

Procedural justice and policing

Building trust in South Africa's police

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Trust in the police is vital to a functioning democracy, but relations between South Africa's residents and police have long been characterised by mistrust. This report introduces procedural justice as a cost-effective, evidence-informed practice that can increase public trust and confidence in the police, and enhance police legitimacy and social cohesion. The report provides an overview of the theory and presents data on trust, customer satisfaction and police morale in South Africa.

Key findings

- ▶ Rule of law is the foundation of a functional democracy, underpinned by citizen perceptions of state trust and legitimacy. Since most state-citizen interactions occur through policing, trust and legitimacy in police is critical to overall state legitimacy.
- ▶ The South African public has low and declining trust and confidence in its police. This impedes efforts to reduce crime and improve social order.
- ▶ There is good evidence from the global north and south that police can improve public trust in their officers, increase community satisfaction, and facilitate cooperation between police and the public by applying the principles of procedural justice.
- ▶ Procedural justice theory posits that the public cares about how police make decisions, whether they exercise their authority in a just manner using fair processes, and if they treat all people with respect and dignity, including those accused of a crime.
- ▶ Evidence demonstrates that procedural justice is the most common precursor to an increase in police legitimacy and broader acceptance of the state as a legitimate authority.
- ▶ Police officers are more likely to behave in procedurally just ways when they perceive their agency as characterised by organisational justice.

Recommendations

- ▶ Police institutions must address the trust and legitimacy deficit in South African policing.
- ▶ Given fiscal and budgetary constraints, low-cost and high-impact means to enhance policing should be pursued, including the use of procedural justice.
- ▶ Police institutions and oversight bodies should leverage the trust-building opportunities inherent in police-public encounters. Fair policing can improve perceptions, increase trust and confidence in the police, enhance public cooperation, and promote shared identity and social cohesion.
- ▶ More experimental research on procedural justice should be done in South Africa.
- ▶ Police should partner with others to explore, test, document, revise and roll out the application of procedural justice principles.
- ▶ The South African Police Service should cultivate an organisationally just culture by applying the principles of procedural justice within the institution.
- ▶ The key elements of procedurally just policing must be considered: treat all people fairly and with respect; give them a chance to speak and listen to what they say; clearly explain who you are, what you are doing and why (as a police officer); ask if they have questions; and thank them for their time.

Introduction

Democratic governments can most effectively deliver education, housing, health and jobs in contexts of safety, predictability and rule of law. Police are central to the creation of such environments. They embody the state’s claim to legitimate violence to defend citizens’ rights and the social contract.¹

Police are also the face of the state on the street. Their actions, statements and omissions signal to others what is and isn’t acceptable.² In other words, for better or worse, police work shapes culture and the ability of the state to govern effectively, thereby improving the country.³

