

CRIME OPERATIONAL ASPECTS OF THE RAPID RAIL POLICE UNIT IN THE WESTERN CAPE RAIL ENVIRONMENT

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Abstract

This paper interrogates the operational aspects of the Western Cape Rapid Rail Police Unit (RRPU) in the Western Cape railway environment. Specific attention is given to the crime operations executed by the unit, the cooperation of the unit with other relevant stakeholders and the application of crime prevention theories in the Western Cape railway environment. The research was executed in the Rapid Rail Unit of the Western Cape Province on a qualitative research methodology. This study followed a qualitative approach utilising a semi-structured interviews to gather relevant data. For the purpose of this study, the non-probability sampling based on the purposive method was used to select the twenty (20) research participants that were obtained from two Senior Managers, two Middle Managers, two junior managers, six non-commissioned officers, two officials of Cape Town Central Police station, three officials of PRASA Western Cape Province, one retired member of the former Railway Police, one member of the CPF and one regular train commuter participated in this study. The findings firstly indicated that the RRPU in the Western Cape does not properly apply crime prevention operations. Secondly, RRPU in the Western Cape does not implement or considers the crime prevention theories, and thirdly, the Unit is not cooperating with stakeholders in the environment as well as, not focusing on crime in the railway environment in the Western Cape Province. This paper also highlights additional problems affecting the operational performance of the Unit in the environment and attempts to provide solutions to overcome the aspects which influence the effectiveness of the RRPU in the Western Cape railway environment.

Keywords: Crime prevention, police, railway

1. INTRODUCTION

In order to achieve the operational objectives in the Western Cape railway environment, the stakeholders in the environment must cooperate with one another; they must stick to their mandate in their respective environments, apply the relevant crime prevention theories applicable to the environment and focus on the environment of their responsibility.

The supposition is that that there is no sound cooperation between the stakeholders in the environment as far as it concerns the prevention of crime, proper execution of mandates in the environment by the stakeholders, applying the crime prevention theories in the Western Cape rail environment and commitment to the prevention of crime in the Western Cape railway environment. The aforementioned had a negative

effect on the prevention of crime in the Western Cape railway environment and achieving the aims and objectives of the semi-state institution.

2. BACKGROUND OF THE STUDY

Unlike the former SARPF, the RRPU was established under the SAPS to specifically police the railway environment in the country and was not established in terms of a different Act of Parliament with specific powers and functions to fight crime in the Railway Environment. The policing capacity was established as a component under the SAPS Division: Protection and Security Services (DPSS) (SAPS Annual Report 2003/2004, 2004, p. 6).

As officials of the SAPS, the officials allocated to police the railway environment have the same powers and functions as other officials of the SAPS. When the Constitution of the Republic of South Africa (the Constitution) was adopted on 8 May 1996, it determined the objects of the SAPS in section 205(3). These objects 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".

When one take into consideration, the powers and functions of the SAPS as determined by the laws or the country, it is evident that officials of the SAPS have enough powers and functions to safeguard the life, health and property of all the inhabitants of the country in the different sections and sectors of the country which also include the Railway Environment. This implies that officials of the SAPS have the necessary powers and functions to police in the democratic dispensation and protecting the rights of all in the country (Slingers, 2015, pp. 378-379). This confirms the comment of van Rensburg (2011, p. 18) that the members of the community are of the opinion that the police have themselves to blame for the policing problems they have. They have all the necessary powers and functions in law but these are not optimally used to prevent crime in the country.

3. PROBLEM STATEMENT

United Nations (2011, p. iv) argues that for the police to be able to take responsibility for actions and wrongdoings, they need to receive proper direction. They also need to be well-prepared and equipped to carry out their functions in a professional way, and need to be assured of proper working conditions. Line managers must supervise their staff, and police actions and operations need to be reviewed and evaluated. Moreover, effective police accountability involves many different actors representing the different layers of modern-day democracies, including government representatives, the parliament, the judiciary, civil society actors and independent oversight bodies such as national human rights institutions. Primarily, it involves the police themselves (United Nations, 2011, p. iv).

