

## Measuring the integrity of law enforcement officers in Gauteng Province

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**Abstract:** *Regular measurement of police integrity is essential in order to bolster interventions aimed at enhancing police integrity, thus combat police corruption. This paper presents the results of a study conducted by the Gauteng Department of Community Safety from June to December 2015 to measure the integrity of police officers in the province. The results of the study would serve as baseline data for the department during the mid-term review of the Gauteng Safety Strategy in 2017 particularly relating to the evaluation of progress made on the pillar that focuses on integrity management. The study utilised the quantitative research method to collect data. The study found that generally, law enforcement officers have knowledge about official rules of their agencies although it seemed to be inadequate in some cases. It was also established that the code of silence is exceptionally strong among law enforcement officers across all the Law Enforcement Agencies studied. In order to turn the situation around, it is recommended that initiatives to bolster knowledge about official rules and policies regulating the behaviour of police officers should be intensified. Furthermore, the agencies should contemplate utilising technologies such as body cameras and on-board cameras to monitor the conduct of the police.*

**Keywords:** ethics; contours of police integrity; police corruption; police integrity; police misconduct

### 1. Introduction

Ethical behaviour and professionalism are regarded as valuable principles in the public service (Dassah, 2008), while on the other hand corruption erodes respect for the rule of law and deters straightforward individuals from induction into the public sector (Vyas-Doorgapersad, 2007). The concept of integrity has been proposed by various researchers as an antithesis for corruption, which is after all a covert illegal transaction between two parties. In contrast, integrity is an inherent individual characteristic that predisposes one not to participate in illegal and unethical behaviour or corrupt activities. In addition, unlike corruption, integrity is a personality trait that comprises of an inherent sense of honesty and uprightness of character which can be measured (Sauerma, 2008). In recent times, it has become essential for agencies to foster a culture of

integrity (Rossouw, 2005), especially law enforcement agencies.

Given the fact that corruption remains an anomaly in both the public and private sector, it is argued that it might signify a precise work-related threat for law enforcement agencies locally and abroad (Newham & Faull 2011). The reason for this assertion could be attributed to the fact that the police are awarded a wide range of state-sanctioned power which includes utilisation of force and authority to restrict the freedom of civilians. These powers can easily be abused, often with a low risk of negative repercussions (Faull, 2011).

Although available research on police integrity management generally centres on the South African Police Service (SAPS) as well as Metropolitan Police Departments (see for example

Faull, 2009; Sauerman, 2008) and most of these research studies employed qualitative research methodologies which cannot be generalised to the population under investigation (Faull, 2011). Furthermore, a comprehensive study incorporating all law enforcement agencies in Gauteng Province, namely, the SAPS, the Gauteng Traffic Police as well as Municipal Police Services has not been conducted. The purpose of this article is to present the findings of the study that sought to measure the level of integrity of law enforcement officers in Gauteng Province in order to establish a baseline that would later be used during the mid-term review of the Gauteng Safety Strategy (Department of Community Safety, 2016) in 2017.

## 2. Literature review

### 2.1 Introduction

This section of the paper focuses on key definitions, namely police corruption, police integrity, contours of police integrity, ethics and misconduct. Furthermore, the section discusses legislative and policy frameworks underpinning police integrity in South Africa.

### 2.2 Key definitions

#### 2.2.1 Police corruption

McCafferty and McCafferty (1998: 57) define police corruption as the "use of one's status as a police for wrongful gain of benefits". Benson (2010: 1990) expands on the latter definition by referring to law enforcement corruption as "acting either unlawfully or deceitfully, involving the abuse of one's official authority to achieve outcomes that are unjustified by a law enforcement official". Basdeo (2010) further elaborates on the reasons why law enforcement corruption is such a concern because it undermines and ridicules democracy as well as the criminal justice system. This, he argues, could fuel crime and poverty as well as associated evils (Basdeo, 2010).