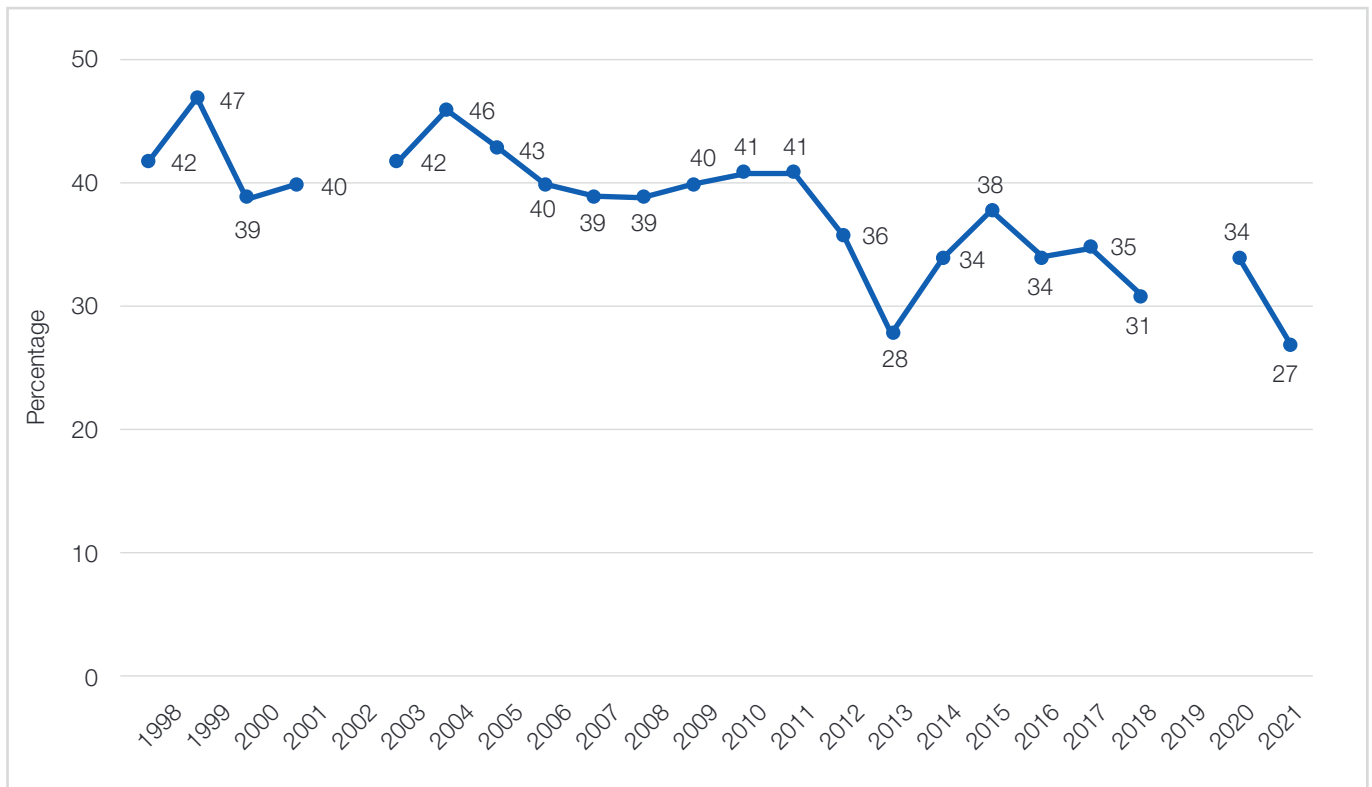
The police-public encounter is a fundamental part of policing. Every day, the countless interactions between South African Police Service (SAPS) officers and the public shape residents’ perceptions of police, the state, and the South African community. Even seemingly mundane interactions, such as certifying documents or passing a police officer on the street, can influence public perceptions.⁴

Police and residents respond to each other’s words and behaviour in what has been described as a ‘continuous behavioural dialogue.’⁵ Where this is experienced as positive, perceptions of police are strengthened. When it is negative, police-public relations can be badly damaged.

Police are the face of the state on the street – their actions signal to others what is and isn’t acceptable

Weak relations between police and residents are often characterised by distrust. In 2021, trust in South African police hit a historical low (Chart 1), with only 27% of respondents reporting some trust in police.⁶ This dip may partly have been driven by the July 2021 violence and unrest in KwaZulu-Natal and Gauteng that followed the imprisonment of former President Jacob Zuma.⁷ However, at no point between 1998 and 2021 did even half of South Africans trust the police. The only other occasion when trust dipped below 30% was in 2012,

Chart 1: Percentage of people who say they have some trust in the police, 1998 to 2021



Source: Adapted from B Roberts and S Gordon, 2022

after police shot 112 miners during protest action at Marikana, killing 34.⁸

This data paints a grim picture of police-public relations and highlights a serious challenge to public safety and social cohesion. The country's police are expected to prevent crime and protect property, but they cannot do it alone. Rather, they require community, civil society and private sector cooperation to do so. As such, it is crucial that the SAPS prioritise building trust. The objective of enhancing trust and legitimacy should underpin everything the SAPS does.

Several approaches have been put forward to improve police-public relations, most notably community policing, which broadly emphasises partnership and dialogue between police and communities. However, few such approaches consistently show evidence of impact in building trust or reducing crime.⁹ One exception is policing pursued through a procedural justice lens, for which there is good evidence of impact from a diversity of settings, including some similar to South Africa in violence and inequality, like Mexico,¹⁰ Colombia¹¹ and Brazil.¹²

The SAPS does not need to reinvent the wheel to improve relations between the police and the public

This report argues that the SAPS does not need to reinvent the wheel to improve police-public relations. It recommends engagement with and adopting a procedural justice-based approach to policing.

It begins by introducing the concept of evidence-based policing, then outlines the central tenets and mechanisms of procedural justice, and motivates for their incorporation into everyday policing. It then presents previously unpublished data from a study in the Eastern Cape, showing that procedural justice can generate trust and improve legitimacy in South Africa. This is followed by a discussion of SAPS data gathered to assess performance through measures of trust and client satisfaction, followed by a presentation of SAPS climate survey data and the link between organisational and procedural justice.