United Nations (2011, p.1) further asserts that efforts to enhance police oversight and accountability must focus on three key, related priorities. Firstly, where policing has been militarised and may be undemocratic and authoritarian, efforts must be made to enhance civilian control over the police. Secondly, it is necessary to increase public confidence in the police by upgrading levels of police service delivery as well as by investigating and acting in cases of police misconduct. Finally, reducing corruption within the police is crucial. In the case of the SAPS, there seems to be a challenge for the SAPS officials to receive a proper direction toward ethical behaviour.

To tackle crime effectively within the railway environment, communities need to be consulted on the problems they face and how to tackle them. Involving the public presents challenges as well as opportunities, but can lead to greater trust in the criminal justice system. It is not clear if the Western Cape RRPU have adopted evidence-based, consultative and participatory approaches to preventing and reducing railway crime. To what extent the Unit has involved all sectors of society, including non-governmental organisations, academia and the private sector due to the prevalence of railway crime within the area of study. Therefore, against this background, the authors of this paper argue that there is a lack of adequate accountability within Western Cape RRPU.

According to the Thirteenth (13th) United Nations Congress on Crime Prevention and Criminal Justice (2015:10), the police in particular have a key role to play in working with the public and communities to prevent and control crime, through community-oriented policing and similar approaches that encourage consultative and collaborative arrangements between police and citizens. Furthermore, courts play an important role through restorative justice. Prosecutors contribute to the prevention of crime by considering alternatives to prosecution, and legal aid providers, pro-bono lawyers and volunteers all assist with access to justice for those without the means to pay for a defence lawyer. This is currently, not how things are conducted within the Western Cape RRPU. It is against this background that the authors of this paper

attempted to solicit the views of the participants to determine the extent of criminality as well as the level of accountability by all relevant stakeholders towards addressing the challenge.

4. THEORETICAL AND METHODOLOGICAL FRAMEWORK

The “Broken window” innovation

Braga (2001, 2005, 2007) as well as Braga and Bond (2008) discussed research results focusing on eight crime prevention innovations in American policing during the 1980s and 1990s. The “Broken Window” policing innovation is one of the innovations (Hess and Orthmann, 2012, p. 264). This section interrogates the “Broken Window” crime prevention innovation to determine its application and effect on crime in the Western Cape railway environment. The “Broken Window” syndrome or innovation suggest that serious crime develop because the police and citizens do not work together to prevent urban decay and social disorder (Hess and Orthmann, 2012, p. 265).

Research indicates that proof of incivility, disorder and crime represents the ‘broken window’ syndrome. This refers to the impressions of neglect and decay presented by broken windows, empty buildings, vandalism, graffiti and litter in the area (Kelling and Coles, 1996; Walker, 1984; Wilson and Kelling, 1982). The social indicator of disorder include loitering, public drunkenness, gangs, drug sales and use, and prostitution may actively promote a specific area as ripe for criminal activity. In essence, these signs create opportunity for criminal conduct, a lower risk of being caught by the police and an increase in the fear of crime (Bezuidenhout, 2009, p. 61). Other more subtle signs include un-mowed lawns, piles of accumulated trash, litter, graffiti, abandoned buildings, rowdiness, drunkenness, fighting and prostitution, often referred to as incivilities (Hess and Orthmann, 2012, p. 239).

The application of the ‘Broken Window Syndrome’ in the Western Cape railway environment is the responsibility of both the PPRU and the Passenger Rail Agency of South Africa Protection and Security Services (PRASA PSS), The success of the innovation in the prevention of crime in the rail environment depends on the consistent joint police, Security Officers and community and commuter effort. “The criminal is an opportunist – remove his opportunities and the decrease in the crime rate comes automatically” – a proverb coined by the Witwatersrand Chamber of Commerce and Industry (Botha, 1988, p. 27).

