

Assessing the performance of the SAPS Reflections on the role of the Auditor General

By David Bruce

Since roughly the early 1980s an increasing number of governments internationally have invested in systems of performance management incorporating the use of performance indicators and the implementation of systems of performance assessment. Behind the drive towards improving performance management has been a concern with the efficiency and effectiveness of government expenditure. Government's increasingly want answers to the question: Is our money being used in a productive way?

Considering the massive investments of public money into public sector organisation it is hard to argue that this is not a necessity. Nevertheless performance measurement is in some ways a mixed blessing. This is partly because, unless the government agency in question is involved in an activity that is fairly simple (the provision of water perhaps) it is often extremely difficult to find indicators or measures that adequately capture or do justice to the activities that the agency is supposed to be engaged in. Good performance measures should reflect the key goals that organisations hope to achieve. Assuming these are clearly enough defined it may be difficult to find meaningful ways of measuring what an organisation *achieves* (the outcomes), rather than just what it *does* (the outputs). In the field of policing this is a notorious difficulty. Speaking about the use of indicators internationally, Bayley says:

Most performance indicators focus, unfortunately, on outputs rather than outcomes, with the result that police officers give more attention to reporting what they do rather than what they achieve. This causes them to become pre-occupied with meeting norms of activity rather than adapting their activity to produce desired results, which in turn discourages innovation and reduces operational flexibility.

The construction of appropriate measures is therefore something of a high art. One of the inherent

risks of indicators is that they have unintended consequences such as 'promoting inappropriate behaviour or malicious compliance'. This has been illustrated in South Africa with evidence of performance management related targets and systems contributing to a pattern of non-recording of cases reported at police stations. Performance measures are consistently of a quantitative nature so that the business of government, and the work of public servants, becomes dominated by a pre-occupation with meeting certain numeric targets potentially compromising a concern with the overall quality of the service provided. The implementation of performance management systems also involves a massive investment of resources and time by government personnel, particularly those in managerial positions.

In South Africa no less than in other countries, particularly after the advent of democracy in 1994, government has given major emphasis to performance monitoring and performance management. The emphasis on performance management systems may be understood as derived, at the end of the day, from the principles of accountability embodied in the Constitution. Legislative provisions that form the basis for the implementation of performance measurement systems include Section 38(1)(b) of the Public Finance Management Act. This provides that 'accounting officers' for government departments or other government entities are 'responsible for the effective, efficient, economical and transparent use of the resources of the department, trading entity or constitutional institution'. Performance management and, more importantly measurement, is then intended to be a way of evaluating whether departments are delivering on their obligations in this 'effective, efficient and economical' way. More specific provisions are contained elsewhere in legislation and regulations. For instance in terms of Section 27 (4) of the Public Finance Management Act, 1999 accounting officers must submit "measurable objectives" with their draft budgets to Parliament. Treasury regulations also provide that the strategic plan must, amongst other things, include 'the measurable objectives, expected outcomes, programme outputs, indicators (measures) and targets of the institution's programmes'.

In government departments then (some more so than others) there has been a focus on identifying indicators and establishing or adapting systems for gathering information. Important role-players in the design of frameworks and implementation for systems of performance management include the National Treasury and the Department of Public Service and Administration. A special ministerial portfolio has also been established within the Presidency responsible for performance monitoring and evaluation.

Performance measurement within the SAPS

The SAPS's has been involved in the use of systems of performance measurement, in compliance with government policies, from at least the late 1990s. An annual performance plan (sometimes in the past called a 'strategic plan') is published each year. This provides indicators and related measures for assessing the performance of each sub-programme. As with other departments the mechanism for reporting on performance is the annual report. A report for the immediately preceding financial year (to end March) is presented to Parliament and published in September or October of each year. Over the years the SAPS's use of indicators and measures has steadily become more sophisticated and the SAPS is regarded as one of the leading government departments in terms of its use of performance measures.

Since 2003, as part of its drive to improve its ability to assess performance, the SAPS has also introduced what is known as the 'performance management chart'. This is an information technology-based system for monitoring and comparing the performance of police stations. The performance chart partly relies on information recorded on the Crime Administration System regarding levels of recorded crime (as measures of crime prevention) and on detection rates and the percentage of cases that go to court (as measures of crime investigation). Rather than serving as a means for comparing the performance of stations against each other, the system compares the performance of a station against its own previous performance. Stations are then ranked against each other according to the level of improvement in performance that they have achieved (relative

to their past performance). The aim is to encourage police leaders and members to focus on continuously improving their activities and operations in line with the strategy of the SAPS.