Overall, this report argues that procedural justice is an evidence-informed paradigm to improve public trust, confidence and satisfaction in the police. It builds police legitimacy and improves social cohesion which can create a better, safer South Africa.¹³ However before police can be expected to treat all people fairly, they must feel that their employer treats them fairly.

Procedural justice and legitimacy

Procedural justice offers a means to improve police-public relations and trust. It is a process-based model concerned with how the public comes to view police as a legitimate authority.¹⁴

Procedural justice theory posits that the public cares about how police make decisions and whether they exert authority using fair processes and procedures. If individuals perceive the police as fair, they are more likely to comply voluntarily and cooperate with the police.¹⁵ Similarly, if they are treated poorly and unjustly, people may not cooperate with the police.

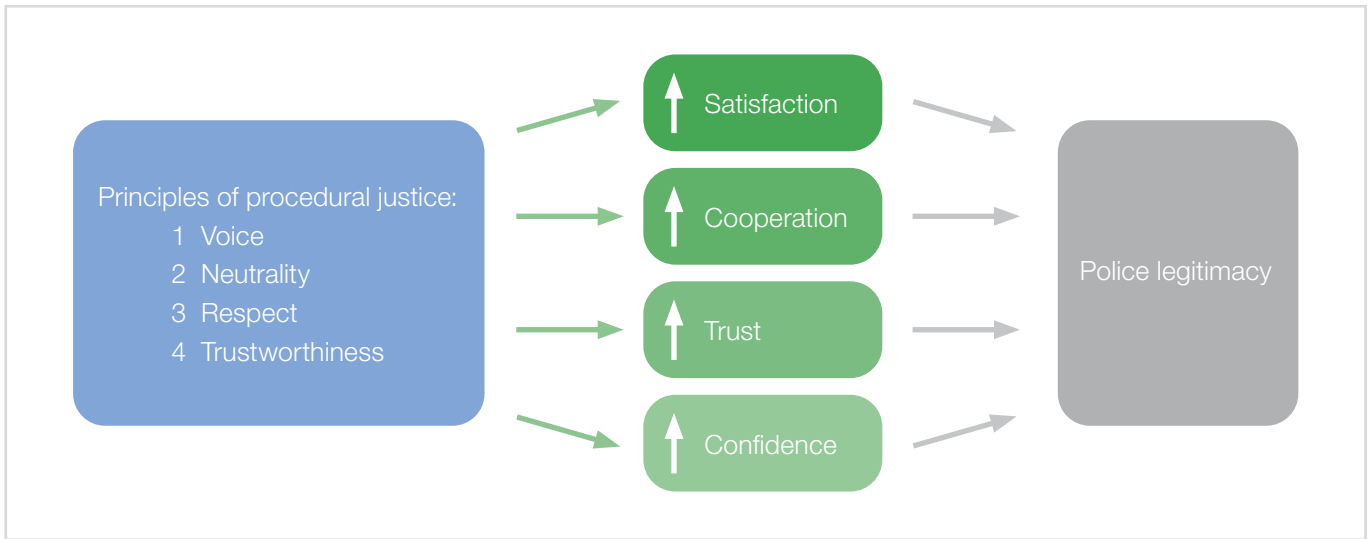
There are four components to a procedurally fair approach to policing:¹⁶

- Voice (letting people speak while really listening to them before making decisions)
- Neutrality (enacting unbiased decisions, conduct and procedures)
- Respect (people are treated with dignity, and their input is taken seriously)
- Trustworthiness (demonstrating care and concern; working to solve people's problems)

South African and international research shows that when police interact with people according to these principles, public trust, satisfaction and confidence in the officers and their institution improve.¹⁷ This suggests that how police do their job is just as important, if not more so, than the outcomes of their work, for example if offenders are arrested or not.

Additionally, research suggests that when treated fairly, people are more likely to identify with the authority that police represent, for example, the South African state, and to obey the law when police are not around.¹⁸ In this way, procedurally just policing contributes to social cohesion embedded within the rule of law.

Chart 2: The procedural justice model



Legitimacy exists when the public accepts authority held by an institution and feels a responsibility to abide by its rules.¹⁹ In this way, the public accepts they are subject to police power and effectively consent to be policed, provided that the police maintain their legitimacy. Procedural justice is, therefore, a means to achieve police legitimacy, as demonstrated in Chart 2.

