

MAKING SOUTHERN AFRICA SAFE

PROMOTING CRIME AND VIOLENCE PREVENTION IN THE SOUTHERN AFRICAN REGION

Pier Alexandre Lemaire, Chumile Sali and Sean Tait

With acknowledgement of the inputs of Patrick Burton and Thomas Probert



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INTERNATIONAL
CENTRE
FOR THE
PREVENTION
OF CRIME

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INTRODUCTION

The Southern African Development Community (SADC) recently developed and approved the Guidelines on Crime and Violence Prevention ('the Guidelines'). The Guidelines acknowledge that building a region that is safe for all is not the sole responsibility of the police, security agencies and criminal justice system. The state and non-state actors within and outside the security sector have a vital role to play. Building upon Aspiration 4 of Agenda 2063, among other sources, the Guidelines recognise the importance of a developmental response in building a safe region and of a partnership between the state and people at the local level in understanding and addressing the factors that increase the risks which contribute to crime and violence, while, at the same time, developing and supporting those factors that make communities more resilient.

This paper provides an overview of the Guidelines. It begins with a discussion on crime prevention and its development within the discourse on safety, law enforcement and criminal justice. Thereafter, the paper describes the development of the Guidelines and the importance the aforementioned recognition has in the evolution of the SADC, including the promise it holds for sustainable development .

CRIME AND VIOLENCE PREVENTION

Crime prevention is understood 'as [being] grounded in the notion that crime and victimization are driven by many causal or underlying factors' that can be addressed, thereby preventing crime.¹

For over a quarter of a century, crime prevention has been recognised as integral to a holistic strategy for making people and places safe.² In the competition for scarce state resources, crime prevention has often been seen as part of a binary, but mutually exclusive, relationship with law enforcement, that is, as an 'either or', and hence is often reduced to being the poor cousin of enforcement. Part of the challenge of this binary relationship is that crime prevention, as Sherman³ notes, is an outcome and not an activity. Understanding it in this latter sense, that is, as an activity, avoids the dichotomy and allows a breadth of practice – from law enforcement and criminal justice with their possible preventative, deterrent role to a range of possible developmental interventions – to be considered in a holistic approach to safety. Such breadth of practice encompasses a range of actions from a reduction in criminal events and the number of offenders to a reduction of risk factors and an increase in protective factors.⁴ Risk factors are here understood as those factors which, if present in respect of a given individual, are more likely to make him or her offend. Protective factors, on the other hand, are those factors which help shield an individual – or support such individual to move away – from crime or becoming a criminal. Resilience, a third concept integral to prevention, comprises those capacities which, despite challenging circumstance, help individuals navigate between safe and harmful behaviour.⁵

A comprehensive body of evidence now exists on both risk and protective factors and how these interact in the different spheres in which an individual lives his or her life, either to increase the likelihood, or mitigate the risk, of that individual engaging in criminal or violent behaviour. These factors immediately point to the opportunities, capacity and resources for building safer communities that extend beyond the criminal justice system responses and include a range of interventions that impact on individuals throughout their lives. These interventions include early childhood development support, positive parenting interventions, nutrition, and even school feeding schemes.⁶ These interventions can, for example, play a significant part in bringing about positive outcomes that reduce the risk of offending, such as successfully completing formal education or developing positive peer networks, both of which are factors that are more likely to build individual resilience to crime or criminal activity.

The sheer breadth of what can be considered crime prevention in itself introduces a complexity which can be better understood by means of several concurrent and interrelated conceptual models. The ecological model, for instance, recognises the life course of any individual as occurring within a family, community and broader society.⁷ It views the individual as existing within each of these different domains, each of which interacts with, and exerts an influence on, the others. Both risk and protective factors exist in each of these spheres. Interventions can therefore be structured at the macro-societal level, such as the policy and funding which enables the building of resilience by way of early childhood development programmes through to individual- and family-level activities designed to encourage and support participation by way of, for instance, education and awareness programmes.⁸

By building on the ecological model, interventions can be designed and located within three different *tiers*: primary, secondary and tertiary prevention. Primary crime- and violence-prevention strategies focus on preventing problems before they originate, primarily by targeting early-intervention risk factors. Primary prevention strategies require a thorough understanding of the kinds of things that allow crime and violence to develop and evolve, and are achieved largely through two broad strategies, namely social and situational prevention.