#### 2.2.2 Police integrity

Police integrity could be defined as "the normative inclination among police to resist temptations to abuse the rights and privileges of their occupations" (Klockars, et al., 2004b, p. 2). It is about applying basic values to the decision making process, working in a way that expresses

codes of ethics, law enforcement codes and legal requirements that are basic and underpinning foundation of the policing culture. In addition, integrity is about police officers accepting and living within as well as upholding ethical standards underpinning their function. What is of primary concern is that police integrity could come at a personal cost. For instance, it has been well documented that those police officers who stand up for standards and integrity are not always well received and are often marginalised by fellow colleagues and their agencies alike. It is argued that this challenge to integrity is often the cause of a lack of 'Misconduct Reporting'. It is argued that integrity at the law enforcement agency level is of paramount importance to individual law enforcement officers, hence ethical leadership is regarded as the bedrock of integrity support (<http://www.ethicsinpolicing.com/police-integrity.asp>).

Nonetheless, it is worth noting that police integrity is not just about the individual, but it is about ethical codes, law enforcement ethics, ethics training, social and organisational standards relating to police corruption, police misconduct as well as police discipline. These provide support and value sets for individual police officers to apply their understanding and personal integrity to their decision making process. Thus, police integrity is not about making the right or wrong decision, it is rather about basing the decision on genuine belief taking into account the values of the society, community and the law enforcement agency in which the decision is made. However, the paradox is that a conflict within these value sets can lead to what is termed 'noble cause corruption' and indeed corruption or misconduct by law. All these imply that understanding of integrity is an essential requirement of police officers but a seldom taught one (<http://www.ethicsinpolicing.com/police-integrity.asp>).

It is general accepted that effective crime prevention and crime combating requires a collaborative working relationship between the police and communities they are legally mandated to serve and protect. Therefore, a culture of police integrity is essential in order to build mutual respect and trust between law enforcement officers and communities. Ultimately, police

integrity means three things. First, when members the police operate within their legal authority. Second, when they execute their responsibility in accordance with accepted police practices. Finally, when the law enforcement officers go about their business in an ethical manner, consistent with expectations of the community they serve (<http://www.cops.usdoj.gov/default.asp?Item=1663>). In a nutshell, a law enforcement agency with integrity is one characterised with little or no misconduct or corruption within its ranks (<http://www.nij.gov/topics/law-enforcement/legitimacy/pages/integrity.aspx>). This seem like a though ask but possible provided there is will on the part of police management to bolter integrity in law enforcement agencies.

**2.2.3 Contours of police integrity**

In terms of the organisational theory, contours of police integrity refer to the building blocks or pillars underpinning the integrity of law enforcement officers (Klockars, et al., 1997). The contours could also be understood to be components or facets that constitute police integrity. Examples of contours of police integrity discussed in this report include knowledge of organisational rules, perception of seriousness of

transgressions, organisational discipline, and willingness to report misconduct (Klockars & Ivković, 2004). The findings of the study would later be discussed in terms of the four contours of police integrity mentioned herein.

**2.2.4 Ethics**

Generally speaking, ethics refers to fundamental principles of decent human conduct. They incorporate a study of universal values such as equality of all men and women, human or natural rights as well as respect for the rule of law (<http://www.businessdictionary.com/definition/ethics.html>). In the context of law enforcement agencies, the conduct of the members is regulated primary by means of the code of conduct

**2.2.5 Misconduct**

Misconduct is usually divided in three categories, that is, *minor transgressions*, *serious misconduct* and *very serious misconduct*. The seriousness of the misconduct will determine how the offence will be dealt with in terms of the disciplinary procedure of a law enforcement agency. Table 1 illustrates different types of misconduct and their degree of seriousness.