Not unexpectedly several of the performance indicators that tend to be the focus of attention by politicians, media, the public and the police themselves relate to crime reduction targets. In the 2011/12 performance plan for instance the SAPS has targets to reduce the number of 'reported serious crimes' and 'reported serious crimes within the rural environment' each by 2%, and to reduce the number of contact crimes and trio crimes each by 4-7%. Within the criminal justice field, as well as amongst the police themselves, there is a certain level of ambivalence as to whether levels of crime should be used as a measure of police performance. Many argue that levels of violent crime are driven by factors over which the police themselves have no control. The SAPS itself has consistently argued that certain categories of violent crime (amongst them murder, assault and rape) should be seen as "less policeable crime" on which they cannot be expected to have an impact. When reductions in statistics on these categories of crime are recorded however the SAPS find it difficult to resist the temptation to represent this as being a result of the impact of the police.

Though it is not necessarily true that police cannot impact on crime the more important issue is that the link between changes in the crime rate in South Africa and police action or strategies is never apparent. The SAPS is a 'policing behemoth'¹³, one of the largest police services in the world, with close to 200 000 employees. A national level figure that indicates that, for instance, 'recorded contact crime' has gone down by a certain percentage, in many ways mystifies the issue rather than actually answering any questions. The key question is 'Can the police demonstrate that their primary crime prevention strategies are making a difference?'¹⁴ Rather than a single figure this would require a more systematic evaluation of the strategic and operational practise of police stations and other SAPS units. It may indeed be true that the SAPS is having a substantial impact on levels of crime. But the way in which indicators are currently used does not really tell us whether or not this is so.

A second problem with these types of indicators is that of perverse incentives. As indicated, over recent years concerns have been raised that a major contributor to reductions in recorded crime has been a systematic pattern of non recording of crime at a large number of police stations with the crime categories most affected being some of the major categories of violent crime. The reliability of crime statistics as an accurate record of reported crime depends on the integrity of police practise in the recording of crime statistics. But evidence is that in recent years the pre-occupation with indicators of performance has been at the expense of this type of integrity. These issues however are consistently not acknowledged in the annual report or performance plan as if they do not have a profound impact on the credibility of the information presented.

It needs to be acknowledged, that the emphasis on crime reduction targets is in many ways politically driven. The SAPS have been under enormous pressure not only to reduce crime, but also to show that crime is going down. What is important to recognize however is that the figures on crime that are presented in the crime statistics each year are not simply a representation of the work of the SAPS. Potentially they represent the impact of a number of factors including socio-economic factors, the work of the SAPS, the impact of other security role-players (other components of the criminal justice system and the private security industry), trends in public reporting, and SAPS practice in recording reports or allegations of crime.

The issue of the opacity of performance information does not only apply to performance indicators relating to recorded crime. The detective component of the SAPS for instance alone numbers over 28 000 people. One of the dilemmas that the SAPS faced in constructing its performance indicators was whether to identify itself as responsible for conviction rates. The way in which the SAPS has resolved this in recent performance plans has been to focus primarily on two types of indicators (measured independently for various sub-categories of crime). These indicators are 'the detection rates' described as 'the ability to solve charges' and the 'percentage of court ready case dockets' described as

the provision of a fully investigated case docket, whether it includes one or more charges (investigations finalised), which can be utilized by the National Prosecuting Agency (NPA) for the prosecution of an offender/s on the charges linked to the docket. Fully investigated entails that there is no outstanding information which requires further investigation by a detective, and that all evidence (e.g. statements, DNA, toxicology) has been obtained.¹⁷

Again however the presentation of single figures on 'detection rates' or dockets that are said to be 'court ready' obscures far more than it reveals. Undoubtedly there are major variations in the quality of these 'detections' and 'court ready' dockets. The pressure to improve 'detection rates' potentially has its own set of unintended consequences and perverse incentives. The performance plan indicates that detection rates are calculated partly on the basis of cases that are withdrawn by complainants. This increases the likelihood that police officers may play an active role in encouraging complainants, for instance in domestic violence cases, to withdraw cases. The pressure to improve detection rates and the number of court ready dockets also increases the likelihood that detectives will be motivated to take 'short cuts', such as fabricating evidence when investigating cases, and increases the risk of wrongful convictions.