Social prevention addresses the risk factors that influence an individual's likelihood of committing a crime or becoming violent. Such factors include poverty and unemployment, poor health, and poor educational performance. Examples of prevention include school-based programmes (e.g. programmes that provide learners with breakfast and/or lunch, and programmes to keep children at school until they have completed high school) as well as community-based programmes (e.g. local, resident action groups that promote shared community ownership and guardianship as well as community-run sports and recreation facilities).

Community (or social) prevention 'refers to interventions designed to change the social conditions or institutions ... that influence offending.'⁹ The key idea is that, by changing the community, one may change the behaviour of the people who live there. The emphasis is on political action at the local level in order to empower residents, provide opportunities for young people, strengthen social infrastructure, and promote social justice. In practice, community approaches often draw on social control theory and focus on programmes for 'at-risk' or vulnerable youths.¹⁰

Situational prevention addresses the places where crime and violence occur with a view to reducing the possibility of crime or violence taking place, or the ease with which they happen. The best example of such prevention is Crime Prevention Through Environmental Design (CPTED). Good street lighting to improve visibility, reducing the opportunities for isolation (by fencing off deserted areas or encouraging pedestrian traffic through certain areas), and cleaning up refuse and graffiti are all examples of situational prevention strategies.

Situational prevention

comprises opportunity[-]reducing measures that (1) are directed at highly specific forms of crime, (2) involve the management, design or manipulation of the immediate environment in [a way that is] as systematic and permanent ... as possible, [and] (3) make crime more difficult and risky, or less rewarding and excusable as judged by a wide range of offenders.¹¹

Secondary prevention refers to strategies that focus on preventing still-manageable problems from getting any worse. Such strategies are concerned with identifying people or places at *high risk* of becoming offenders or unsafe and intervening to prevent this from happening. This is best achieved through rapid and effective early interventions pertaining to high-risk people (e.g. through sports and recreation programmes for young people in high-violence or marginalised communities, or diversion programmes for youths at risk) or high-risk neighbourhoods (e.g. by way of community safety initiatives).

Tertiary crime and violence prevention takes place after a crime or act of violence has already been committed. Prevention is achieved by trying to ensure that the offender does not commit the same (or another) offence again, that is, by rehabilitating or punishing the offender in some way. This may be realised by imposing a financial penalty, removing the offender from society for some time, or by taking the offender through a restorative-justice process.

Another model is based on the crime triangle comprising the victim, the offender and the location, all of which have to be present for a crime to occur. Here, interventions can be focused on any one of the three or a combination thereof.¹²

Over time, and as a consequence of practice, the paradigms by means of which these safety-promoting actions have been conceptualised, have also changed. The initial debates on the challenges concerning law enforcement and its ability to curb crime introduced the notion of

crime prevention. From early on, the concept of crime prevention unintentionally reinforced such actions in the realm of the police and also heightened tensions between reactive law enforcement approaches and those more preventative approaches such as visible policing. It also meant that many potential partners shied away, seeing safety as purely a criminal justice issue. Viewing the multidimensional nature of safety through a community safety lens allowed the community to be placed at the centre, and helped galvanise the range of interventions available that could make a community safe. Most recently, the notion of a healthy community resonates with the public health approach to safety where the drive towards safety is not exclusionary but includes factors that might not be directly associated with crime and violence.¹³

The nexus between issues of violence and public health has been recognised at a global level since the mid-1990s. In 1996, the World Health Assembly adopted a resolution describing violence prevention as a public health emergency. Recognising 'the serious immediate and future long-term implications for health and psychological and social development that violence represents' and further recognising that 'health workers are frequently among the first to see victims of violence, having a unique technical capacity and benefiting from a special position in the community to help those at risk,' the Assembly urged member states to assess the problem of violence in their territories and to report, to the World Health Organization (WHO), information on the problem and on their approaches to it.¹⁴ The WHO itself was asked to undertake a study into different types of violence, to define their magnitude, and to assess the causes and public health consequences, a process that culminated in the World Report on Violence and Health of 2002. It was also asked to 'assess the types and effectiveness of measures and programmes to prevent violence and mitigate its effects, with particular attention to community-based initiatives.'¹⁵

Given that the causal relationships between crime and violence are complex and multilayered and often uniquely manifest themselves in individual communities, a specific and systematic approach is required to first understand and then respond in order to make communities safer. Tactically, this requires cooperation between various disciplines relevant to the situation, such as law enforcement, education, health, etc., as well as cooperation between the holders of the right to live in safety and dignity and the state organs mandated to provide these services.