The failure to apply the innovation in the railway environment creates an opportunity for the proliferation of serious crimes in the environment. This situation is aggravated by the absence of visible policing and the reluctance of the officials of the RPU to properly apply the Legal Succession Act and the Municipal Laws in and around the Railway Environment. There is a considerable number of illegal traders in the trains, on the train platforms and on the premises of PRASA (Marketing and Communications Officer, Western Cape Metrorail, 2016). Selling and using of drugs in the environment is also a major problem (William, 2016, April, p. 22). Trespassers, loiterers, vagrants, homeless persons as well as mental patients frequent the premises in and around the train stations.

Specifically, the Legal Succession Act and other Municipal Regulations form the basis of applying the ‘Broken Window Syndrome’ in the Western Cape Railway Environment. The mission, vision and values of the SAPS support the ‘Broken Window Policing’. According to the South African Police Service, Western Cape Annual Performance Plan (2015/2016, p. 2) the mission of the South African Police Service is to among others; participate in efforts to address the root causes of crime.

The root causes of crime are the opportunities available for the criminals to commit crime and the failure of the community and relevant officials to take the necessary steps to limit the opportunities for the criminals. In the previous sections, it was confirmed that officials of the Western Cape RPU are not concentrating on crime in the Railway Environment, they only take steps in terms of the Legal Succession Act when they are short of reaching their monthly target and are for the purpose of reaching targets encouraged to attend to serious crime targets outside the Rail Environment. This notion is a cause of proliferation of serious crimes and an underscoring in aspects relating to non-serious crimes in the Railway Environment.

5. RESEARCH METHODOLOGY

For the purpose of this study, the study was conducted within the qualitative design approach. In this study the qualitative research paradigm was used to represent the generic research approach in social research according to which research takes as its departure point the insider's perspective on social accomplishment. The primary purpose of using this approach was to describe and understand rather than to explain human behaviour. In this study, the authors have also referred to a broad methodological approach to the study of social action. The term was used to refer to a collection of methods and techniques which share a certain set

of principles or a common logic (Babbie and Mouton, 2008, p. 270).

6. SAMPLING, SAMPLE SIZE AND SELECTION

The study population for the Rapid Rail Police Unit (RRPU) in the Western Cape Province, up to the period, March 2013, consisted of 455 officials. The officials of the unit are deployed at four unit points, namely, Cape Town, Philippi, Bellville, Retreat and the unit also has a Provincial Command Office in Cape Town (SAPS Annual Report, 2005-2006, 2006:104). Owing to the fact that the study also intended to cover the external aspects affecting the service delivery of the unit, the scope of the study will also include the input and comments of the relevant external stakeholders which included among others, the officials of Passenger Rail Agency of South Africa Protection and Security Services (PRASA PSS), officials of the neighbouring stations, commuters and officials of the Community Police Forum (CPF).

For the purpose of this study, the non-probability sampling based on the purposive method was used to select the twenty (20) research participants that were obtained from two Senior Managers, two Middle Managers, two junior managers, six non-commissioned officers, two officials of Cape Town Central Police station, three officials of PRASA Western Cape Province, one retired member of the former Railway Police, one member of the CPF and one regular train commuter participated in this study. Such a purposive approach was preferred over random sampling due to the category and the small number of the research participants (Burton, 2000; Denscombe, 2007). Therefore, the purposive sampling approach was an ideal method to only select individuals who were directly involved in the field of research study. Davies (2007, p. 146) pointed out that, "*Qualitative research sampling procedures are not as clearly defined as they are when you are gathering a survey sample intended to be accurately representative of its population.*" Also it has to be noted that, it was a purposive approach taken since it was based on the setting up of a collection of deliberately selected cases that was aimed at studying a phenomenon of interest in the most constructive manner (Bell, 2005; Walliman, 2005).