This is not necessarily an argument against the need to use performance indicators but at least raises questions about their design and implementation. One question here concerns the degree to which current performance measures actually tell us anything about the contribution that the SAPS is making towards achieving its key goals. As indicated for instance, there is little reason to regard crime statistics on their own as reflecting the impact of the police on levels of crime. The use of performance measurement systems also needs to be accompanied by a sensitivity to the unintended consequences that are likely to follow from their implementation. Without a parallel process that seeks to ensure that the performance that is achieved is not only achieved against measures of quantity but also against measures of quality, it is likely that meeting the targets will start to take precedence over questions about how the targets are actually achieved. But whilst the SAPS can speak with some pride of its framework of performance indicators and measures it cannot do the same in relation to its mechanisms for ensuring the quality of its crime prevention and crime investigation performance. For instance one of its principle mechanisms for doing so, the SAPS National Inspectorate, has now for some years failed to execute its mandate 'owing to poor leadership and unwarranted reorganisations'.

Though the framework of performance indicators is, by many standards, of good quality, there are also important dimensions of policing that are not addressed. The SAPS in its annual or other reports, for instance does not monitor, and therefore cannot provide information, on the use of force, including lethal force, by its members. Though statistics on killings by police are presented in the ICD annual report the SAPS makes no mention of these figures in its own reports. The performance plan does include an indicator relating to the investigation of cases of corruption but the plan makes no mention of the issue of the use of force, or for that matter, police safety. There are also profoundly important aspects of democratic policing which are not, and potentially cannot be represented by this type of performance information, such as the necessity that police should not serve specific party political interests.

Role of the Auditor General in relation to the assessment of police performance

Regularity audits

The key auditing function performed by the Auditor General is often seen as the audit of financial statements. In this respect the SAPS audit history has generally been quite good. In a presentation to the Portfolio Committee on Police in August 2009 for instance, the AG identified a number of good practice benchmarks which the SAPS had met including:

- 'A clear trail of supporting documentation that is easily available and provided timely.

- The quality of financial statements and management information.
- The timeliness of financial statements and management information.
- Availability of key officials during audits.
- Compliance with risk management and good internal control and governance practices’.

Related to this focus on the financial statements the key aspects of the report of the AG is often seen as the ‘opinion’ or ‘conclusion’ that is reached on whether the statements reliably reflect the financial position of the department. Where the auditor general has confidence in the financial statements the assessment will be that the statements ‘present fairly, in all material respects, the financial position of the department’. Where the auditor general does not have this confidence the opinion will be qualified. Sometimes the auditor general will draw attention to, or make findings on, certain matters but state that this does not represent a qualification of the opinion.

However the role of the AG is in fact more broadly defined. In line with Section 20 of the Public Audit Act (Act 25 of 2004) the audit of financial statements is merely part of a broader process of ‘regularity’ auditing that also includes two other important facets. The compliance component of the audit examines compliance with key legislation including legislation pertaining to ‘financial matters, financial management, and other related matters’. In effect this is an assessment of compliance with provisions of the Public Finance Management Act and, for instance, treasury regulations, as well as other key legislation pertaining to the specific government department or other government entity.

In terms of the interest of this paper in performance assessment however the key component of the audit is a third aspect of the ‘regularity’ audit. This is what is known as the audit of ‘predetermined objectives’ (until quite recently this was referred to by the AG as the audit of performance information, abbreviated as ‘AoPI’).

Predetermined objectives

The audit of ‘programme performance against predetermined objectives’ is referred to in Section 20(2)(c) of the Public Audit Act as well as Section 40 (3)(a) of the Public Finance Management Act (Act 1 of 1999). Essentially this component of the audit can be seen as an assessment of whether the government department is using performance indicators and measures in the prescribed way. It therefore involves an assessment of systems and controls relating to the management of, and the collecting, monitoring and reporting of, performance information. This includes checking on the consistency of performance information between the strategic/annual performance plan, quarterly reports and annual performance report. It also involves comparing reported performance information to relevant source documentation and conducting procedures to ensure the validity, accuracy and completeness of reported performance information.