**Tables 1: Types of transgressions or misconduct**

MINOR TRANSGRESSIONS	SERIOUS MISCONDUCT	VERY SERIOUS MISCONDUCT
Late for duty	Absence	Refusal to carry out legitimate instructions
Taking of longer rest breaks than allowed or leaving the workplace early without permission	Loss of, or damage to state property through negligence	Theft
Petty negligence (that is, negligence which does not hold serious financial implications)	Fake disease	Assault or violence
	Sleeping on duty	Dishonesty or the making of misrepresentations
	Unruly behavior	Misuse of alcohol or drunkenness whilst on duty
	Misuse of information which is regarded as confidential for personal gain	Malicious damage to property
	Unauthorised utilisation of state property for personal gain	Serious undermining authority

Source: <http://www.labourguide.co.za/discipline-dismissal/256-disciplinary-code-a-procedure4>

## 2.3 Legislative and policy framework on integrity management

This section reflects on key legislation and policies regulating the conduct of the police in Gauteng province. These include the Constitution of the Republic of South Africa, the Prevention and Combating of Corrupt Activities Act, the South African Police Service Code of Conduct, Code of Ethics of the South African Police Service, the Municipal Systems Act as well as the Public Service Integrity Management Framework.

### 2.3.1 The Constitution of the Republic of South African

Section 195 of the Constitution of the Republic of South African Constitution (Act no, 108 of 1996) enjoins all spheres of government to establish basic values and principles governing public administration as well as to ensure the maintenance of high standards of professional ethics. These principles are given effect by pieces of legislation and policies as discussed in paragraphs below.

### 2.3.2 The South African Police Service Code of Conduct

In terms of their Code of Conduct, officials of the South African Police Service (SAPS) commit themselves to the creation of a safe and secure environment for all people in South Africa. In order to realise their commitment, members of the SAPS are, among others, legally empowered to participate in efforts to address the root causes of crime in the community as well as prevent any action which may threaten the safety or security of any community. This in turn requires the police to uphold the Constitution and the law at all times. Furthermore, members of the SAPS must be guided by the needs of the community and give full recognition to the needs of the SAPS as their employer. In addition, the police commit to cooperate with the community, government at every level as well as all other related stakeholders. In order for them to achieve a safe and secure environment for all the people of South Africa, the police undertake to render a responsible and effective service of high quality which is accessible to every person with integrity. They must also continuously strive towards improving the service as well as uphold and protect the fundamental rights of every person.

The police are also expected to act impartially, courteously, honestly, respectfully and transparently. Also, the police must exercise powers conferred upon them in a responsible, accountable and controlled manner. Finally, they must work actively towards preventing any form of corruption and to bring the perpetrators thereof to justice (<http://www.saps.gov.za/about/conduct.php>). It is essential for all members of the SAPS to have awareness of the Code of Conduct and base their operations on it.

### 2.3.3 Code of Ethics of the South African Police Service

Code of Ethics of the South African Police Service makes mention of the concept of "ethical policing". The code of ethics stipulates that employees of the SAPS must act with integrity as well as respect for people's diversity and the law. This document also enjoins members of the service to perform their duties in accordance with five principles, namely, integrity, respect for diversity, obedience of rule of law, service excellence as well as public approval (<http://www.saps.gov.za/about/ethics.php>).

Therefore, all actions of members of the SAPS must be guided by the code of ethics while discharging their duties. Failure to do so means a transgression on their part.

### 2.3.4 The Prevention and Combating of Corrupt Activities Act

The Prevention and Combating of Corrupt Activities Act (No. 12 of 2004) provides a framework that makes corruption an offense. The purpose of this act is to strengthen measures for preventing, combating, criminalising and implementing measures to counter corruption activities. The Prevention and Combating of Corrupt Activities Act also introduced registers of persons or companies convicted of corruption and empower officials in authority to report certain corrupt transactions.

Furthermore, Chapter 5 of this act speaks to penalties that can be imposed upon violation of the Act. This legislation also stipulates that offenses in respect of corrupt activities relating to public officials or law enforcement officers in this instance should have a minimum penalty of a fine



and the maximum is imprisonment for life, depending on the severity of the offense. It is important to note that the Prevention and Combating of Corrupt Activities Act only deals with criminal cases which are handled in the courts of law, and not employers' internal disciplinary procedures and codes of conduct.