7. DATA COLLECTION

The method used in collecting data was semi-structured interviews. As part of the different types of research interviews, they allow the interviewer to be flexible in terms of the order in which the issues are considered, and more importantly, Denscombe (2007, p. 175) stated that, "*...to let the interviewee develop ideas and speak more widely on the issues raised by the researcher*". In other words, the questions used were open-ended thereby allowing for open-ended answers as well with the emphasis on the elaboration of the points of interest by the interviewee. The questions in the semi-structured interview schedule were derived from extensive reading of the literature which generated specific topics of interest to the research project so as to find a solution to the research question. Basically, this data collection tool allows for an in-depth provision of information especially that which relates to the individual's opinions, feelings, emotions and experiences (Holliday, 2007; Morse and Richards, 2002).

8. PROCEDURE IN THE DATA COLLECTION

The twenty (20) selected research participants were contacted either through telephone calls or e-mail. The participants were given some advance notice of the areas to be discussed during the interview, but not specific questions. With this approach, it was envisaged that it was going to allow the participants to reflect and not to be caught off-guard during the interview session. Before the commencement of the interview, the interviewees were reminded of the purpose of the study again and of the time involved. Any other issues such as definitions were clarified at the outset (Homan, 1991, 1992).

9. DATA ANALYSIS AND DISCUSSION

Once the data was collected from the sample, it was put through a process of transcription, coding and analysis (Barbour, 2007; Flick, 2007, 2014; Miles, Huberman, Michael & Saldaña, 2014). Though in qualitative analysis there are no set rules as eluded by Barbour, in this research study, the information from the interviews was transcribed and sorted into categories (Blaxter, Hughes, & Tight, 2006). A number of themes and sub-themes were identified and each piece of relevant information was coded under those categories. In order to make the work much easier at this stage, the semi-structured interview followed a certain pattern that was similar to all the twenty participants. The content was further analysed and used in the writing up of the summary. The content was further analysed and used in the writing up of the summary. However, expressions such as 'yah', 'ehm', 'mmmh', 'ahm' and repeated words were removed in writing the research findings. The last step in the data analysis process was verifying the data such as re-checking of the interviews, transcripts and the codes. The idea, Denscombe (2007) argues, is to ensure credibility, validity, reliability and objectivity.

Research Question 1: *Do the relevant stakeholders properly execute its mandate in the railway environment?*

The majority of participants from the Western Cape RRPV claimed that PRASA, Western Cape Province was not pro-active as well as ensuring visibility in the railway environment. One participant highlighted the challenges as follows:

"The reason being that while other public transports in the province, like the Golden Arrow Bus Company allow police officials in uniform to travel free off-charge on their transport, Metrorail requires police officials travelling in uniform to also have valid train tickets and require that RRPV officials carry Metrorail issued permits when on the trains or on the Railway Premises" (Zandberg, Interview September 2016).

Another participant, concurred and said:

"The problem with the PRASA PSSO's is that they might have been wrongly informed that the RRPV is deployed in the Railway Environment under their command and control. They prevent the police officials from entering and leaving the railway premises when the police officials are on duty and cannot show a PRASA issued permit. They once, while I was in uniform and on duty, prevented me from leaving the train platform because I could not show them a train ticket. They only allowed me passage after my commander discussed the matter with them" (Anthony, Interview September 2016).

However, participants from PRASA PSS on the other hand claimed that the RRPV officials are lazy, reluctant to do their work, are sleeping in the coaches when they are supposed to patrol, are never available when they are needed and some are practicing corruption inside and outside the Western Cape rail environment. To highlight the lack of cooperation between the key role-players, some of the participants from PRASA PSS said:

"They send junior RRPV officials to stakeholder meetings and this make joint decision making on operations very difficult" (Senior PRASA PSSO, 2016).

"The officials of the Western Cape RRPV are not concentrating on the Rail Environment because they also have other national and provincial priorities to attend to outside the railway environment" (Jordaan, Interview August 2016).

"Instead of charging the illegal traders in the trains and on the train platform, officials of the RRPV buy their merchandise" (Marketing and Communications Officer, Metrorail, Interview August 2016).