Since 2005-06 the AG, in cooperation with the National Treasury, has been ‘phasing-in’ the predetermined objectives component of the audit. In 2008 the AG announced that the ‘phasing-in approach to compliance’ was intended to be ‘until such time as the environment shows a state of readiness to provide reasonable assurance in the form of an audit opinion or conclusion’. The phasing-in period would involve a ‘review of the policies, systems, processes and procedures for the managing of and reporting on performance against predetermined objectives’. During the phasing-in period the AG does not provide a formal ‘opinion’ or ‘conclusion’ relative to the audit of predetermined objectives. Nevertheless there is reporting on ‘material shortcomings in the process, systems and procedures of reporting against predetermined objectives’ though these are reported under the Other reporting responsibilities (or for instance Other legal and regulatory requirements) section of the audit report. (A similar approach is followed in relation to the ‘compliance’ component of the audit).

In 2006-07 and 2007-08 the AG’s report indicated that there were ‘no matters observed that require inclusion in report’ or ‘no significant findings’ in relation to the audit of predetermined objectives. However in subsequent reports a number of issues have been raised in this section of the AG

report. For instance both the 2009 and 2010 report of the AG raised concerns about compliance with regulatory requirements stating that –

The Department of Police did not in all instances maintain an effective, efficient and transparent system and internal controls regarding performance management, which describe and represent how the institution's processes of performance planning, monitoring, measurement, review and reporting will be conducted, organised and managed, as required in terms of section 38(1)(a)(i) and (b) of the PFMA.

Another issue that is raised in the 2008-09 report concerned the 'usefulness' of reported performance information. This is essentially an assessment of the performance measures used by the Department themselves. The report indicated that the certain key targets used by the department were not 'specific', 'measurable' or 'timebound'. The issue was not raised in the 2009-10 report however perhaps indicating that, in the view of the AG, there had been an improvement in the usefulness of the targets.

A further issue raised in both of the more recent reports was the issue of the 'reliability' of the performance information with questions of 'reliability' understood to reflect a combination of 'validity', 'accuracy' and 'completeness'. For instance in the 2009 report the AG indicated that

The accuracy and completeness of reported performance information could not be verified for programme 2: Visible policing and programme 3: Detective services. This was as a result of performance information that has either been captured inaccurately or incomplete from source documentation such as case dockets.

In the 2011 report the AG also focused on questions of the reliability of SAPS performance information noting in a presentation that:

- Supporting documentation at stations/units is not available
- Systems for collating information are not updated
- Information to be sent through is not accurate
- System used does not agree to supporting documentation.

As indicated, due to the 'phasing in' approach these issues that have been raised do not have the weight of formal 'opinions' or 'conclusions'. However they do indicate that there continue to be matters that of substantial concern to the AG in the use by the SAPS of performance information, notwithstanding the fact that this is regarded as being of a relatively high standard.

In the words of a framework document from the Presidency the AG's focus, by means of the audit of predetermined objectives, is 'mainly on validating the credibility of performance information.'³⁸ In other words it looks at the robustness of relationship between indicators, performance information and supporting documentation so that there can be some level of confidence that the performance information that is reported on is correlated with actual performance. The predetermined objectives component of the audit therefore provides some indication as to whether the SAPS can actually back-up some of its performance claims with a strong emphasis on supporting documentary information.

Performance audits

As indicated the predetermined objectives component of the audit was previously referred to as the 'audit of performance information' (AoPI). There is therefore a high risk that people who are unfamiliar with the framework to which the AG adheres will confuse these with what are termed 'performance audits'. But the two are substantially distinct and should not be confused or equated with each other.

As opposed to the audit of predetermined objectives that is referred to in Section 20(2)(c) of the

Public Audit Act (Act No 25 of 2004), performance audits are carried out in terms of Section 20(3) which provides that 'the Auditor-General may report on whether the auditee's resources were procured economically and utilised efficiently and effectively'. One feature that both audits have in common is that they include a focus on questions of compliance with laws and regulations.

Performance audits are however not linked to the financial year 'and can cover more than one financial year'.

Performance audits are therefore audits of a different kind. They are not part of the 'regularity audit' or necessarily linked to indicators but an 'independent auditing process to evaluate measures instituted by management to ensure resources are procured economically and are used efficiently and effectively'. 'The primary objective of performance auditing is to confirm independently that these measures do exist and are effective; and to provide management, Parliament and other legislative bodies with information ... on shortcomings in management measures and examples of the effects thereof. In line with the general role of the AG these audits are not intended to question policy but rather concern how resources that are procured with public money, are being used in practise.