Researchers have described procedural justice as ‘the most important pathway to police legitimacy’

Research has consistently shown that police legitimacy is preceded by procedural justice. A meta-analysis of 56 studies indicates that people who believe they have been treated fairly by police are more likely to regard them as trustworthy and legitimate authorities.²⁰ Indeed, researchers have described procedural justice as ‘the most important pathway to police legitimacy.’²¹

Legitimacy is essential for a functional democratic state. Democracies rely on institutions, such as Parliament and a judiciary, to check abuse of power and generate societal trust, creating conditions for human flourishing.²² Given that police are one of the most visible manifestations of the state in public space, and that perceptions of police can shape those of the state more generally, it is in government’s interest to prioritise policing that inspires public trust.²³

Evidence-based policing

Historically, policing has been based on power, intuition, experience and what is assumed to promote order and reduce crime.²⁴ Evidence-based policing (EBP) encourages policing practices, decisions and policies based on the best available evidence for what works to achieve desired outcomes. Evidence is generated through careful evaluation and experimentation rather than ad hoc reflection and perception. As such, an evidence-based approach to policing requires police staff to critically reflect on the assumptions they hold about their work and to ask themselves, ‘How do we know we are right?’²⁵

EBP encourages officers to think of their work in terms of intentions and outcomes. If an activity is intended to achieve a particular outcome (e.g. foot patrols to reduce street robbery), they must be able to show a causal link between the activity and the results observed. The empirical observations – the results of an operation, intervention or experiment – contribute to knowledge about police practices. This knowledge is the ‘evidence’ in EBP.²⁶

Procedural justice policing is an evidence-based practice. In other words, it is supported by research that demonstrates good evidence of impact. In fact, of the myriad existing police activities, procedural justice is one of just a handful for which good evidence of positive impact exists.²⁷ The others are predominantly related

to proactive, problem-oriented and targeted (e.g. time, place, behaviour) policing.²⁸

A 2021 rapid review found almost no research evidence that policing in South Africa reduced crime, or improved feelings of safety. Importantly, this does not mean that the country's police have no positive impact. Rather, the review found that the link between police activities and goals had not been competently shown.²⁹ The challenge is not necessarily one of practice, but of evaluating practice. In such a context, police can report the number of activities they've carried out, or people they've arrested, implying but not proving that these acts promote public safety and trust.

Why procedural justice will work in South Africa

Why should South African police embrace procedural justice? A substantial body of evidence suggests it would likely produce numerous benefits.

Scholars suggest procedural justice should be prioritised in countries that bear the legacy of colonial and apartheid-style policing.³⁰ Few South Africans considered apartheid's police legitimate authorities. Moreover, many aspects of apartheid policing continue despite attempts at reform. For example, a lot of poor black communities are simultaneously under- and over-policed. Many are unprotected and neglected by police while simultaneously being subjected to disproportionate levels of police abuse or intrusive activity.³¹

Procedural justice requires police to treat all people with equal respect and dignity. Evidence indicates that people who believe they have been treated in a procedurally just manner are less likely to think the police are interacting with them due to their race or social status.³² The benefits of such engagement can 'pay dividends across the population,'³³ which is particularly valuable where relations between police and communities have broken down, as was found in Khayelitsha, Cape Town, in 2014.³⁴

South Africa records some of the highest levels of crime and fear in the world.³⁵ Analysis indicates a decade-long rise in murder and decline in SAPS performance.³⁶ Even before these developments, research suggested that the SAPS's legitimacy was weakened by perceptions of ineffectiveness in dealing with crime.³⁷ In 2021, just 19% of South Africans approved of government's response to crime.³⁸ Considering the importance of public-police

cooperation in managing crime and disorder, such beliefs are likely to further impede the SAPS' ability to fulfil its mandate.

Perceptions of police corruption and misconduct in South Africa also have implications for the applicability of procedural justice. Half of those surveyed believed all or most police were corrupt, with a quarter of those who interacted with police admitting to having paid a bribe to avoid a problem.³⁹ Similarly, students who had negative experiences with police and considered them corrupt did not perceive them as legitimate authorities.⁴⁰

This is consistent with evidence from Ghana⁴¹ and Nigeria,⁴² showing police corruption seriously erodes perceptions of police legitimacy. Poor governance, state corruption and social strain more generally may undermine the procedural justice agenda,⁴³ suggesting procedural justice will need to be implemented alongside broader criminal justice systems reforms.⁴⁴

Findings from a study exploring the effect of procedural justice in South Africa suggest two important points: one, routine encounters with the police strongly influence public perception. And two, engaging in a procedurally just manner in these encounters is an ideal opportunity or 'key moment' to build trust between police and the public.

