traffic management. There is crime in the city and yet we are employing more policemen we are not putting measures in place to ensure that we are running our organisation properly." (Anonymous, 2019, Structured interview). The fines section is also failing as they are failing to recover the money that is owed in outstanding fines.

2. Politics

The police service is supposed to be an apolitical organisation. "based on my observation, there is very little separation between the administrative and political component within the organisation." (Anonymous, 2019, Structured interview). There are police officers who are vocal in their role in politics and their affiliation to politicians. This affiliation to specific politicians hinders the officer's judgement on specific issues that they may be faced with, that concerns politics, as their decisions will be biased. This has a huge effect on service delivery as officers' actions are not in the best interest of the community at large. "we involve ourselves in politics, as a department we are supposed to be neutral. We are now being too involved in politics in such a way that our members down on the ground fighting amongst themselves due to factionalism in the organisation." (Anonymous, 2019, Structured interview). There is a lack of leadership in the department. Unofficial communication channels are used to give instructions to senior management. "very often we receive instructions that are dubious. I sometimes wonder if these instructions talk to the core functions of metro police. On a Sunday afternoon or a Sunday morning we receive an instruction via WhatsApp to arrange a funeral escort for the funeral of a specific family. When you question such a response you get an answer such as the mayor or deputy mayor said that we must do it and who are we to question the mayor or deputy mayor." (Anonymous, 2019, Structured interview). This instruction is unlawful as the mayor and deputy mayor are political figures. Instructions can only be given by the municipal manager as he is the administrative head of the municipality. "the difference between the political and administrative component is non-existent. As administrators sometimes we need to realise that we are tasked with ensuring adherence to regulation and not

politicians. A politician is not a trained police officer. A politician is not a trained civil servant. That is our function." (Anonymous, 2019, Structured interview).

3. Guarding functions

The D.M.P.S has taken on functions that they are not mandated to do. The guarding of councillors is not a function of a metro policeman. "the function of the metro police is enforcing bylaws, traffic control and fighting crime. There are departments in the municipality that is responsible for guarding. The security management department is responsible for that." (Anonymous, 2019, Structured interview). The guarding of councillors creates a problem for service delivery as you will have policemen that could be visible fighting crime but are unavailable due to them guarding a councillor's residence. By operational members doing guarding duties, it leaves a void in the daily manpower available for police work.

4. Overtime

The administration of overtime is non-existent. You have some members who have over 250 hours overtime whilst other members have 40 hours only. Overtime is not distributed fairly. Members that are in certain units that are politically aligned, get most of the overtime. Members that belong to those units are handpicked. These members feel that it is their right to get unlimited overtime.

5. Disciplinary Process

The disciplinary process is not applied fairly. "some members are disciplined whilst others that commit the same offence are not. The members are watching this, and it demotivates them." (Anonymous, 2019, Structured interview). Transfer is also used as a form of punishment. Members are transferred at any time without proper reasons. Members of the disciplinary team are selected based on who committed the offence.

5.4.5.2 Overcoming administrative hurdles

1. Standing Orders

Prior to the formation of the D.M.P.S., the Durban City Police worked on rules called standing orders. These standing orders governed the way the police worked. It set out rules on dress code and structure of work. After the formation of the D.M.P.S the standing orders became outdated. The standing orders need to be reviewed for the current organisational structure. These policies need to be in line with the SAPS standing orders.

2. Police Policies

The D.M.P.S is a unit within the eThekwini Municipality and therefore is governed by the policies of the municipality. These policies are sometimes a hinderance to the smooth running of the department. "we are emergency department; we cannot follow the supply chain management processes. We need our own process. E.g. when we want to buy firearms. There are specific specifications that need to be included on the order and supply chain management has a problem with this. It sometimes takes years for supply chain to issue a tender. That is why we have a shortage of uniform" (Anonymous, 2019, Structured interview).