An example that illustrates the distinction between the two types of audits is the regularity audit may for instance examine whether the paper trail indicates that proper tender procedures were followed when vehicles were acquired. A performance audit on vehicle acquisition might on the other engage with questions such as: Was the acquisition of vehicles necessary? Was it the most economic acquisition? Are the vehicles in fact being utilised for the purpose that they were intended for? Performance audits are therefore a mechanism that enables the AG to carry out examinations of the functioning of governmental agencies that are more focused and in depth than is generally possible by means of the audit of predetermined objectives.

However the performance audit unit is very small and the AG's capacity to perform these audits is therefore relatively limited. As a result these audits have to be undertaken selectively. The current approach of the AG to resolving this issue of limited capacity is to focus on 'transversal audits'. These focus on a specific issue across a number of key government departments. For instance during 2011 a transversal audit is being conducted in relation to the use of consultants by a number of departments including the SAPS.

One example of the type of assessment of the police that can be obtained through performance auditing was an audit on service delivery at police stations and the functioning of the 10111 call centres carried out in 2008-2009. (A 'limited performance audit' on border management by the SAPS was also carried out in 2007.) The audit was carried out by the AG on the request of the Portfolio Committee on Police. The focus of the audit was arrived at on the basis of consultation. The audit was carried out at five police stations and one 10111 call centre per province with some effort made to select a sample that represented the diversity of stations in terms of 'nature of operations, risk profiles, size and location'. The table below lists the issues that were the focus of the audit as well as questions that are addressed in relation to each focus area.

Performance audit of service delivery at police stations and 10111 call centres	
Focus of audit	Key questions addressed
Sector policing	<ul style="list-style-type: none"> • Is there an approved policy for sector policing? • Is there a sector commander profile? • Are minutes of sector crime forum meetings compiled?

Performance audit of service delivery at police stations and 10111 call centres

Focus of audit	Key questions addressed
Vehicle management	<ul style="list-style-type: none"> Do operational members have driver's licences? Do operational members have authority to drive a state vehicle? The ability of stations to make use of available vehicles – do stations have the capacity to make full use of vehicles that are available? Does management have accurate statistics on members with/without licenses? How consistent is the SAPS in implementing systems for controlling the use of vehicles such as registers detailing when a vehicle is booked in and out and authorisations for members to keep vehicles at home ('garaging authorities')? Management oversight over systems for vehicle repairs - are vehicles repaired efficiently so as to ensure optimum access by SAPS members to police vehicles?
Training	<ul style="list-style-type: none"> Management information systems on training – can management accurately assess what number or proportion of operational members have attended key training modules? What proportion of members have received specific in-service training?
Community service centres (CSC)	<ul style="list-style-type: none"> Does the design of CSC's cater for physically disabled people? Are basic services such as water, electricity and sanitation functioning at CSCs Are there proper identification parade rooms? Is information for the public ('service charters') displayed as required? What is the condition of holding cells?
Domestic violence	<ul style="list-style-type: none"> Is there adherence to procedures provided for in national instructions?
Bullet proof vests	<ul style="list-style-type: none"> Is safety equipment (bullet proof vests) provided as required?
10111 call centres	<ul style="list-style-type: none"> Do all areas have 10111 call centres? Is equipment adequate and in proper working order? Is sophisticated call centre technology (including technology for locating police vehicles) actually being utilised? Are there contingency arrangements in relation to the possibility that equipment may break down? What does data reveal about the levels of service (such as the time taken to respond to calls) provided by the call centres. Are reaction times (i.e. the time taken from when a call is received to when a vehicle is dispatched) in line with prescribed SAPS standards? What oversight is there by management on adherence to standards regarding service levels and reaction times? What is the quality of data on adherence to other standards relating to 10111 call centres and what does available data indicate about adherence to standards?

The number of police stations audited was not extensive but the report on the performance audit is nevertheless informative on questions to do with the operational functioning of the SAPS. While presented as an audit of service delivery in practise much of the audit is focused on questions of resourcing and systems that have been put in place in order to enable the police to achieve their service delivery objectives including.