It was reported that in the local newspaper that a case where three teenagers, 14, 16 and 17 were arrested by the police for holding passenger's hostage in a train from Muizenberg to Cape Town, they were speedily arrested. Commuters pleaded with Metrorail that it should cooperate with the police to keep trains safe (Williams, 2016:2). The above responses are an indication that the strained relationship between the officials of the RRPV and PRASA PSS which was perceived to be a common knowledge among the commuters but was not known by Western Cape PRASA Management. Bezuidenhout (2009, p. 103) proposes that a functional clarity or purification should be established between the officials of the Western Cape RRPV and the PRASA PSSO's to resolve the problems between the forces.

Research Question 2: *Are the officials adequately trained in the application of the Legal Succession Act?*

Taking into consideration the offences determined by the Legal Succession Act, it is notable that if the Act is properly and consistently applied in the environment, the action will have a positive effect on crime in the railway environment. When one considers the Constitutional powers and functions of the SAPS, the powers and function in terms of the SAPS Act and the Legal Succession Act allocated to officials of the RRPV, it is evident that enough has been done in terms of the law to ensure the safety of the commuters and the property of the Railway Authority in the country. Therefore, this question was asked to determine whether the participants would agree if the key-role players were adequately familiar with the Legal Succession Act and would be able to implement such Act accordingly. The majority of participants concurred that even though the officials of the RRPV were trained in the application of the Legal Succession Act, however, some officials are reluctant to effect the Legal Succession Act. Some of the participants said:

"The problem is the reluctance of the officials of the RRPV, especially those at lower level, to apply the Act" (Colonel Zandberg, Interview June 2016).

"If the officials of the Railway Police Unit are fully aware of the laws to be applied in the rail environment then they are just reluctant or too lazy to apply the laws because their knowledge of the"

laws applicable in the environment is not evident in their actions and behaviour in the Western Cape Province rail environment. Instead of charging the persons who are trading illegally on the trains and platforms, they themselves buy items from these illegal traders' (The Marketing and Communications Officer, Western Cape Metrorail, Interview July 2016).

"When it is enquired from them as to why they are not acting against the illegal traders, they indicated that they do not have safe storage for the exhibits...I disagree with the allegation that there is no space for the storage of exhibits at the Cape Town Central Police Station. Since the establishment of the RRPV in 2004, they were storing their exhibits at the station and they are still doing that. There was and will not be any instances where any police official will be send back with the exhibits" (The Chief Exhibit Clerk at the Cape Town Central Police Station, Interview July 2016).

According to Lieutenant Colonel Abrahams (Interview July 2016), the reluctance of the officials of the RRPV to apply the Legal Succession Act can be attributed to the fact that if they strictly apply the Act, most of the action will have to be taken against the Rail Agency and its officials, for example:

- Owing to the fact that there is not enough trains, the trains are in most cases late and the commuters fill every train which arrive at the platform;
- It is not practical for the police officials to patrol a train which is overloaded with commuters;
- Train drivers are allowed to drive trains with doors which cannot close or with broken doors and windows;
- The Rail Company sell more tickets than their rail carrying capacity and by so doing overloads the trains with commuters;
- The environmental neglect allows people access to the train platform and trains from different unfenced directions and the property of the Metrorail is not properly fenced and guarded.

In Die Burger (2016, June 29, p. 1) it was reported that a 40 year old man sustained serious injuries when he fell out of a moving train at Brackenfell, near Cape Town. Riana Scott, the Metrorail spokesperson indicated that the man fell out of the open door of the moving train. At an incident where a man who was travelling on top of the train was electrocuted, a witness said. One participant also highlighted the reluctance of officials to effectively implement the Legal Succession Act. He said:

"The train was extremely full. Metrorail should put more carriages so that all passengers must fit inside. They must really do something because people are rushing to work, that is why they get on to the trains that are full" (Ntlemeza, Interview September 2016).

As far as it concerns the overloaded trains, the Marketing and Communications Officer, Western Cape Metrorail (2016) responded by saying:

"We are aware of the situation, but it should be understood that the Metrorail follows the 'lesser danger or risk' approach. It is a lesser risk for a train driver to pull from the train platform with an overloaded train, than to attempt to take the extra passengers off the train and as a result of that have the train driver assaulted or killed and the train vandalised or set alight by the angry commuters."