3. Bylaws

Previously, the bylaws were sufficient in maintaining order in the C.B.D. The law has now changed, and this causes a problem for policemen who want to confiscate hawkers' goods. "now the law has changed, and the police can only give the trader a spot summons. They cannot confiscate a hawker's goods. They leave the hawker in the same place after they have given them a fine. This is a waste of our time because the hawkers don't carry their i.d., they give the police wrong details. Previously we were able to confiscate the hawker's goods and release it once they had paid the fine." (Anonymous, 2019, Structured interview). This bylaw needs to be revised to ensure order in the city. The bylaw on rank permits is also outdated. Illegal minibus taxis operate in the city causing traffic congestion. These are 2 major bylaws that affect the smooth operation of the city. Hawkers cause a nuisance on the sidewalks whilst minibus taxis cause chaos on the streets.

4. Recruitment and Training

Nepotism is rife in the police force. People are being employed just because they have relatives, or their parents or spouses work in the department. The right calibre of individuals is being overlooked for employment. We therefore have a lot of sub-standard officers in the employment of the police service. "we need to employ the right people. Currently what is happening is people are being employed because of cronyism and nepotism. If you are a councillor's child, then you will be employed irrespective of whether you are physically and mentally fit or not. Most of these people are not capable of being police officers in the long run." (Anonymous, 2019, Structured interview). Recruitment and training need to be an independent process that are not influenced by councillors or management.

5. Discipline

The Durban Metropolitan Police Service is a paramilitary organisation. Discipline is paramount in ensuring a professional environment and service delivery. Due to nepotism, this process is selective. If a member is a councillor's child and they need to be disciplined, the supervisors are scared to discipline that member due to the repercussion of their action by the councillor. "Some of the supervisors say that when they enforce discipline on certain members, they get a phone call from a councillor telling them not to interfere with that member. That is why we need to employ the right people and not connections." (Anonymous, 2019, Structured interview).

6. Organisational Change Management

This unit was tasked with investigating the issues at the Durban Metropolitan Police Service. Meetings were held earlier in the year and they stopped abruptly. This exercise was supposed to review the current structures, policies, and procedures of the department. The session was supposed to culminate in a policy document that enhances how the department works. After 4 sessions, this process stopped abruptly.

7. Shift System

The 4-day week shift system is very labour intensive. This system is not the ideal system for police work as a member works a 12-hour shift with a 1-hour lunch break for 4 days. This system means that at any given point, only 25 percent of staff are on duty. With the current shortage of staff, this shift system is inadequate for the optimal efficiency of the department. "we have been crying for many years now that our current shift system does not serve to improve and enhance service delivery in the city. That's one of the issues that could have been sorted out with ODCM engagement. I feel that there are other elements at play here that could have influenced the decision." (Anonymous, 2019, Structured interview).

5.5. Conclusion

Chapter 5 has outlined the background of municipal policing in eThekwini Municipality. The study then explained the data collection methods used in the study. The data collection from the 2 focus groups as well as the structured interviews were presented. The 1 focus group was made up of supervisors whilst the other group was made up of senior operational members. Structured interviews were conducted with senior management. The chapter concluded with the analysis on the findings.

CHAPTER 6 – General Conclusion and Recommendations

6.1 Introduction

Chapter 1 introduced the study, the background of the research problem, the problem statement, significance of the study, relevance, justification, as well as the study site. The demographics of the study area is also outlined in this chapter. Further on in the chapter, the theoretical framework and the limitations to the study are outlined. This chapter outlined the problem that the Durban Metropolitan Police Service is facing with regards to the decline in service delivery as well as the negative publicity that surrounds the department. The next chapter explored the legislative and policy framework concerning policing and municipal bylaws. This chapter explained how the SAPS Act gives authority to establish a municipal police service. The research then moved to Chapter 3 that discussed the policy and legislative aspects of municipal policing in South Africa, placing emphasis on eThekwini Municipality. This chapter explained the evolution of the local traffic police of the surrounding areas into a single metropolitan police force. Chapter 4 then looked at the research design, study area, target population, sampling method, data collection methods and ethical considerations.

Chapter 5 analysed the response from the participants of the interviews and focus groups.