### **2.2.5 The Municipal Systems Act**

The Municipal Systems Act (Act No.32 of 2000) regulated the conduct of employees engaged in local government, including members of the Municipal Police Services. The Act incorporates a code of conduct for municipal staff members and outlines prohibitions in terms of abuse of powers and privilege for personal gain. The Act is also very explicit that, except for the prior consent of the council of a municipality, a staff member of a municipality may not be engaged in any business, trade or profession other than work. Furthermore, a staff member of a municipality may not mislead or attempt to mislead the council, or a structure, or a functionary of the council, in its consideration of any matter. The Systems Act also prohibits staff members of a municipality from requesting, soliciting or accepting any reward of favour for doing or not doing anything within the staff member's powers or duties. However, the Act is silent on appropriate disciplinary action for individual violations or misconducts. It simply states that breaches must be dealt with in terms of the disciplinary procedures of a municipality. During the measurement of the integrity of members of the municipal police service, provisions of the Systems Act were considered.

### **2.2.6 The Public Service Integrity Management Framework**

The main aim of the Public Service Integrity Framework is to strengthen measures and standards for managing integrity as well as promoting ethical conduct in the public service. As such, the integrity framework highlights the existing implementation and policy gaps while availing means to combat such unethical conduct. The scope of application which the integrity framework covers includes persons employed in terms of the Public Service Act of 1994 (DPSA, 1994; DPSA, 2011), hence it is applicable to both members of the South African Police Service as well as the Gauteng Traffic Police.

The Integrity Framework puts forth measures intended to minimise the breach of law and unethical practice within the public service. For instance, with regards to the acceptance of hospitality and other benefits, the framework proposes that public servants be prohibited from directly or indirectly soliciting or accepting gifts and persons rendering service to the public service be prohibited from offering gifts. In addition, in situations where a public servant cannot decline a token of appreciation because it might be considered culturally disrespectful, such tokens must be declared and registered in the departmental Gift Register (DPSA, 2011). The framework also prohibits public servants from engaging in remunerative work outside his or her employment in a public entity, except with the written permission of the executive authority. In measuring the integrity of the police, particularly members of the South African Police Service and the Gauteng Traffic Police, stipulations of this framework have been taken into account.

## **3. Research methodology**

### **3.1 Introduction**

The study employed a quantitative method to collect data. The rest of this section focuses on the research instrument, sampling strategy, data capturing and data analysis methods employed during the study.

### **3.2 The police integrity measuring instrument**

The study adopted the survey questionnaire developed by Klockars et al., (1997; 2000) to measure police integrity for law enforcement officers in Gauteng Province. The integrity measurement instrument was applied to determine four variables, that is, understanding agency's rules on misconduct, opinions about the seriousness of the different types of misconduct, the appropriate discipline for the misconduct as well as willingness to report the misbehavior committed by fellow officers (Klockars, et al., 2000).

Just like the original instrument, the research instrument used in this study comprised of eleven hypothetical case scenarios related to misconduct. Responses solicited from participants enabled the researcher to identify and describe those characteristics of a police agency culture that encourages employees to resist or tolerate certain

types of misconduct (Gonzales, et al., 2005). According to Sauerman and Ivkovic (2008), the original instrument was tested for linguistic clarity of the survey and the applicability of the selected case studies for the South African Police Service. Furthermore, in line with a study conducted by Ivković and Khechumyan (2014), case scenario number 9 of the original questionnaire which speaks to 'accepting a few drinks in exchange for overlooking the violation of closing hours' was changed to 'playing loud music after 23:00 hours' which is a by-law infringement in South Africa. In addition, it is prohibited for a law enforcement official to consume alcohol while on duty and it is unlawful to defeat the ends of justice. Thus, the rationale for amending the questionnaire was that the original description was not applicable in the South African context.

The respondents were asked to evaluate each scenario by answering seven questions. Six of the questions are meant to measure the level of police integrity, through assessing the normative inclination among officers to resist temptations to abuse the right and privileges of their occupations (Klockars & Ivkovic, 2004). The questions were ordered as follows:

- Questions one and two measured perceptions of the '*seriousness*' of each case. Question one addressed the respondent's own view, while Question two was concerned with the respondent's perception of the views of other police officers;
- Questions three and four related to the severity of '*discipline*'. Question three asked the respondent to indicate what disciplinary action he/she thinks *should* be taken while Question four addresses the disciplinary action the officers think *would* ordinarily be taken by their agency;
- Questions five and six were about '*willingness to report*' the misconduct indicated in the case scenario. Question five specifically addressed the respondent's own willingness to report the misconduct while Question six related to the respondent's perception of the other officers' willingness to report the misconduct; and
- The seventh question required respondents to determine whether or not the behaviour described in the case scenario is a violation of their agency's official policy. Thus, it tested the

respondent's knowledge of the agency's official rules.