In 2021, just 19% of South Africans approved of the government's response to crime and safety

Overall, there is strong evidence indicating that procedural justice facilitates public cooperation. Research from Jamaica shows that youth reported a willingness to cooperate with police when they perceived them to be procedurally just.⁴⁵ Similarly, procedural justice was found to be a strong predictor of public cooperation with police in China.⁴⁶

Further research emphasises the link between increased perceptions of police legitimacy and willingness to report crime in the future.⁴⁷ This is particularly valuable in South Africa where, in 2020/21, just 56% of house robbery and 31% of theft victims reported their experience of crime to police.⁴⁸

How police treat individuals sends them a message about how police perceive them. When people are treated in a procedurally just manner, it implies that police perceive them as worthy of respect, facilitating group loyalty.⁴⁹ This in turn can generate a sense of shared values and moral alignment between the public and the police. Evidence for the association between procedural justice and moral alignment has been found in several countries, including South Africa,⁵⁰ England and Wales.⁵¹

The next section presents data from a previously unpublished study carried out in the Eastern Cape, South Africa. It demonstrates that procedural justice is as important in South Africa as elsewhere.

Case study: Eastern Cape Community Safety Survey

From December 2014 to March 2015, the research unit of the Department of Safety and Liaison in the Eastern Cape (subsequently renamed the Department of Community Safety) conducted a survey exploring the perceived breakdown in police-community relations in the province.

A total of 1 326 people were interviewed across 20 police station areas. The sample of stations was made up of 11 priority stations (high rates of violent crime) in urban areas, and nine non-priority stations in small towns (n=5) and rural areas (n=4). Together, these stations accounted for between 25% and 43% of reported crime in the province, with serious crimes like murder (28%), attempted murder (37%) and aggravated robbery (40%) most common at the urban, priority stations.

Chart 3 provides a summary of select demographic information relating to the survey population.

Chart 3: Survey sample overview (n = 1 326)

Age	18-29: 35%	30-49: 40%	50+: 25%
Race	African: 74%	Coloured: 12%	White: 12%
Home language	Xhosa: 71%	Afrikaans: 13%	English: 14%
Schooling	Grade 12: 39%	< Grade 12: 61%	–
Employment	Employed: 40%	Unemployed: 42%	Student: 12%
Income	Less than R3 000: 58%	–	–

The study employed two sets of questions and two models of analysis. First, general trust indicators such as those used by the Afrobarometer survey were used (e.g. judgements of the statement: 'I trust the police and would willingly report crime to them.')

⁵² These allow for relatively simple analysis.

Secondly, a range of questions was used to explore different kinds of trust: trust in effectiveness, distributional fairness and procedural justice/fairness, and how they related to police legitimacy. This approach is akin to that used in the South African Social Attitudes Survey and its international comparators.⁵³ Here a range of questions was used to measure the latent variables: levels of trust (various types) and legitimacy (or duty to obey police). Results were tested using confirmatory factor analysis.

Structural equation modelling was applied to explore which types of trust predicted legitimacy. This analysis showed that the latent variables were robust, that the various dimensions of trust reinforced each other, and that all were significant for generating legitimacy, particularly procedural justice.

The research results confirmed the importance of trust as a key dimension of community-police relations

The results confirmed the importance of trust as a key dimension of community-police relations. It also showed that procedural justice was a critical generator of trust and that interventions focusing on procedural justice were likely to improve police legitimacy.

The fate of the study, however, also suggests that an evidence-based approach to safety and policing must

include both absorptive will and absorptive capacity. This is because, despite its findings, little effort was made by police or police partners to act upon the convincing findings. Absorptive will by key decision makers and policy developers includes a broad receptivity to evidence and the type of evidence that is presented. Absorptive will must also be accompanied by absorptive capacity, or the capability to absorb and apply new evidence.

Summary of findings

This section presents some of the figures from the first, simpler aspect of the survey, and describes the implications of the second, more complex analysis.

The survey began by asking respondents to state whether they 'agree', 'disagree' or 'neither agree nor disagree' with the statement: 'I trust the police and would willingly report crime to them.' This allowed researchers

to analyse subsequent questions, presented in Chart 4, according to whether respondents trusted the police or not. The results reveal significant disparities in perceptions of and willingness to collaborate with police, and feelings of safety, based on whether respondents reported trusting the police or not.