Here, the public health approach has helped define an evidence-based methodology for safety promotion in four phases, namely:

- *Surveillance*: Define the problem after a systematic review of the data.
- *Identify risk and protective factors*: Conduct research on the broader macro-structural conditions in order to identify the causes and drivers of violence and those whom it affects.
- *Develop and evaluate interventions*: Design interventions so as to address the root causes of violence and conduct a thorough evaluation to establish what works.
- *Implementation*: Which interventions need scaling up and which ones need scaling down? Monitor implementation of interventions to assess impact and effectiveness and so determine which ones need to be scaled up and which ones need to be scaled down.¹⁶

Today, as indicated earlier, crime prevention is generally understood 'as [being] grounded in the notion that crime and victimization are driven by many causal or underlying factors' that can be addressed, thereby preventing crime.¹⁷

In recent decades, crime prevention has increasingly been viewed by the international community within the context of economic development, political systems, social and cultural values, and social change. In 2002, the United Nations (UN) adopted standards and norms pertaining to criminal justice and crime prevention, the implementation of which also became an important topic among international actors in the sphere of crime prevention. Resolution 2002/13 of the UN Economic and Social Council (ECOSOC) defines crime prevention as comprising 'strategies and measures that seek to reduce the risk of crimes occurring, and their potential harmful effects on individuals and society, including fear of crime, by intervening to influence their multiple causes'. It recognises that a 'holistic approach to crime prevention' is required and that this requires 'adequate social policies targeting the root causes of crime'.¹⁸

From its modern beginnings in the mid-twentieth century, crime prevention has grown in importance, as well as in visibility, as a vital component of many national and local-government strategies regarding public and urban safety. The international community now clearly recognises crime and violence as a multifactor result, which means that a relevant and sustainable crime prevention strategy needs to be multisectoral and multi-levelled in order to achieve its goal, and that strategy needs to be grounded in evidence- and knowledge-based approaches, including the development of effective tools to inform and support policymaking.

This fact has not been lost on the SADC, which has had a unique trajectory from the time of the early collaboration of frontline states as a collective securing itself against the risks of apartheid aggression to embracing the notion of human security as most clearly evidenced by the Guidelines.

DEVELOPING THE GUIDELINES ON CRIME AND VIOLENCE PREVENTION AT THE LEVEL OF THE SOUTHERN AFRICAN DEVELOPMENT COMMUNITY

The development of the Guidelines at the level of the SADC constitutes an important political milestone and has the potential to significantly expand developmental responses to safety at a regional level. The leadership of the region acknowledges rapid urbanisation accompanied by high levels of unemployment, severe income inequality, corruption, and poor health and educational outcomes as being among the drivers of high levels of insecurity.¹⁹ These challenges to security in Southern Africa are severe and 'often require broader holistic responses beyond criminal justice solutions'²⁰.

The SADC Declaration and Treaty, which established the SADC as a Regional Economic Community (REC) – one of the four regional building blocks for the African Union (AU) – promotes interdependence and increased integration of the region. The SADC's Protocol on Politics, Defence and Security Cooperation provides for the establishment of the Organ on Politics, Defence and Security Cooperation, which is mandated to oversee implementation of the Protocol. The Organ's objectives are provided in the Strategic Indicative Plan for the Organ (SIPO), which was revised and adopted as a five-year strategy in 2010 and has recently been extended in the form of SIPO II to the year 2020.