### 3.3 Sampling strategy

The study applied stratified random sampling strategy to select respondents. This sampling strategy was deemed appropriate for the study because it afforded respondents an equal opportunity to participate in the survey (Frerichs, 2008). Respondents comprised of members of the South African Police Service based in Gauteng police stations, members of the three Gauteng Metropolitan Police Departments namely, the Johannesburg Metropolitan Police Department, the Ekurhuleni Metropolitan Police Department as well as the Tshwane Metropolitan Police Department, the Gauteng Traffic Police as well as the traffic authorities of West Rand and Sedibeng District Municipalities. The total sample size initially planned comprised of 380 respondents. This was based on guidelines provided by the Research Advisor (<http://research-advisors.com/tools/SampleSize.htm>) which indicates that in a case where an agency consists of 50 000 law enforcement officials, a sample size of 380 respondents with 95% confidence with a 5% margin of error is recommended. However, the targeted sample sizes could not be reached in certain Law Enforcement Agencies, hence a simple weighting method was applied (see Table 2) to ensure that each strata (category of Law Enforcement Agency) incorporated in the study had at least a sample size of 10% of their total population. Table 2 also illustrates that the total number of law enforcement officers in Gauteng Province were 8406 in 2015 when the study was undertaken. The number of officers who completed questionnaires was 390, which represents 4.6% of the total population before the application of weighting.

**Table 2: Calculation of weights and the revised sample sizes**

No of police officers (Population Size)	Population	Sample	Weights (Average)	New Sample size	New Sample size (Proportion)
SAPS	5 329	181	2.94	533	10.0%
JMPD	1 384	46	3.01	138	10.0%
EMPD	79	28	1	28	35.4%
West Rand	159	26	1	26	16.4%
Sedibeng	91	23	1	23	25.3%
TMPD	684	31	2.21	68	10.0%
GTP	680	55	1.24	68	10.0%
<b>Total</b>	8 406	390	1.77	884	10.5%

**Source:** Own calculations based on figure from Gauteng Law Enforcement Agencies in 2015

Table 2 shows that the total sample size after the weighting is 884, which represents 10.5% of the total population of law enforcement officers in Gauteng Province. The analysis of data was subsequently based on the weighted sample size.

**Table 3: Sample sizes per Law Enforcement Agency**

Law Enforcement Agency	Samples size (%)	Proportion
SAPS	533	60.3%
Municipal Police Services	223	25.2%
Gauteng Traffic Police	128	14.5%

**Source:** Own data based on figure received from the Law Enforcement Agencies in 2015

Table 3 shows the distribution of the sample size by rank and agency. The majority of respondents surveyed were employed as constables (30%), followed by sergeants (21%) while 17.2% indicated their rank as 'other'.

### 3.4 Data capturing

Data entry screens that are identical to the questionnaire were designed using the Census and Survey Processing System (CSPro). The CSPro is a specialised data capturing software package that combines the features of Integrated Microcomputer Processing System (IMPS) and the Integrated System for Survey Analysis (ISSA) in a single windows environment. The CSPro enabled the users to monitor and control the data capturing process in situations where multiple data capturers are used, as was the case for this study. A critical feature of the CSPro is that it allowed for double capturing, which helped to minimise errors.

### 3.5 Data analysis methods

The Statistical Package for the Social Sciences (SPSS) software was used to perform the data

analysis. The nature of the questionnaire was that the responses were pre-coded in a Likert scale format and therefore quantitative in character. Quantitative data analysis methods namely, descriptive and inferential statistical analysis was used, while specific data analysis methods used in the study included the Spearman's Rank Correlation method (Klockars, et al., 2000) and the Kruskal Wallis test.