Those who trusted the police were more likely to express satisfaction with how they were treated

Respondents who said they trusted the police were more likely to express satisfaction with how they were treated during their last visit to the police station, with how their statements were taken, and to perceive the police as responsive to their needs. They were also more likely to seek police assistance if they were a victim of crime,

Chart 4: Comparison of safety and policing issues by respondents who 'agree' and 'disagree' that they trust the police

Safety and policing statements	Proportion who 'agree' that they trust the police, answering 'yes'/'agree'	Proportion who 'disagree' that they trust the police, answering 'yes'/'agree'
I was satisfied with police treatment at last visit to the police station (% answering 'yes')	88%	66%
I was happy with the way my statement was taken (% answering 'yes')	83%	63%
If I was a victim of crime and wanted justice, I would go to the police/SAPS first (% answering 'yes')	80%	65%
I would willingly give evidence in court and act as a witness (% answering 'yes')	75%	43%
I/We feel safe in my/our home (% answering 'agree' or 'strongly agree')	75%	56%
The police were responsive to my needs (% answering 'yes')	70%	30%
I was satisfied with the overall performance of the police (% answering 'yes')	64%	26%
I support alternative/traditional forms of punishment (% answering 'yes')	61%	49%
Our neighbourhood is generally safe (% answering 'agree' or 'strongly agree')	60%	44%

felt safer in their homes, and were more inclined to give evidence in court and act as witnesses, compared to those who said they did not trust the police.

This supports the procedural justice hypothesis that when people trust the police, numerous additional benefits accrue to individuals, the state and society.

The findings of this simpler component of the survey were supported by the second, more rigorous confirmatory factor analysis and structural equation modelling, which provides insight into three core dimensions of trust:

- Trust in distributive fairness – whether the police treat everyone equally, regardless of class, sex, race, nationality, etc.
- Trust in police effectiveness – whether the police effectively deal with crime and whether they respond when called.
- Trust in procedural justice/fairness – perceptions of the fairness of policing processes and how police interact with communities, i.e. listening to people and being sensitive to their needs.

This analysis confirmed the findings presented in Chart 4 and found that the different dimensions of trust reinforced each other, all contributing to building trust in the police.

In other words, positive experiences and sentiments in one dimension predict or correlate with positive sentiments and experiences in others explored in the survey. Trust in procedural justice, however, translated more readily into the legitimacy of the police (i.e. the duty to obey the police) than other dimensions of trust, though all contributed to legitimacy. Therefore strategies of procedural justice/fairness in the police would likely have a significant impact on managing trust in the police. Indeed, democratic policing should be based on procedural fairness.⁵⁴

Post-survey developments in trust and policing

Despite a robust international evidence base existing before the Eastern Cape survey, and its finding that trust in police correlates with (or predicts) numerous positive outcomes, the Department of Safety and Liaison was unable to immediately use it to shift police practices and improve police-community relations in the province or country. This, it found, was because the value of trust in police was not sufficiently appreciated by police or

political leadership. Instead, it was believed that the SAPS 2015 ‘Back to Basics’ strategy, combined with its Community Policing Forum (CPF) architecture, would be enough to address the trust deficit.

This was attempted with a specific focus on improving detectives and intelligence, and through public outreach initiatives and increased police visibility. The latter two, in particular, were believed by police to be critical to building trust. Unfortunately, the CPFs failed to restore faith in the police.

Change began gradually in 2018 when the Civilian Secretariat for Police Service published its *Guideline to Enhance SAPS Performance Indicator*. These encouraged the SAPS to move away from performance evaluations focused on reported crime and move towards legitimacy-oriented evaluations, including procedural justice and trust.⁵⁵

When people trust the police, numerous additional benefits accrue to individuals, the state and society

Subsequently, the goal of ‘Increased trust in the police’ was added to the government’s Medium-Term Strategic Framework 2019-2024, with evaluation to be judged on the ‘percentage of victims satisfied with their interaction with the police’ based on calls to a sample of victims in each province.⁵⁶ It is not clear whether such evaluations are taking place.