SIPO II sets out a broad policy agenda for peace and security in the region, identifies the nature of security threats and challenges, and provides for collaboration and the mobilisation of resources in combating crime. Its objectives are set out with regard to five strategic sectors:

1. the Political Sector;
2. the Defence Sector,
3. the State Security Sector;
4. the Public Security Sector; and
5. the Police Sector.²¹

Although each sector is integral to building safer communities, the Public Security Sector is most closely aligned with the notion of community safety: Objective 2 of the Public Security Sector obligates the Organ 'to promote regional coordination and cooperation on matters related to public security and safety and establish appropriate mechanisms to this end'. One of the key strategies identified in achieving Objective 2 is to 'promote and encourage best practices to establish a common approach to handling public security and safety matters'.²²

In 2015, a group of crime prevention practitioners²³ made contact with the SADC Secretariat with a view to ascertaining its interest in developing a set of guidelines for the region on crime and violence prevention. The group believed that the political leadership of the SADC in this area would greatly assist in promoting safety in the region. Over the next four years, the group facilitated a process together with the SADC which culminated in the approval of a Regional Guideline on Crime and Violence Prevention that included indicators and implementation tools.

The group argued that prevention contributed not only to reducing incidents of crime and violence, but also to more sustainable development by promoting the more holistic notion of community safety. Further, such interventions have the potential to decrease costs for the formal criminal justice system, as well as other social and economic costs resulting from crime

and violence. It maintained that such an approach was in line with the AU's Agenda 2063: The Africa We Want, which calls for a peaceful and secure Africa and provides a list of specific targets aimed at realising that aspiration, including: (a) mechanisms for promoting and defending the continent's collective security and interests; (b) improved human security with a sharp reduction in violent crimes; and (c) safe and peaceful spaces for individuals, families and communities.

In July 2017, following two years of interaction on the issue, the SADC Ministerial Committee met and instructed the SADC Secretariat, in collaboration with the Southern African Regional Police Chiefs Cooperation Organisation (SARPCCO), to develop a set of guidelines to assist member states in crime and violence prevention.

An initial set of values and principles to underpin the proposed guidelines was agreed on, namely:

- Local ownership;
- Evidence-based approaches;
- Learning and ongoing learning;
- Clear accountability mechanisms;
- Gender sensitivity;
- A multi-stakeholder/inclusive approach;
- Political leadership;
- Capacity building based on needs;
- Participation;
- Age, gender and diversity (including culture, race, disability, etc.);
- Identification and prioritisation of long-term/short-term issues;
- The recognition of unique rural challenges; and
- Collaboration and mutual trust.

The Guidelines on Crime and Violence Prevention were eventually considered and approved by the SADC on 22 June 2018 in Luanda, Angola, and were launched, along with an implementation manual, at the SARPCCO Annual General Meeting on 6 June 2019.

The Guidelines are structured under seven headings, namely: objective; guiding principles; methodology and approaches; structures for engagement and mechanisms for accountability; dialogues, safety audits and community safety plans; application; and monitoring and evaluation.

Accompanying the Guidelines is a set of monitoring indicators and support tools. The agreed indicators are set out in four measurement areas designed to track engagement with, and uptake of, the Guidelines. The indicators and key measures are:

1. *Regional cooperation in crime and violence prevention is improved*

Key measures identified within this indicator area include:

- Meetings and conferences on crime and violence prevention as opportunities to share best practice;
- Cross-border support programmes on crime and violence prevention;
- Partnerships at regional and national level, both within the state and between state and non-state actors, in order to promote crime and violence prevention;
- Regular reporting by member states to the SADC on progress made;
- Utilisation of the SADC protocols in national strategies; and
- The development of national and local crime prevention policies.

2. *Member states in the SADC region demonstrate increased government commitment in promoting crime and violence prevention*

Key measures identified within this indicator area include:

- The development of national and local crime prevention strategies;
- Creating learning opportunities;
- The establishment of mechanisms to facilitate collaboration; and
- Funding secured from the national fiscus and development partners to support such activities.

3. *Crime- and violence-prevention initiatives are inclusive, participatory and community-driven*

Key measures identified within this indicator area include:

- The establishment of partnerships with civil society and community-based organisations;
- Involvement of the community in safety audits; and
- Public input into safety planning.

4. *Crime- and violence-prevention responses are evidence-based*

Key measures identified within this indicator area include:

- Planning based on evidence; and
- Monitoring and evaluation.