Chapter 6 concluded the research by making recommendations for the optimisation of police resources and an improvement in service delivery to improve the perception that the public has on the D.M.P.S

6.2 Research Questions and objectives

The purpose of this research was to propose administrative changes that will guide service delivery and optimal use of police resources whist minimising the negativity surrounding the Durban Metropolitan Police Service.

The following are the research questions and the findings:

1. What is the legislative and policy framework for metropolitan police services in South Africa, more specifically in Durban?

Framework

- Constitution of the Republic of South Africa, 1996
- South African Police Service Act, 1995 (Act No 68 of 1995)
- South African Police Service Amendment Act, 1998(Act 83 of 1998)

- Local Government Systems Act, 2000 (Act No 32 of 2000)
- Regulations for Municipal Police Services Government Gazette No 20142 dated 11 June 1999

Section 64A of the South African Police Services Act 68 of 1995 gives authority for the metropolitan police service to be formed. This act allows any municipality to apply to establish a municipal police force. All members of the municipal police force are peace officers. The administrative head of the metropolitan police service is the municipal manager. The municipal manager appoints an operational head of police to manage all aspects of the metropolitan police service to ensure service delivery.

2. How can the eThekwini metropolitan police enhance service delivery?

Service delivery can be enhanced in the following ways:

2.1. Administration: The administration of the D.M.P.S is very poor. There is little to no supervision of staff. Management needs to start monitoring all levels of employees to ensure that policemen are visible and attending to complaints.

2.2. Uniform: The current shortage of uniforms needs to be addressed. Policemen need to be in full uniform to perform their jobs optimally. Uniforms need to be ordered timeously.

2.3. Shortage of manpower: There needs to be more policemen employed to ensure the safety of the citizens. The current shortage of manpower puts a strain on public safety.

2.4. Vehicles: There is a huge shortage of vehicles. This shortage is preventing the police from attending to complaints and urgent crimes that are in progress. Management needs to procure new vehicles that are suitable for police work.

2.5. Emergency Control Centre: The emergency control centre is rife with problems. There are incompetent staff that are taking calls and despatching emergency vehicles to complaints. These staff need to be replaced with competent staff as well as the technology needs to be upgraded.

2.6. Bylaws: The current bylaws are outdated. They need to be reviewed to ensure that they are current and relevant.

2.7. Training: Policemen need to be undergoing refresher training constantly to ensure their firearm skills as well as their knowledge on current legislation is up to date.

2.8. Staff Morale: Nepotism and favouritism is rife in the D.M.P.S. Staff are demotivated when they observe what's going on around them. Selective discipline needs to end. Independent disciplinary committees need to deal with disciplinary cases. People need to be employed based on their competence and not their affiliations.

2.9. Research and development: There need to be constant research and development taking place to ensure that crime fighting strategies remain current.

3. Is the metropolitan police service being managed efficiently and effectively in Durban?

No. political interference is playing a major role in the non-performance of the police service. The distinction between the administrative and political spheres are blurred.

4. Is there a management model that can be developed for metropolitan police services in South Africa?

Yes. There needs to be a clear distinction between the political and administrative spheres of government. The Local Government Municipal Systems Act outlines the processes that municipalities need to adhere to, to function optimally.

6.3 Recommendations

6.3.1. Supply Chain Management

There is a lack of communication between the different management levels, the departmental administration, and the city's supply chain department. The lack of operational tools was a common theme in the focus groups as well as in the individual interviews. The department is dependent on the SCM department to procure all goods and services. The SCM department has specific procedures that need to be followed to enable them to fulfil department requests for goods and services. These procedures are governed by national legislation that always needs to be adhered to so as to prevent wasteful expenditure. All department personnel that are involved in the SCM process needs to be trained and updated continuously on changes within the policy. Both departments need to understand the operations of the respective departments. There needs to be an electronic workflow management system that will keep all role players updated on the progress of the orders and tenders. This will prevent delays in procuring goods and services for the department, as well as transparency with the progress of the orders. This will also enable outstanding queries on orders or requests to be dealt with efficiently. SCM Processes need to be tweaked to accommodate police orders as the polices' requirements are very specific.