A Platoon Section Leader of the Bellville Corridor (2016) confirmed that National and Provincial priorities force the RRPV to change focus from the Legal Succession Act. He informed that they have other targets than those determined by the Legal Succession Act. He said:

"We are instructed to concentrate on crimes like for example, robbery, theft, assault, rape and house breaking, selling of drugs and these crimes mostly occur outside the Railway Environment".

Both Sergeant Foxcroft and Constable Cupido of the RRPV, Bellville Corridor (interviewed in September 2016) indicated that they are fully aware of the determinations of the Legal Succession Act, but they are discouraged from applying the Legal Succession Act by their commanders. Commanders require arrests for trio crimes and not arrests in terms of the Legal Succession Act. Sergeant Foxcroft specifically added that they only apply the Legal Succession Act when they foresee that that they might be running short of meeting their monthly targets of arrests at the end of the month. The above responses indicated that, in cases where the RRPV does apply the Legal Succession Act, they do not apply it properly to the advantage of preventing crime in the environment. Section 12(2) of Schedule 1 of the Legal Succession Act, determines that, for the purpose of paragraph 12(1) a 'Vehicle' means a train, passenger coach or other form of rolling stock, an aircraft, a motor vehicle, a ship or other marine aircraft. This implies that, in cases where a train is set alight, a charge in terms of section 12(1) (g) and section 12(1) (i) should be registered because for these charges a court may, in terms of the Act, impose any suitable punishment within its jurisdiction. In these instances, the

officials of the RRPV instead charge the suspects arrested for burning trains and coaches on the ordinary common law charge of malicious damage to property. A charge of malicious damage to property has a minimum sentence but in the case of a charge in terms of the Legal Succession Act, the court may impose any suitable punishment within its jurisdiction and this may be harsher than that of the ordinary charge of malicious damage to property. The Regional Manager for Metrorail in the Western Cape Province, Mr. Richard Walker informed that, on 9th of April 2016, train coaches were torched on the Cape Town Station; on the 15th of April 2016, at Esplanade and Kraaifontein Station and thereafter two train coaches were also torched at Muldersvlei train station during May 2016 (Die Burger, July 2016: 8). In an article in the tabloid, 'Die Son' (April 19, 2016, p. 6), it was reported that a man appeared in court for torching 10 Metrorail passenger carriages resulting in damages worth R40 million. The man was charged for the offences of arson and damage to property. Brigadier Sonia Harri, Provincial Head of the Detectives in the Western Cape Province indicated that 14 cases of malicious damage to property in the Railway Environment in the Western Cape are being investigated, but no arrests have been made (Filix, 12 May 2016).

The then Acting National Commissioner of the SAPS, Commissioner Phahlane, during a lockdown operation on the 'upper deck' of the Cape Town Railway Station informed that he urged cops to be seen along the railway lines and stations to prevent incidents such as the torching of trains at Cape Town Station (Daily Sun, 2016, April 25, p. 8). Brigadier Jaco Bothma, the Acting Commander of Rapid Rail Police, said "To think that there are more than a 100 train stations in Cape Town Area and some of those stations have more than one platform. There should at least be an officer on each platform and on the trains to make sure commuters are safe. There are simply not enough officers in the unit to be able to cover all the stations and all the trains. If one of the functions of the RRPV is visible policing, this must be improved" (Cape Argus, 2016, May 12, p. 1).

Before the SARPF was dissolved and its resources transferred to the SAP in 1986, it was under the Department of Transport and specialised in the application of the laws applicable in the Railway Environment. It is for that purpose that they were successful in the prevention of crime in the environment because they focused all their effort on crime in the Rail Environment. Blake argues that SARPF was successful in preventing crime in the railway environment because it was riding the trains with their passengers to ensure the safety of the commuters (Blake, 2015:12). Some of the participants concurred with Blake (2015) and said:

"As a patrol officer in the SARPF, I had to work on the trains, platforms, patrol the railway lines, the goods sheds, yards and the area in and around the train station buildings. When one is posted on the train platform, one had to be there when the trains arrives or leaves" (Toloko, Interview July 2016).