The Guidelines, together with the implementation tools and monitoring framework, as well as a SARPCCO resolution that member states provide an annual status report on the implementation of the Guidelines, have the potential to fundamentally change the region's approach to social justice. They also constitute a very important strategic measure of the region's efforts to promote the Sustainable Development Goals (SDGs).

IMPORTANCE OF THE GUIDELINES VIS-À-VIS THE REALISATION OF THE SUSTAINABLE DEVELOPMENT GOALS

The Sustainable Development Goals (SDGs) replaced the Millennium Development Goals (MDGs) in September 2015 as the global agenda for sustainable development. Building on the MDGs, the SDGs introduced a more holistic approach to the development agenda by including the interconnectedness between peace, security, justice and development. Edwards and Tait argue that, although such inclusion of justice and security issues can influence practice, this will depend on the extent to which justice and security goals are owned.²⁴ For the Southern African region, the Guidelines provide a very significant step forward in this ownership by making a political commitment to local safety in its broadest sense and by establishing values, principles and a methodology for application based on the ethos of the SDGs regarding local ownership and leaving no one behind.

Goal 11 (Make cities and human settlements inclusive, safe, resilient and sustainable) and Goal 16 (Promote peaceful and inclusive societies for sustainable development, provide access to justice for all, and build effective, accountable and inclusive institutions at all levels) are generally thought of as the key goals related to safety. Their resonance with a preventative approach is clearly seen in, for example, targets such as the reduction of violence and violence-related deaths in 16.1, the reduction in violence against children in 16.2, access to safe public spaces in 11.7, and safe, reliable transport in 11.2.

However, there are targets across 16 of the Goals which resonate with the promotion of safety. Target 3.3, for example, proposes to end the epidemics associated with AIDS, tuberculosis, malaria, and neglected tropical diseases and to combat hepatitis and water-borne and other communicable diseases. In this regard, all forms of detention, including police detention, are recognised as greatly increasing the risk of transfer of communicable diseases. This is exacerbated by overcrowding, often as a result of unnecessary and prolonged incarceration. Frequently, such overcrowding is compounded by unnecessary arrests for petty offences and infractions which are driven by the criminalisation of life-sustaining activity targeted at the poor. These types of offences include washing in public or street trading. Consequently, in 2018, the African Commission on Human and Peoples' Rights (ACHPR) adopted the Principles on the Decriminalisation of Petty Offences in Africa. This soft-law instrument provides a continental legal standard on the type of petty offences that African states should review. However, even as states are reviewing these laws,²⁵ alternative responses are not readily available. It is here that the Guidelines, through their promotion of a methodology of local safety diagnosis, and planning and response, are ideally placed to help stakeholders and local communities identify safety challenges in their broadest sense and work together to find developmental and preventative solutions as opposed to employing narrow criminal justice responses. In so doing, it can be argued that the Guidelines represent a critical first step for the Southern African region to begin to reduce the risks that unnecessary incarceration holds for achieving Target 3.3 and preventing the spread of communicable diseases.

Likewise, the same fundamental commitment to safety and a methodology of diagnosis, joint planning, and application within a public health paradigm espoused by the Guidelines provides an opportunity at the local level to address many of the targets of the SDGs, including, for example, Target 3.6: Halve the number of global deaths and injuries from road traffic accidents; and Target 5.2: Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation.

Meanwhile, even within Goal 16 itself, there are targets aside from the immediate safety-related issues that must be considered within a holistic approach. Questions of access to justice and of the legitimacy of the criminal justice system (16.3), of perceptions of inclusion within decision-making, at both local and national levels (16.7), and of promoting non-discriminatory laws and development policies (16.12) will all need to be borne in mind when framing a viable set of strategies to reduce crime and violence in accordance with the Guidelines.