6.3.2. Recruitment and Training

Management need to strictly adhere to the recruitment policy. Promotions must be based on merit and not on political allegiance or influence. There is clear evidence of nepotism within the department. There needs to be an external service provider who should be part of all stages of the recruitment process. Interviews need to be recorded so that when there is a dispute regarding the interview, the recording will be available as evidence. In the police department, experience plays a major role in the development of police officers, to enable them to handle difficult situations adequately. This experience needs to play a greater role in the promotion process. The department currently bases promotions purely on an interview; this needs to change. Experience needs to have equal weighting when evaluating the suitability of an individual for promotion purposes. Police officers need to be put on refresher training annually to keep them abreast of changes in policy. Members of specialised units need to go for advanced training to equip them to adequately carry out their duties in the specialised units as these units deal with specific legislation. This needs to be done before a member joins a specialised unit. Police members need to enhance their shooting skills by visiting the shooting range at least twice a year to ensure that they are competent in handling a firearm as well as giving the member confidence to deal adequately with incidents that would require the member to use his firearm. All members that patrol in vehicles need to be trained in advanced driving. This will ensure that they are competent in high speed driving.

6.3.3 Political Interference

The political interference within the department has created discord amongst members at all operational levels. Police officers have lost focus on their core functions and this has led to a decline in service delivery. The administrative component of local government has clearly defined reporting lines. Nowhere in the reporting structure includes any member of the political leadership instructing administrative staff. All communication by the political leadership needs to be communicated via the municipal manager who will in turn cascade that communication to the relevant department. This will ensure transparency and accountability for specific actions that are required from different line departments. The municipal manager is the administrative head of the municipality. It is his job to convert political mandates into operational actions. Political interference hinders officials from making operational decisions. This includes disciplinary, recruitment, and promotional issues. All political communications regarding operational issues need to be logged electronically.

6.3.4 Standing Orders

The current standing orders that are in use are outdated. After the amalgamation of all the smaller municipalities within the eThekwini boundary, standing orders for the metropolitan municipality were not created. New standing orders need to be created and implemented that address the current organisational structure and revised mandate. Members cannot be disciplined for transgressions due to obsolete standing orders.

6.3.5 Bylaws

The current bylaws are outdated. New bylaws need to be implemented to address the landscape of the CBD that has changed over the years. The influx of illegal traders in the city needs to be addressed. There are no provisions in the bylaws that address E-hailing taxis such as Uber that uses a cell phone application to request a taxi pickup. This has led to clashes on the streets between taxis and e-hailing vehicles. Drinking in public is a major problem during festive periods. The bylaws need to be revised to address this problem.

6.3.6 Core Functions

There are 3 main functions of the Metropolitan Police Service:

1. Traffic Control
2. Bylaw Enforcement
3. Crime Prevention

Management has lost focus of their core functions. It is not the function of the Metropolitan Police to guard councillors' houses, perform search and rescue functions and other functions that the SAPS is mandated to perform. These units put a strain on police resources, manpower, and budget. If these resources were directed to the core functions of the Metropolitan Police Service, service delivery would increase automatically.

6.3.7 Transfers

There is no transfer policy that addresses members who want to transfer between units or regions. A policy needs to be implemented to address the process of staff transfers and the rotation of members between different units and regions. This policy needs to address the maximum time a person can stay in a department, and it needs to include administrative staff. This will minimise fraud and corruption.

6.3.8 Staffing

There is a huge shortage of police members on streets. This shortage is compounded by fit members who are put into administrative positions. These members will be more useful in combating crime. They need to be removed from pure administrative positions and replaced with civilian staff who can perform the same functions. Recruitment and training need to take place on a yearly basis to address the staff shortage as well as to replace the personnel who leave the service due to retirement, resignation, or dismissal. Traffic wardens need to be reintroduced into the system to deal with congestion in the CBD due to parking offences. Part-time points men also need to be reintroduced into the system to deal with traffic control during peak hours as well as during load shedding. This will free up more police officials to concentrate on their core functions. When a position of captain and above becomes available, that position needs to be filled immediately.