"After the resources of the SARPF were transferred to the SAP, the Legal Succession Act was promulgated in 1989. This Act did not only restructure the entities in the Railway Environment but also listed the actions which are classified as criminal acts in the Railway Environment" (Marketing and Communications Officer, Metrorail, Interview July 2016).

From the above responses, the supposition is that the members of the Western Cape RRPV are not focusing on the application of the Legal Succession Act in the railway environment and they are also not focusing on crime more specifically in the Western Cape railway environment.

Research Question 3: *Is the Western Cape RRPV structured and restructured to properly execute its mandate in the Western Cape Railway Environment?*

The majority of participants concurred that contact crimes on railway environment and malicious damage to property were still very high in the Western Cape, signalling that the Western Cape RRPV were not structured and restructured to properly execute its mandate in the Western Cape railway environment. The intention with the establishment of the RRPV project in the Western Cape was to establish the unit as a specialised unit in the SAPS operating in the railway environment. Specialisation in the SAPS provides a Unit with a specific status, resources and capacity to be able to attend to all eventualities in its environment. Different restructurings between 2004 and 2014 created uncertainty and affected the moral and performance of the officials of the RRPV in the Western Cape rail environment. The Unit was established under the Division: Protection and Security Services and then transferred to resort under the Provincial Commissioner of the Western Cape Province and then to Crime Intelligence and Protection Service and lastly under the Division: Visible Policing.

The Unit is under resourced and does not have the capacity to investigate crime in the railway environment, does not have crime intelligence capacity and crowd control capacity. The unit is not a specialised unit and must depend on the expertise of the neighbouring units and stations. This makes it difficult for the

commuters to identify as to who is specifically identified for their safety because a lot of police officials also use the train services. As from 2013 to 2016, the unit was headed by two acting commanders, on the same rank level who were acting on a rotational basis. There was no consistency in the administration and operational issues due to the conflict between the two equal rank commanders rotating in command. Based on the responses from the participants, it emerged that a low number of arrests concerned are some of the challenges characterised the performance of the Unit. This could be due to the limited human and logistical resources, but what is very clear is that the Unit was not adequately staffed to be able to perform its duties to a level that citizens deserve. The other challenge highlighted by the participants was the problem associated with 'equal rank commander phenomenon.'

The 'equal or same rank commander syndrome' in the Western Cape RRPV has been identified as a factor affecting the proper execution of the functions of the officials of the RRPV. The Unit's performance on operational and administrative level was affected by the equal rank phenomenon. This situation refers to a situation where an organisation, as in the case of the RRPV, is managed with the support of a rank and seniority structure. The instruction comes from the senior rank to the junior rank. The problem arises when the one senior rank has to take instructions from another with the same rank level. The syndrome refers to the effect of a situation in a police unit, -station, component or service where the commander of police unit, -station, component or service and his or her immediate subordinates are of the same rank and level in the rank and level hierarchy of the SAPS. The syndrome and its effect on command, control and the management of discipline in a police unit, station and component was identified by Slingers, a law and policing support official in the SAPS as contained in his study under the *topic* "Antecedents and perspectives on South African Police Service's execution of functions: Prospects and challenges of pragmatic policing" (Slingers, 2015). In the cases where the practice is in place, the officials of the SAPS, with the same rank as their commanders, have a tendency to undermine the authority of their same or equal rank commander and this affects cooperation, coordination, discipline, respect and ultimately affect service delivery.

Research Question 4: *Is there adequate operational innovation, cooperation and focus on crime in the Western Cape Railway Environment by the operational parties in the environment?*

The majority of the participants concurred that the officials of the service are not properly applying the relevant laws in the environment and there is little cooperation between the officials of the Unit and the PRASA PSS Officers at operational level, thus affect the proper execution of the powers and function of both partners in the environment to the disadvantage of the proper prevention of crime. The operational counterparts in the Western Cape Railway environment are the RRPV and the PRASA Protection and Security Officers. The RRPV is responsible for the prevention of crime in the environment and the Security Officers interest is to ensure the safety of the commuters and to protect and recover the assets of PRASA. There is a low level of joint cooperation against crime in the environment because there is no sound cooperation between officials of the RRPV and the PRASA PSS officers at operational command level. They blame each other for bullying, misconduct, corruption and not concentrating their effort in the Railway Environment.