Subsequently, the SAPS’s 2020–25 Strategic Plan introduced new performance indicators focused on public perceptions of and satisfaction with the police, including:

- Public perceptions of the SAPS’s effectiveness⁵⁷
- Levels of satisfaction with the SAPS’s investigation of crime⁵⁸
- Public perceptions of the SAPS’s professionalism⁵⁹
- Levels of trust in the SAPS⁶⁰

The SAPS 2021/22 Annual Report noted that the establishment of a trust baseline had been delayed by COVID-19.⁶¹ However, its 2022/23 Annual Performance Plan explained that a Customer Satisfaction Survey

Chart 5: Results of SAPS Customer Satisfaction Survey

Question/theme (as reported by the SAPS)	% of respondents answering in the affirmative
Confidence and trust (in police)	44%
Stamping (or asserting) of the authority of the state	51%
Confidence in the SAPS's ability to create a safe and secure environment	42%
Satisfaction with response times	51%
Satisfaction with the investigation of crime, particularly in respect of feedback provided to complainants	41%
Extent to which the SAPS is visible and is involved in communities	43%
Community Police Forum (CPF) efficiency and satisfaction	66%
Satisfaction with standards of service, timelines and accuracy in dealing with an incident or crime report	53%
Police are professional	53%

had been carried out in 2021 with assistance from the University of South Africa. The findings are presented in Chart 5.

While far from perfect, these results are not as dire as the Human Sciences Research Council finding that only 27% of South Africans trusted police in 2021. Notably, the fact that 66% of CPF members were satisfied with police compared to only around half of others surveyed suggests that those who regularly partner with police may judge them more positively than others.

Procedural justice offers a simple, cost-effective approach through which police can improve public trust

This may be because CPF members are supportive of police before they take on their roles; because their experiences working with police allow them to appreciate the challenges police face and perceive them as individuals rather than an abstract institution; and/or because police treat CPF members with more respect than they do the average police-public encounter; among others.

Whatever the reasons, they are likely to be connected to the principles of procedural justice – that allowing

for voice, neutrality, respect, and trustworthiness improves satisfaction with police. However, none of this is likely to succeed if police staff don't feel fairly treated themselves.

Procedural justice requires organisational justice

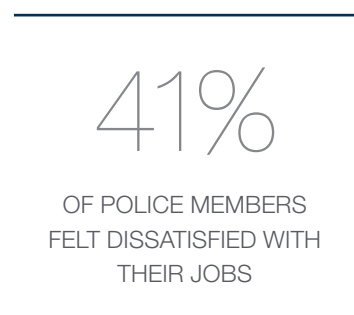
Procedural justice offers a simple, cost-effective approach through which South Africa's police can improve public trust, cooperation and respect for the law together with perceptions of police legitimacy. However, if police officers are expected to treat all people with dignity and respect, they should expect the same from their superiors, and the organisation in which they work. This is called organisational justice, and it is crucial to the success of procedural justice.⁶²

If procedural justice is about voice, neutrality, respect and trustworthiness in interactions between police and the public, organisational justice is about applying the same principles to workplace policies, practices and relations.⁶³ This makes intuitive sense but is also supported by research evidence.⁶⁴ Where police experience their organisation and supervisors as fair and respectful, they are more likely to go the extra mile without personal gain, abide by organisational rules, value the public, feel empowered and support ethical policing.⁶⁵

It is therefore concerning that a 2021 Organisational Climate Survey of 1 582 SAPS employees, conducted by Lulu Law on behalf of the SAPS, found extremely low levels of satisfaction. For example, most were dissatisfied with the promotion process (78%), with opportunities for career progression (68%), and with their salary (55%), among other findings presented in Chart 6.⁶⁶

Chart 6: SAPS Organisational Climate Survey: morale of police members⁶⁷

<p>Job satisfaction</p> <p>61% felt they received proper recognition for their work</p> <p>49% felt their fellow police did not live up to the SAPS's values</p> <p>41% felt dissatisfied with their jobs</p> <p>40% felt their fellow police did not understand the SAPS's mission</p>
<p>Supervision</p> <p>50% felt their supervisors did not have an interest in their career</p> <p>41% felt their supervisors did not promote an atmosphere of teamwork</p> <p>40% did not trust their supervisors to keep their personal information confidential</p> <p>35% felt there was no trust between them and their supervisor</p>
<p>Relationships with colleagues</p> <p>54% felt unmotivated</p> <p>54% felt their colleagues ('the police') abused their power</p> <p>53% felt their colleagues ('the police') were dishonest</p> <p>51% felt their colleagues ('the police') were not self-disciplined</p> <p>48% felt their colleagues ('the police') conducted themselves unprofessionally</p> <p>48% reported having low morale</p> <p>47% felt their colleagues ('the police') did not conduct themselves ethically</p>
<p>Relationship to work</p> <p>62% felt the SAPS was 'not winning the war' on crime</p> <p>46% felt their work helped reduce crime</p> <p>39% were unhappy with the way their performance was measured</p>
<p>Organisational commitment</p> <p>48% felt the organisation had not invested in their career growth</p> <p>48% felt the organisation was not empathetic in difficult times</p> <p>42% were unhappy with 'the current work environment'</p> <p>37% felt that SAPS was not a good organisation to work for</p> <p>36% did not feel proud to tell others they worked for the SAPS</p>
<p>Communication within the organisation</p> <p>59% felt communication from management to employees was poor</p> <p>55% felt there was poor communication from employees to management</p> <p>55% felt that the communication of changes affecting employees was poor</p>