6.3.9 Overtime

Overtime needs to be regulated to ensure an even spread of overtime amongst members. When a member works overtime, be it on his rest day or over and above his shift, these add stress on the person's mind and body. The added stress reduces a person's productivity, and this has a negative effect on service delivery.

6.3.10 Shift System

The current shift system is very resource intensive and strenuous on an individual. A person currently works a 4-day, 12-hour shift and gets 4 days rest. This system needs to be changed to a 5-day, 8-hour week to ensure that there is more manpower available during the day to fulfil their mandate. This will also reduce the overtime bill as more manpower is available when needed. Police officers will be well rested as they will only be working an 8-hour day.

6.3.11 Smart Policing

The current manual system of issuing and processing fines need to be automated to ensure greater productivity and accuracy. A system needs to be implemented to make the whole process electronic, from issuing the fine to when payment of the fine is made. This will ensure fewer staff that's required in the Back Office to verify and process these fines. Stats will be readily available and will require fewer dedicated people to compile stats. This will feed into the city's smart city initiative as well as other smart policing functions. Patrol vehicles need to be equipped with technology such as ANPR cameras, biometric readers, and facial recognition readers to be able to enhance their crime fighting capabilities. These vehicles need to be capable of performing real time queries to different criminal record databases. These vehicles need to

be equipped with CCTV cameras with a live link to the monitoring centre so that when they are in pursuit of suspects or they are attending to a crime scene, the monitoring centre can provide auxiliary support to the officers whilst briefing responding units and other services as to the situation.

6.3.12 Emergency Control Centre

The Emergency control centre needs a complete restructure. Competent, experienced personnel need to be employed in the centre. Radio operators need to have experience working in the field for a minimum of 2 years before becoming radio operators. The current standard operating procedure need to be revised to ensure greater efficiency. There needs to be a technology upgrade that will provide greater functionality to the radio operators and call takers. The CCTV centre needs to change their standard operating procedure as well. They need to make use of new monitoring technology that is available to provide greater support to emergency services when they are dealing with incidents and general support for their daily functions to enhance their preventative policing functions.

6.4 Conclusion

Analysis of this research shows that there is a lot of political interference in the daily operations of the D.M.P.S. This has caused the organisation to become very unproductive. Promotion of inexperienced staff and the employment of unsuitable candidates have brought the department into disrepute. Communication is lacking between ranks. There is no consultation that takes place and members work in silos. There is no uniformity in the operations of the different units. Members do not know what the vision of management is. The reality is that if the administration does not change within the police service, the citizens are going to suffer. Crime will continue to increase; traffic congestion will get worse, and bylaws will not be policed. There needs to be urgent intervention from the Municipal Manager and his deputies to correct the situation at the Durban Metropolitan Police Service.

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LIST OF APPENDICES

Appendix A: Ethical Clearance

UNIVERSITY OF KWAZULU-NATAL
INYUVESI
YAKWAZULU-NATALI

05 December 2017

Mr Rubandra Naidoo 209510974
School of Management, IT and Governance
Westville Campus

Dear Mr Naidoo

Protocol reference number: HSS/2185/017M
Project title: The administration of metropolitan police services in South Africa: A case study of eThekwini Municipality.

Expedited Approval

In response to your application dated 15 November 2017, the Humanities & Social Sciences Research Ethics Committee has considered the abovementioned application and the protocol have been granted FULL APPROVAL.

Any alteration/s to the approved research protocol i.e. Questionnaire/Interview Schedule, Informed Consent Form, Title of the Project, Location of the Study, Research Approach and Methods must be reviewed and approved through the amendment/modification prior to its implementation. In case you have further queries, please quote the above reference number.

Please note: Research data should be securely stored in the discipline/department for a period of 5 years.

The ethical clearance certificate is only valid for a period of 3 years from the date of issue. Thereafter Recertification must be applied for on an annual basis.

I take this opportunity of wishing you everything of the best with your study.