#### 3.5.1 Spearman's Rank Correlation

Spearman correlation is a nonparametric test used on the ranked variables (Ordinal) (Laerd Statistics, n.d.). The rank correlation coefficient or Spearman's rho, denoted by (Rho) was used to measure or identify the relationship between the different contours of police integrity (knowledge of rules, seriousness, disciplinary action and willingness to report).

#### 3.5.2 Kruskal Wallis test

The Kruskal Wallis test (Klockars, et al., 2000) data analysis method was used in order to measure the perception of fairness of the disciplinary action applied by the Law Enforcement Agencies to wayward members. The scores of 'disciplinary action that must be taken' were subtracted from 'disciplinary action that would ordinarily be taken by an agency'. 0 implies that it was fair, negative difference implies that it was severe and positive difference implies that it was lenient.

**3.5.3 The Mann-Whitney U test**

Mann–Whitney U test was used on the variables with 2 levels, while the Kruskal Wallis test was used to examine the difference between

independent variables with three or more levels (Laerd Statistics, n.d.).

**4. Results**

The results of the study are presented in terms of an analysis of the overall measure of integrity. This is sub-categorised into perceived seriousness of offenses, knowledge of official rules, disciplinary action and willingness to report

**4.1 Analysis of the Overall Measure of Integrity**

The analysis of the general measure of integrity of law enforcement offers in Gauteng is presented with the aid of Table 4 below

**Table 4: General measure of integrity of the law enforcement officers**

Case Scenario Number and Description	Seriousness of offense				Knowledge of Rules		Discipline measures				Willingness to Report			
	Own View		Other Officers' view		Score	% Yes	Appropriate		Expected		Own		Others Officers'	
	Score	Rank	Score	Rank			Score	Mode	Score	Mode	Score	Rank	Score	Rank
Case 1. Doing remunerative work outside of the public service	3.1	1	3.02	1	3.17	49.9	2.32	None	2.46	None	2.84	1	2.5	1
Case 2. Acceptance of free meal & discounts on while on duty on a regular basis	3.74	3	3.32	3	3.85	76.1	2.87	Verbal warning	3.07	Written warning	3.3	3	2.81	3
Case 3. Bribe for speeding	4.68	10	4.31	10	4.53	95.1	4.33	Dismissal	4.46	Dismissal	3.86	9	3.21	6
Case 4. Acceptance of gifts from merchants	3.45	2	3.17	2	3.55	61.4	2.84	Written warning	2.94	Written warning	3.16	2	2.77	2
Case 5. Crime scene theft	4.69	11	4.43	11	4.55	94.5	4.68	Dismissal	4.78	Dismissal	4.1	11	3.58	11
Case 6. Receiving 5% kickback from an Auto repair shop for referrals	4.04	6	3.75	5	4.03	79.2	3.68	Dismissal	3.79	Dismissal	3.6	6	3.22	7
Case 7. Abuse of power and corruption by Supervisor	4.18	5	3.89	7	4.13	82.1	3.56	Written warning	3.54	Written warning	3.75	7	3.39	9
Case 8. failure to report fellow officer for involvement in an accident while under influence of alcohol	3.81	4	3.53	4	3.85	72.6	3.17	Written warning	3.33	Written warning	3.43	4	3.07	4
Case 9. Free drinks to ignore transgression of by-laws	4.45	9	4.17	9	4.42	91.6	3.92	Written warning	4.02	Dismissal	3.88	10	3.45	10
Case 10. Excessive force / police brutality	4.09	7	3.8	6	4.05	81.8	3.45	Written warning	3.51	Written warning	3.53	5	3.16	5
Case 11. Theft	4.26	8	3.96	8	4.23	84.6	3.96	Dismissal	4.02	Dismissal	3.77	8	3.37	8

Source: own data

Table 4 shows a summary of the overall level of integrity of the respondents per case scenarios and corresponding contours of police integrity namely; perceived seriousness of the offense, knowledge of official rules, disciplinary action and willingness to report.