- The quality of management information and of management oversight – for instance under the training section the audit concluded that 'The audit indicated that the PERSAP was not accurately updated to reflect all training courses attended by members, thereby compromising the accuracy of management information' on the number of members who had attended specific training modules.⁴⁸
- The availability and implementation of policies – for instance in examining how stations

were dealing with domestic violence the audit 'revealed various instances' where the requirements of the relevant National Instruction regarding the police response to domestic violence cases were not adhered to. At one police station, for instance, it was noted that in 15 (75%) of the cases examined, 'the SAPS 508(a) (reports of domestic violence incidents) was not completed by officers in the CSC and the OB number was not recorded in the domestic violence register'. The report concludes that this is likely to contribute to 'a risk of a lower percentage of incidents being recorded and culminating in criminal charges'.⁴⁹

- The adequacy and utilisation of resources – for instance in Gauteng a sophisticated 10111 call-centre was opened in 2007. However the audit found that state of the art AVL (automated vehicle location) technology that has been installed at the centre and in over 4000 vehicles was not in fact being used.⁵⁰
- Whether SAPS members have the skills or qualifications to carry out certain key functions – for instance at one police station the audit found that 74% of operational members did not have a valid driver's license⁵¹.

Though the focus is not primarily on service delivery itself, where the resourcing or systems do not appear to be adequate the audit sometimes spells out some of the implications. For instance in focusing on the issues of SAPS members without drivers licenses it not only implicitly raises questions about the recruitment and training systems but also points out that

Operational members without driver's licences increases the risk of shifts not being manned by trained drivers which will result in service delivery inefficiencies in, inter alia, sector policing and reaction time to crimes reported.⁵²

Some of the questions that may be seen to more explicitly focus on questions of the nature and quality of service delivery include those on the design of community service centres, adherence to procedures provided for in national instructions dealing with domestic violence, and those dealing with service levels and reaction times by 10111 call centres. For instance at one 10111 call centre the audit revealed instances where the time taken dispatch a vehicle in some high priority calls was over an hour though SAPS standards indicate that the time taken for this category of calls should not exceed six minutes. One of the reasons for this, the report says, is the lack of availability of police vehicles sometimes related to the fact that they are 'used for purposes not directly related to policing'.⁵³

The report is not focussed on issues of policy and therefore speaks to issues of 'implementation' rather than 'design'. This particular performance audit also does not engage with some of the major questions that might be seen to be relevant to an assessment of service delivery at police stations. For instance the engagement with sector policing and domestic violence only represents a partial engagement with questions about the deployment of visible policing units and the nature of their engagement in crime prevention. It also does not engage with the big question about the quality of investigations carried out by detective units. Though some of the issues highlighted do contribute parts to the picture, it also does not ask, or answer, the bigger questions about the nature of police-community relationships, or, for that matter, measures to ensure adherence by police at station level to standards of integrity and human rights.

The performance audit discussed here is therefore a deep level audit that provides an illuminating picture of the operation of the SAPS. Though it does not answer all of the questions that potentially need to be answered it provides a compelling illustration of the kind of scrutiny that is necessary if one is to be able to develop an appropriately nuanced picture of the operation of the SAPS in practise.

Conclusions

In a democratic society the central task of the police is to serve and protect members of the public. In the words of policing scholar David Bayley:

The most dramatic contribution police can make to democracy is to become responsive to individual citizens' needs. [...] A police force whose primary business is serving the disaggregate public [...] [demonstrates] daily and practically that the authority of the state will be used in the interests of the people.⁵⁴

The existence of police stations, of which there are currently 1122, is then in itself apparent evidence of the intention to ensure that police are deployed in locations that will enable them to be accessible to and serve the public. One question that the AG could assess is whether police stations in South Africa are in fact located and resourced in such a manner as to ensure a reasonable level of equity in access to policing services. In assessing more directly the service that is provided by police stations, and the police more generally to members of the public, some of the key questions that might be asked would include:

- Do they in fact reduce crime, disorder and fear, and promote public safety?
- What is their effectiveness in bringing offenders to justice?
- How promptly do they respond to emergency calls?
- Do they communicate with and serve members of the public in a professional manner?
- Are they responsive to vulnerable groups?
- Do they cooperate with other agencies and groups in order to enhance broader crime prevention activities?
- Do they follow professional standards in recording and reporting information on crime?⁵⁵

The use of performance indicators and measures by the SAPS is regarded as being of a high standard when compared to that of most government departments in South Africa and perhaps even by international standards. But the information that the SAPS presents on its own performance by means of its annual report is in many ways highly opaque and at best represents a proxy for answers to some of these key questions. This is partly because of the size of the SAPS. A set of figures intended to represent the 'performance' of an organisation of close to 200 000 people invariably hides much more than it reveals.