Yours faithfully

Dr Shamila Naidoo (Deputy Chair)

/px

cc Supervisor: Prof PS Reddy
cc Academic Leader Research: Prof I Martins
cc School Administrator: Ms Angela Pearce

Appendix B: Permission from eThekwini Municipality
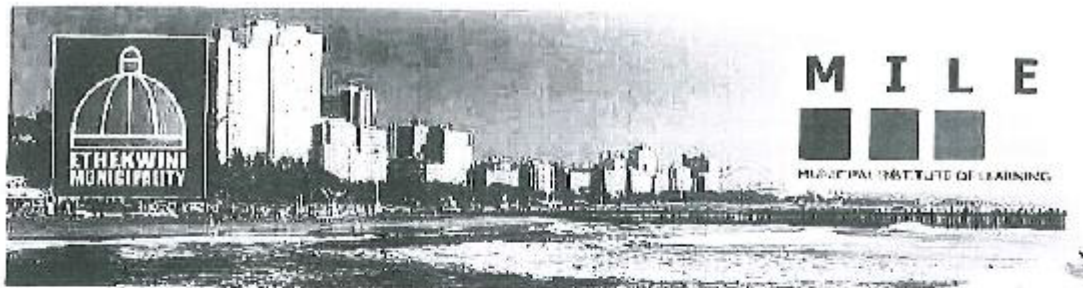
Pod 1, Second Floor, Inbuthulo Junction, 750 Mary Thipha Street, Umkhumbane, Cato Manor, Durban 4001.
Tel: 031 322 4513, Fax: 031 261 3409, Fax to email: 086 265 7160, Email: mile@durban.gov.za, Website:
www.mile.org.za

For attention:
Chair of Ethics Committee
College of Law and Management Studies
School of Management, IT and Governance
University of KwaZulu Natal
Westville Campus
Durban
4001

1 September 2017

RE: LETTER OF SUPPORT TO MR R D NAIDOO , STUDENT NUMBER 209510974- GRANTING PERMISSION TO USE
ETHEKWINI MUNICIPALITY AS A CASE STUDY

The eThekwini Metro Police Unit and eThekwini Municipal Academy (EMA), have considered a request from Mr
Ruban Naidoo to use eThekwini Municipality as a research study site leading to the awarding of a Master's degree
(Pub. Admin) entitled: *"The administration of metropolitan police services in South Africa: a case study of
eThekwini Municipality "*.

We wish to inform you of the acceptance of his request and hereby assure him of our utmost cooperation towards
achieving his academic goals; the outcome which we believe will help our municipality improve its service delivery.
In return, we stipulate as conditional that the student presents the results and recommendations of this study to
the related unit/s on completion of his research study. Mr Naidoo is to be accompanied by his academic
supervisor.

Steve Middleton
Act. Head: Metro Police
eThekwini Municipality

2017-09-11

Dr M. Ngubane
Head: eThekwini Municipal Academy
eThekwini Municipality

"like" us on
facebook

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Appendix C: Informed Consent

UKZN HUMANITIES AND SOCIAL SCIENCES RESEARCH ETHICS COMMITTEE (HSSREC)

APPLICATION FOR ETHICS APPROVAL
For research with human participants

Information Sheet and Consent to Participate in Research

Date: 25/02/2019

Greetings,

My name is Rubandra Naidoo from the University of Kwa-Zulu Natal, School of Management, Information Technology and Governance: discipline of public Governance

You are being invited to consider participating in a study that involves research titled: The administration of metropolitan police services in South Africa: A case study of eThekwini Municipality. The aim and purpose of this research is to propose a new operational document that will guide service delivery and optimal use of police resources whist minimizing the negativity surrounding the Durban Metropolitan Police Service. The study is expected to include 6 senior managers, 9 captains and 9 inspectors.
It will involve the following procedures: senior managers will have a 1 on 1 interview whilst the captains and inspectors will be in focus groups. The study is funded by my employer.

The researcher must disclose in full any appropriate alternative procedures and treatment etc. that may serve as possible alternate options to study participation.

If the research could potentially involve risk, explain in full if compensation exists for this risk, what medical and/or psychosocial interventions are available as treatment, and where additional information can be obtained.

This study has been ethically reviewed and approved by the UKZN Humanities and Social Sciences Research Ethics Committee (approval number: HSS/2185/017M).