**4.1.1. Perceived seriousness of offenses**

Table 4 illustrates that case scenarios number 1 (that is, Doing remunerative work outside public

service); number 2 (that is, Acceptance of free meal & discounts while on duty) and number 4 (that is, Acceptance of gifts from merchants),



were ranked as not serious at all. In terms of regulations, these should be declared and as such be recorded in the Gift Register. On the other hand, respondents considered the offenses described in scenarios number 6 (that is, Receiving 5% kickback from an Auto repair shop for referrals of motorists with accident damaged vehicles), number 7 (that is, Abuse of power and corruption by Supervisor), number 8 (that is, failure to report fellow officer for involvement in an accident while under influence of alcohol) as well as number 10 (that is, police brutality) to be of an intermediate level of seriousness. Case scenarios which were considered by respondents to be very serious are number 5 (that is, theft from a crime scene), number 3 (that is, receiving a bribe from a speeding motorist), number 9 (that is, receiving free drinks from a tavern in order to condone non-adherence to terms of the liquor license and number 11 (that is, theft). Generally, respondents indicated that they think that their colleagues would rate the seriousness of case misconduct as they had themselves. The main exception is Case 7 (Abuse of power and corruption by Supervisor), where respondents thought that their colleagues would rank it as more seriously than they had. These results on perception in seriousness of offenses are consistent with the results of the study conducted by Newham (2004) although the focus was only on members of the SAPS in Johannesburg Central police station.

#### 4.1.2. Knowledge of official rules

In an attempt to measure knowledge of official rules of the Law Enforcement Agencies, respondents were asked to indicate whether each of the 11 case scenarios described in the questionnaire constituted violation of their agency's official rules. Although the majority of respondents recognised most of the case scenarios as rule-violating behaviour, there is a significant minority which does not regard most of the serious cases as misconduct (see Table 3). For example, only 49.9% regarded case scenario 1 (that is, doing remunerative work outside the public service) as a violation of rules. This implies that almost four out of ten (or 39%) respondents indicated that case scenario 1 was not a violation of policy. This is disturbing noting that the Department of Public Service and Administration

(DPSA, 2011) prescribes that public servants should apply and obtain approval to heads of departments in order to engage in remunerative outside the public service. Furthermore, 25% of respondents regarded case scenarios 2 (that is, acceptance of free meal and discounts while on duty on a regular basis), 4 (that is, receiving unsolicited free meals and liquor on holidays) and 8 (that is, failure to report fellow officer for involvement in an accident while under influence of alcohol) as non-violation of official rules of their Law Enforcement Agencies. However, the majority of respondents (95.1%) were aware that receiving a bribe constituted a violation of official rules. Similarly, most of the respondents were also aware that theft from a scene of crime (94.5%) is not acceptable.

In summing up, although a minority of respondents thought that doing work outside the public service was a violation of official rules of their agencies, it is of great concern that some of the serious misconducts were not regarded as violations. In the previous study conducted among SAPS members by Saureman and Ivkovic (2008), it was also found that a sizeable minority of officers could not label even the most criminal behaviour as misconduct.

#### 4.1.3 Disciplinary action

The mode was used to determine the severity of discipline across the cases. Discipline was presented in two categories that is, the appropriate (what the respondent thinks should be the appropriate?) and expected (what the respondent thinks the agent? would ordinary follow as disciplinary action). As shown in Table 4, in 8 out of 11 (73%) case scenarios, respondents' perception of appropriate discipline was the same as the mode outcome of the expected discipline. However, differences were noted in case scenario 2 (Acceptance of free meal and discounts while on duty on a regular basis) where respondents indicated that appropriate disciplinary action was a verbal warning, while the expected discipline was a written warning. In the case of case scenario 9 (Free drinks to ignore transgression of by-laws), appropriate discipline was a written warning, while the expected disciplinary measure was dismissal. The responses from these two instances suggest that respondents generally expect their agencies to be lenient. By and large, the majority

(more than 70%) of law enforcement officers believed that disciplinary action taken by their agencies would be fair. In as much as the results share a general consensus on the expected and appropriate discipline in many of the cases, this should not be interpreted to mean discipline is high among Law Enforcement Agencies.