The high level of emphasis placed on these targets also carries with it substantial dangers. Potentially the work of government departments becomes dominated by a pre-occupation with being able to present a satisfactory set of numbers to their overseers. This in turn may result in the production of perverse incentives and a reduced emphasis on other factors that are important, but do not directly affect, the performance targets. In so doing performance measurement may potentially reduce police responsiveness to the actual concerns of communities. Perhaps it is for these reasons that a new British government discussion paper proposes 'replacing bureaucratic accountability with democratic accountability'⁵⁶ inter alia by 'removing Government targets, excessive centralized performance management and reviewing the data burden that is placed on forces – but ensuring that data is still available to local people'⁵⁷ and restoring 'professional judgement and discretion to the police'⁵⁸

Performance data no doubt has some value to it. But our ability to interpret it can only be enhanced by more detailed information about what is actually taking place at police stations. The process of holding police accountable requires that mechanisms exist that can produce a deeper level of scrutiny. Performance audits carried out by the AG at this point represent something of a model in terms of the type of scrutiny that can provide meaningful information about the police. At the same time the unit of the AG's office responsible for these audits does not have the capacity to carry out audits focused on the SAPS itself on a sustained basis. But it is not only the office of the Auditor General that has an interest in carrying out these types of assessments as there are other agencies including the national Civilian Secretariat for Police, the provincial secretariats, and potentially also the SAPS National Inspectorate, that have comparable mandates. But, whether within the AG's office or elsewhere, subjecting the police to meaningful scrutiny will require that a greater investment be made in developing the capacity within government to carry out this type of information gathering exercise.

Endnotes

- 1 Bayley, 2001: 24.
- 2 Presidency, 2009, Improving Government Performance : Our Approach, 12
- 3 Bruce, D, 2010
- 4 National Treasury, 2005: 15.
- 5 The Minister is also responsible for administration in the Presidency.
- 6 An overview of measures, indicators and performance is also presented in the Estimates of National Expenditure published by the treasury as part of the annual budget at the beginning of each year (see for instance National Treasury, 2011).
- 7 This observation was made by an interviewee during the research for this paper. Also see Bruce, Newham and Masuku, 2007, 53.
- 8 Violent crime against the person (i.e. excluding for instance malicious damage to property).
- 9 Vehicle hijacking, residential robbery and business robbery (robbery at non-residential premises).
- 10 SAPS, 2011, 15
- 11 See for instance the sources cited in Bayley, 2006, 80.
- 12 Fn 287 and 288 on page 86 of assessment
- 13 Bruce, Newham and Masuku, 2007, 23.
- 14 Bayley, 2006, 79
- 15 Bruce, Newham etc. See also AGSA 2009a, 18.
- 16 The number includes 25 605 detectives based at police stations and another 2617 who are part of the Directorate Priority Crime Investigation (DPCI). The Detective division also includes 3 967 personnel in the Criminal Records Centre and 1462 at Forensic Science Laboratories. (SAPS, 2011, 18-19).
- 17 SAPS, 2011, 41.
- 18 Ibid.
- 19 Omar, 2009, 11.
- 20 The indicators for the detective service include one for 'Percentage of court ready case dockets for fraud and corruption by individuals within the JCPS Cluster' (SAPS, 2011, 41).
- 21 Bruce & Neild, 2005, 20
- 22 The Auditor General of South Africa (AGSA) is referred to in this report merely as the Auditor General (AG).
- 23 Auditor General South Africa, Portfolio Committee on Police Strategic Planning Workshop, 12 August 2009 (Powerpoint presentation), p. 4
- 24 20.
 - (1) The Auditor-General must in respect of each audit referred to in section 11 prepare a report on the audit.
 - (2) An audit report must reflect such opinions and statements as may be required by any legislation applicable to the auditee which is the subject of the audit, but must reflect at least an opinion or conclusion on-
 - (a) whether the annual financial statements of the auditee fairly present, in all material respects, the financial position at a specific date and results of its operations and cash flow for the period which ended on that date in accordance with the applicable financial framework and legislation;
 - (b) the auditee's compliance with any applicable legislation relating to financial matters, financial management and other related matters; and
 - (c) the reported information relating to the performance of the auditee against predetermined objectives.
 - (3) In addition, the Auditor-General may report on whether the auditee's resources were procured economically and utilised efficiently and effectively.
- 25 Auditor General, 2008b, 4(para 11).
- 26 See also Section 28(1)(c).
- 27 Provides that 'The annual report and audited financial statements ... must— (a) fairly present the state

of affairs of the department, trading entity or constitutional institution, its business, its financial results, its performance against predetermined objectives and its financial position as at the end of the financial year concerned'. See also Section 55(2)(a) of the same act.