In the event of any problems or concerns/questions you may contact the researcher at (16 Archie Gumede Place) or the UKZN Humanities & Social Sciences Research Ethics Committee, contact details as follows:

HUMANITIES & SOCIAL SCIENCES RESEARCH ETHICS ADMINISTRATION
Research Office, Westville Campus
Govan Mbeki Building
PrivateBagX54001
Durban 4000   KwaZulu-Natal, SOUTH AFRICA
Tel: 27 31 2604557- Fax: 27 31 2604609
Email: HSSREC@ukzn.ac.za

Your participation in the study is voluntary and by participating, you are granting the researcher permission to use your responses. You may refuse to participate or withdraw from the study at any time with no negative consequence. There will be no monetary gain from participating in the study. Your anonymity will be maintained by the researcher and the School of

Management, I.T. & Governance and your responses will not be used for any purposes outside of this study.

All data, both electronic and hard copy, will be securely stored during the study and archived for 5 years. After this time, all data will be destroyed.

If you have any questions or concerns about participating in the study, please contact me or my research supervisor at the numbers listed above.

Sincerely

_____
Ruban Naidoo

Appendix D:

CONSENT TO PARTICIPATE

I ……………………………………. have been informed about the study entitled The administration of metropolitan police services in South Africa: A case study of eThekwini Municipality, by (Ruban Naidoo).

I understand the purpose and procedures of the study.

I have been given an opportunity to ask questions about the study and have had answers to my satisfaction.

I declare that my participation in this study is entirely voluntary and that I may withdraw at any time without affecting any of the benefits that I usually am entitled to.

I have been informed about any available compensation or medical treatment if injury occurs to me as a result of study-related procedures.

If I have any further questions/concerns or queries related to the study I understand that I may contact the researcher at (provide details).

If I have any questions or concerns about my rights as a study participant, or if I am concerned about an aspect of the study or the researchers then I may contact:

HUMANITIES & SOCIAL SCIENCES RESEARCH ETHICS ADMINISTRATION
Research Office, Westville Campus
Govan Mbeki Building
Private Bag X 54001
Durban
4000
KwaZulu-Natal, SOUTH AFRICA
Tel: 27 31 2604557 - Fax: 27 31 2604609
Email: HSSREC@ukzn.ac.za

Additional consent, where applicable

I hereby provide consent to:

Audio-record my interview / focus group discussion   YES / NO

_____   _____
Signature of Participant   Date

_____   _____
Signature of Witness   Date
(Where applicable)

_____   _____
Signature of Translator   Date
Appendix F : Interview Questions

Interview Schedule

Please Note: These are the leading questions and there will be sub questions that will emanate from the interviews or focus group discussion based on the answers given by the participants.

1. What is your opinion on the administration of the Durban Metropolitan Police Service?
2. What changes do you propose in the admiration of the Durban Metropolitan Police service?
3. Are the current policies adequate in optimizing service delivery?
4. What changes do you propose in the current policies?
5. Where you affected by policies that hindered service delivery?
6. How did you overcome the hindrance to get the job done?
7. Do you have any recommendations on how to improve service delivery?

APPENDIX F: EDITORS CERTIFICATE

Mrs Radhika Singh

(F.T.C.L), FELLOWSHIP, TRINITY COLLEGE OF LONDON, (SPEECH AND DRAMA) LANGUAGE

EDITING OF Masters Thesis: Rubandra Naidoo

This is to certify that I have edited the Masters Thesis titled *"The administration of metropolitan police services in South Africa: A case study of eThekwini Municipality."* for language – tenses, syntax, vocabulary, spelling, sense, and all other aspects of language editing.

Corrections are marked on the thesis, and need to be corrected.

Disclaimer:

Final decisions rest with the author as to which suggestions to implement.

No review of the final document was requested before submission.
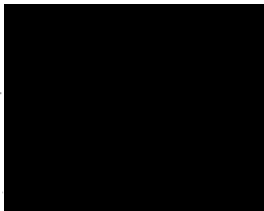
Mrs R Singh Language Editor
20th May 2020