These findings suggest that many employees do not feel the SAPS is a fair or just organisation. If true, it will be much harder to inspire officers to treat the public in procedurally fair ways. Fortunately, the SAPS recognises this. In its 2022/23 Annual Performance Plan it notes that the survey provides ‘a clear indication of the areas that require action by the SAPS, to ensure the improvement of ... the extent to which the SAPS is caring for its employees.’⁶⁸

Recognition of the problem is only the first step, however. Significant reforms will be needed to improve the organisational climate in ways that will motivate equality of justice and service in everyday police activities. Without organisational justice, procedural justice may remain a pipe dream.

Conclusion

Trust in South Africa’s police is poor and declining. Without intentional intervention, this trend is unlikely to improve. Evidence suggests that policing based on the core tenets of procedural justice – voice, neutrality, respect and trustworthiness – can improve community-police relations, public safety and social cohesion without significant costs.

It is in the SAPS and government’s best interest to adopt a procedural justice approach to all police activities. The tenets of procedural justice are already part of the SAPS code of conduct and values, its policies, regulations and standing orders. And yet, perhaps because the organisation faces so many challenges, the importance of simply treating people

fairly, giving them a chance to speak, explaining who one is and what one is doing, and allowing an opportunity to ask questions, seems absent in many police-public encounters. This simple formula could turn trust and confidence in the police around.

The tenets of procedural justice are already part of the SAPS code of conduct and values

As with numerous studies from other jurisdictions, the Eastern Cape Community Survey demonstrates that a procedural justice approach to policing is robust, theoretically and empirically coherent, and can form a critical foundation for addressing community-police relationships in South Africa.

Additional experimentation like that carried out in the Eastern Cape, as well as more complex field experiments of the sort carried out abroad, would allow the SAPS to apply a locally relevant and responsive form of procedural justice.⁶⁹ These experiments need not be complicated. Rather, police, government partners and researchers can begin by adapting and replicating the simplest forms of procedural justice initiatives as part of daily police work.

Ultimately, however, police leaders and managers need not wait for the home-grown evidence before deciding whether to promote procedurally just policing. Treating people fairly and respectfully is what South Africa’s police organisations claim to do. It is the right thing to do.

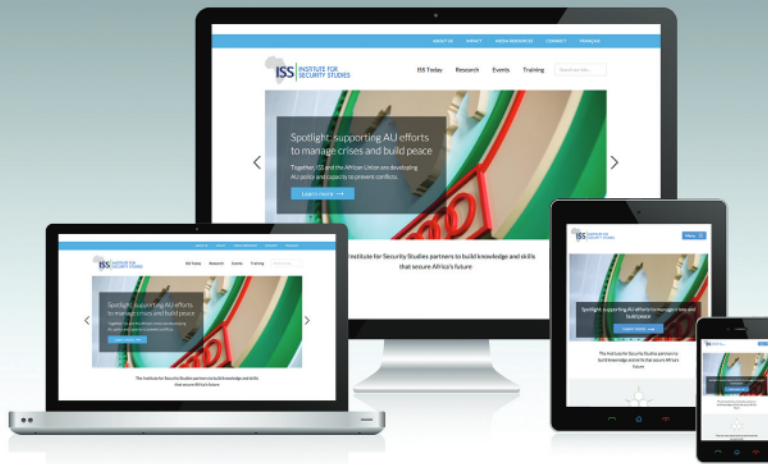
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This report is funded by the Hanns Seidel Foundation and Bavarian State Chancellery. The ISS is grateful for support from the members of the ISS Partnership Forum: the Hanns Seidel Foundation, the European Union, the Open Society Foundations and the governments of Denmark, Ireland, the Netherlands, Norway and Sweden.

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