- 28 Some of the key guidelines in this regard are set out in the 'Framework for Managing Programme Performance Information' published by the National Treasury in May 2007.
- 29 Auditor General South Africa, 2010, 14
- 30 Auditor General South Africa, 2010, 13
- 31 Auditor General, 2008b, 5
- 32 By implication questions of 'compliance' are not only addressed as a separate component of the 'regularity audit' but may also be addressed within one of the other components.
- 33 One set of criteria for selecting performance targets is the SMART criteria. This addresses whether the criteria are: Specific: the nature and the required level of performance can be clearly identified; Measurable: the required performance can be measured; Achievable: the target is realistic given existing capacity; Relevant: the required performance is linked to the achievement of a goal; Time-bound: the time period or deadline for delivery is specified. (National Treasury, 2007, 10)
- 34 Report of the Auditor General as presented in SAPS, 2010, 123
- 35 Report of the Auditor General as presented in SAPS, 2009, 149.
- 36 Auditor General South Africa, 2011, 8
- 37 Auditor General South Africa, 2010, 7
- 38 Presidency, 16
- 39 Section 5(3) is also understood to provide authority for this kind of audit. See also section 28(2)(a).
- 40 AG presentation Jan 2010 p 4
- 41 Ibid
- 42 AG presentation Jan 2010 p 6. The presentation defined these concepts as follows:-
 - Economy – to procure resources of the right quality in right quantities at right time and place at the lowest possible cost,
 - Efficiency – to achieve the optimal relationship between the output goods, services or results and the resources used to produce them,
 - Effectiveness – to achieve policy objectives, operational goals and other intended effects.
- 43 Service delivery page 4
- 44 Border control page 1
- 45 Surette Taljaard, 20 September 2011.
- 46 Auditor General, 2008a.
- 47 Auditor General, 2009a, 2.
- 48 Auditor General, 2009a, 13.
- 49 Auditor General, 2009a, 18.
- 50 Auditor General, 2009a, 21
- 51 Auditor General, 2009a, 9.
- 52 Auditor General, 2009a, 9.
- 53 Auditor General, 2009a, 22.
- 54 Bayley, 2001: 13–14.
- 55 The questions are based on Bruce & Neild, 2005. See page 31 onwards. Also see Bruce, Newham and Masuku, 2007, especially from page 77 onwards.
- 56 Home Office, 2010, p. 3
- 57 Ibid, 19.
- 58 Ibid, 20.

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Legislation

- Public Finance Management Act (Act 1 of 1999)
- Public Audit Act (Act No 25 of 2004)

ABOUT APCOF

The African Policing Civilian Oversight Forum (APCOF) is a network of African practitioners active in policing reform and civilian oversight over policing in Africa.

It believes that the broad values behind the establishment of civilian oversight are to assist in restoring public confidence, develop a culture of human rights, integrity and transparency within the police and promote a good working relationship between the police and the community. It achieves its goal through raising awareness, sharing information on police oversight and providing technical assistance to civil society, police and police oversight bodies in Africa.

APCOF utilises the expertise of its membership to promote learning and networking on the continent. It is actively engaged in country reform projects, regional dialogues, and is working at a continental level to prioritise police reform.

APCOF was created in 2004. Its members are drawn from state and non-state institutions.

THE OBJECTIVES OF APCOF ARE TO:

- Create and sustain public confidence in police
- Develop a culture of human rights, integrity, transparency and accountability within the police
- Promote a good working relationships between the police and the community

APCOF WORKS ON A RANGE OF ISSUES SUCH AS:

- Promoting fair treatment of citizens by police agencies on the continent
- Exchange of information on better practices among oversight bodies
- Promoting the establishment of police oversight bodies where they do not currently exist
- Standard setting for policing and civilian oversight bodies in Africa
- Encouraging and supporting the formation of regional networks to promote police reform
- Supporting local reform initiatives at promoting civilian police oversight

CONTACT APCOF:

African Policing Civilian Oversight Forum
67 Roeland Square
Drury Lane, Gardens
Cape Town 8001
Tel: +27 21 461 7211
Fax: +27 21 461 7213

www.apcof.org.za

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