It has been confirmed through the responses from the participants that, although different types of crime are occurring in the environment, the officials of the Western Cape RRPV are not concentrating on crime in the railway environment. Rather, they are employed to attend to national priorities outside the railway environment. Thus fail to apply or properly apply the Legal Succession Act and further, these officials were not able to apply crime prevention innovations like the "Broken Window Syndrome". On the other hand, it was also confirmed that PRASA and its officials are some of the main transgressors of the Legal Succession Act, because the train drivers are driving off from stations with overloaded trains, trains whose doors are not functioning and carriages with broken windows. The properties of the Rail Company are not guarded or properly fenced to keep out vandals and trespassers and PRASA in the Western Cape Province is not properly applying the crime prevention innovation of "Crime Prevention through Environmental Design", because unlike in the 'Gautrain Project' trespassers can easily access the premises of the Railway Company in the Western Cape Province.

Research Question 5: *Does organisational aspects, for example, socialisation and social learning, command and control, misconduct and corruption affect the proper execution of the powers and functions of the RRPV in the Western Cape Railway Environment?*

It emerged from the findings that more than half of the participants in this study, who were officials of the RRPV confirmed that there was a strong phenomenon of negative socialisation and active teaching and learning of the negative behaviour of misconduct, corruption and preference for participants to operate outside the legal framework of the railway environment. The majority of the participants concurred that there

was a low level of command, control and proper administration in the Unit which affected the proper execution of the powers and functions in the railway environment. This lack of command and control thus tarnished the image of the Unit in the eyes of the community and officials of the neighbouring stations. It also emerged from the findings that, some of the participants were of the view that the officials of the neighbouring stations refer to the Unit members as 'Toy Cops'. The participants also indicated that there was no official record or statistics with an indication that some disciplinary actions were taken by the SAPS against any member of the Unit for the financial year 2014 to 2015, and the fact that IPID Western Cape made 10 recommendations for disciplinary steps against the officials of the Western Cape RRP during that period. The majority of the participants concurred that there were high level of absent without leave (AWOL) among officials of the Unit, a high level of deserting of posts and failure to comply with lawful instructions because the officials of the Unit were not visible where they were supposed to be in the railway environment. As far as the perception of corruption in the Western Cape RRP is concerned, most of the participants from the Unit, who were aware of the inner workings of the Unit, concurred that there was a high level of corruption and corrupt activities in the Unit and that officials of the Unit were reluctant to report the actions of their colleagues to authorities.

10. CONCLUSION

The findings of this study proved that there were specific structural aspects and their effect on the execution of the powers and functions of the RRP. The findings indicated that the Western Cape RRP was subjected to a number of restructurings but these did not enhance the performance of the Unit but instead demoralised the officials. Most of the participants also confirmed the presence of the 'same or equal' rank phenomenon in the different levels of the unit and the effect of the syndrome on the proper command and control in the unit which ultimately have an effect on cooperation, coordination and discipline management in the unit. The RRP in the Western Cape Province was for the period of 2014 to 2016 affected by the 'equal or same' rank commander syndrome at both the senior command level and the lower operational command level. The findings also confirmed that that Social Learning and the culture of Negative Teaching and Learning had a strong influence on the behaviour of the police officials of the Unit. While Social Learning may take time to have an effect, the active negative teaching and learning in the SAPS may hasten the effect of Social Learning. The low level of command and control in the unit affect the management, administration, discipline and performance of the Unit. Assessing the misconduct and the strong perception of corrupt and unethical behaviour among some of the officials of the unit, the recommendation is that an urgent intervention be instituted in the Unit.

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