#### 4.1.4 Willingness to report

According to literature (see Klockars, et al., 2004; Newham, 2004), willingness is a measure of code of silence (that is, a sub-culture of informal prohibition for law enforcement officers to report fellow members to authorities for violation of official rules). Respondents were asked to express their willingness to report acts of misconduct perpetrated by their colleagues to authorities in their agencies. Mean scores were calculated per each case scenario based on the individual respondents' estimates of willingness to report. The mean scores were then ranked on a scale of 1-11; 1 being the unwillingness to report an act of misconduct (meaning that the code of silence is very strong) and 11 representing the willingness to report an act of misconduct (weak code of silence).

Table 4 also displays that with regard to four least serious cases, namely, doing remunerative work outside public service (case scenario 1), receiving free meals and discounts on other items (case scenario 2), receiving unsolicited gifts (case scenario 4) and failure to report a fellow officer for involvement in an accident while under influence of alcohol (case scenario 8), respondents said they would be unlikely to report the misconduct. Respondents were more likely to say that they would report the cases of intermediate seriousness, that is, receiving kickbacks from an auto body shop for business referral (case scenario 6), abuse of authority (case scenario 7), defeating the end of justice (case scenario 8) and use of excessive force (case scenario 10). The respondents indicated they were not willing to report their colleagues for violation of rules in case scenarios 5 (Crime scene theft), scenario 9 (receiving free drinks to ignore violation of liquor licence regulations), case 3 (receiving a bribe from a motorist for speeding) and case 11 (Theft from a crime scene). Respondents had categorised these same cases as very serious.

When police officers' own willingness to report misconduct is compared to what they estimate is the willingness of most police officers in their agencies to report it, the differences are rather small. However, there is some evidence that the willingness to report misconduct is inclined to the respondent's perception of the act of misconduct on their self and their fellow workmates. For example, in Case 3 (Bribe for speeding), respondents perceived their fellow officers are less likely to report than themselves, while in case scenarios 6 and 7 respondents thought their fellow officers were most likely to report compared to them.

#### 5. Conclusion

The results of the study reveals both positive and negative where police integrity in Gauteng Province is concerned. What was positive from the study is that there is a general knowledge of official rules across all the three categories of Law Enforcement Agencies (that is the South African Police Service, the Gauteng Traffic Police and Municipal Police Services), albeit inadequate in some of the case scenarios. This implies some work has been done by the Law Enforcement Agencies to inculcate ethical conduct. However, what is of concern based on the results of the study is that the majority of the respondents thought that only lenient discipline is appropriate for various forms of misconduct, hence they mostly expected their agencies to mete out lenient discipline. This finding could denote the presence of a relaxed disciplinary environment within the Law Enforcement Agencies in the province. The study also established the prevalence of a strong code of silence in all agencies surveyed. This implies that law enforcement officers have an inclination not to report their fellow members for contravening official rules of their agencies. This finding is of grave concern given perceptions of the prevalence of police corruption, police brutality and criminality leveled against some members of the Law Enforcement Agencies. Given these findings, it is incumbent upon the management of the police agencies to implement measures to improve the integrity of their members. These could include heightening initiatives to bolster knowledge of official rules of the agencies. Furthermore, agencies should consider utilising technologies such as body

cameras as well as on-board (vehicle) cameras to monitor the conduct of their members. Moreover, there is need for a review of the current disciplinary policy and procedures in order to ensure disciplinary action is preventative. This should include the incorporation of corrective remedial learning of the code of conduct and code of ethics as well as using the expected sanctions as a deterrent. To deal with the strong code of silence, Law Enforcement Agencies and the Gauteng Provincial Government should implement prescripts of the *Public Sector Integrity Management Framework* published by the Department of Public Service and Administration such as nominating "ethics champions" in each provincial department. The "ethics champions" are responsible for driving ethics and anti-corruption initiatives within state institutions. The framework prescribes that all performance contracts signed by employees including heads of departments should comprise of a specific key performance area that commits an employee to comply with integrity and ethics measures.

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