Dissel and Tait argue that indicator development can be improved if indicators are designed so as to be able to measure a progressive realisation of the achievement of the intended outcomes beyond simply a quantitative counting exercise. To reduce violence and related deaths implies that it is only the statistical result that will be measured. This discounts the complexity associated with the risk and resilience factors related to violence and their unique manifestation in local contexts. The advocacy promise of the SDGs to promote change is significantly reduced if local efforts to develop the strategic and tactical interventions to achieve the target are not recognised and encouraged. Consequently, Dissel and Tait further argue that indicators can be developed according to a three-tier model, namely at a strategic level, at an institutional level, and, finally, at an activity level, and that, at each of these levels, measures are required.²⁶ For example: the objective of reducing road deaths could, at a strategic level, introduce, for instance, reductions in permissible blood alcohol levels for drivers; at an institutional level, it could involve employing and training more officers to perform checks; and, at an activity level, it could measure the number of checks performed before finally counting the possible reductions. This type of assessment, as opposed to the more absolute number count, will allow both a more disaggregated and nuanced understanding of progress and provide better advocacy opportunities.

Fortunately, measuring progress with regard to the SDGs is cascaded down from an international to the regional and national level. It is here that the Guidelines provide a strategic commitment by the region to establishing an environment for achieving the SDGs. In so doing, they also, through the SADC resolution to measure progress against an agreed indicator set, make the SADC well placed to follow up and to support member states in meeting their SGD targets in a number of target areas.

CONCLUSION

The Guidelines and accompanying tools present a clear articulation of the commitment by the SADC to promoting human security in the region by establishing a set of values and principles for crime and violence prevention that is based on evidence, that is resourced and that is community-driven. The Guidelines extend the notion of safety beyond the criminal justice system in order to recognise the importance of sectors like education and health, as well as social and economic factors, in making communities safe. This is also critical to addressing a number of identified SADC priorities and challenges, including reducing recidivism and overcrowding in prisons where interventions are increasingly being considered upstream.

By being located at the local level and built on partnerships with communities, the Guidelines create new opportunities for state institutions – in this instance, the police – to develop a partnership with the community that is underpinned by a commitment made by the region's ministers of police through the SADC to work together with partners in achieving greater safety. As defined in the indicator template,

community-driven implementation relies on the decisions made by community members, in partnership with government and other stakeholders. The process of planning interventions is inclusive and participatory, and involve[s] meaningful contributions from a wide-range of stakeholders living in the community.

Building this cohesion is critical to post-conflict development being undertaken in many countries in the region; to countries where relations between community and police have become polarised and need to be rebuilt; and to countries where challenges of radicalisation are real and where such strategies have been identified as part of the solution for building community cohesion. Importantly, the Guidelines note:

All levels, spheres and ministries of government recognise their responsibility to guide and support the development of integrated crime and violence prevention strategies and interventions, by establishing and maintaining institutional structures, and by ensuring that adequate resources are provided for effective implementation and review of all interventions and programmes.

This understanding that community safety is brought about not only through criminal justice and security responses, but also by way of prevention and development interventions, resonates with broader crime prevention theory and practice, including the debates on the interrelationship between safety and development which underpin the SDGs, and has the potential to locate preventative and development strategy at the heart of efforts to achieve the safety targets of the SDGs.

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ABOUT ICPC

International Center for the Prevention of Crime (ICPC) was founded in 1994 and is an international forum for national governments, local authorities, public agencies, specialized institutions, and non-government organizations to exchange experience, emerging knowledge, and policies and programmes in crime prevention and community safety. It assists cities and countries to reduce delinquency, violent crime and insecurity.

It helps put knowledge into action by making the knowledge base for strategic crime prevention and community safety better known and more accessible worldwide, encouraging the use of good practices and tools to produce community safety, fostering exchanges between countries and cities, criminal justice institutions and community-based organizations, providing technical assistance and training.

The opinions expressed in this paper do not necessarily reflect those of the African Policing Civilian Oversight Forum (APCOF) or the Open Society Foundation for South Africa. Authors contribute to the APCOF Research Series in their personal capacity.

ABOUT APCOF

The African Policing and Civilian Oversight Forum (APCOF) is a network of African policing practitioners from state and non-state institutions. It is active in promoting police reform through strengthening civilian oversight over the police in Africa. APCOF believes that strong and effective civilian oversight assists in restoring public confidence in the police; promotes a culture of human rights, integrity and transparency within the police; and strengthens working relationships between the police and the community.

APCOF achieves its goals through undertaking research and providing technical support and capacity building to state and non-state actors including civil society organisations, the police and new and emerging oversight bodies in Africa.

APCOF was established in 2004, and its Secretariat is based in Cape Town, South Africa.

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