

CIVILIAN SECRETARIAT FOR POLICE



SOUTH AFRICAN RESERVE POLICE SERVICE

POLICY FRAMEWORK AND GUIDELINES: ESTABLISHMENT AND FUNCTIONING

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ACRONYMS

SAP- South African Police

SAPS- South African Police Service

SARPS- South African Reserve Police Service

SANDF- South African National Defense Force

KPR-Kenyan Police Reserve

SCs-Special Constables

SPCs-Special police constables

USA- United State of America

UK- United Kingdom

CPF- Community Police Forum

VIPs-Volunteers in Policing

1. INTRODUCTION

Background

Prior to 1994, the South African Police (SAP) introduced a system which provided for the establishment of a "reservist" force where certain individuals were recruited to work as additional members of the SAP reservist service. Although the mandate of this institution was not clearly articulated, these people were deployed and utilized in the execution of a wide range of duties and functions within the police service. These included, amongst others, assisting the police force in policing of riots and demonstrations.

Since 1994, the new South African Police Service (SAPS) was subjected to transformation and institutional reform, directed at components, sections and units. It was critical that the South African Reservist Police Service (SARPS) as well be aligned to the broader transformation imperatives of the SAPS and the Interim Constitution of the Republic of South Africa (Act 200 of 1993).

Mandate of the SARPS

The mandate of the reservist police service is similar to the functions conferred upon permanent SAPS members. This includes among others to prevent, combat and investigate crime, maintain public order, protect and secure the inhabitants of the Republic and their property, and to uphold and enforce the law as enshrined in the Constitution of South Africa. This suggests that there is no separate policing policy guideline for reservists, except that members of the reservist police service render their services as *volunteers* under a separate dispensation from that of permanent SAPS members. The South African Police Service Act however provides for the appointment of reservists in terms of Section 48, supported by the Regulations for the South African Police Service, GNR 334 dated 22 March 2002 and National Instruction 1/2002: Version 02:00 as operational guideline.

When reporting for duty, a reservist becomes a full representative of the SAPS and exercises powers, duties and functions conferred upon them by virtue of the reservist category they have been appointed to. Since the National Commissioner of Police

may determine and regulate the appointment of reservists into specific categories, the Commissioner may also prescribe the functions and duties for each category based on the specific skills required by the SAPS.

A reservist remains a member of the community and offers his/her services to the SAPS and is subject to the category for which he/she is recruited. This may vary from support and administrative functions to functional and specialised functional policing. Reservist members provide assistance to mainstream police on a part-time basis to combat crime. The underlying principle of the reservist system is embedded in community-oriented policing and provides the opportunity for community members to perform policing duties without becoming permanent SAPS members.

Challenges

However the SARPS system, over the last few years, continued to become controversial based on the increasing operational challenges and “unrealistic” expectations. For instance, there is a paradigm shift from the original purpose of the reservist police service system against the very intention and aim of the underlying principles of voluntarism. Since the phased exit strategy of the SANDF commando system from 2001 until 2009, members of the commandos were encouraged to join the reservist police service. The difference between the SARPS and the commando system was that the latter received allowances when rendering services for which they were officially called up for. This unintentionally brought with it some expectation that allowances might be introduced in the SARPS. However such intention was never part of any deliberations or anticipated by SAPS.

Out of the strategies developed to ensure that structures such as police reservists were properly regulated to do what they were set up for, one aim was to increase the number of reservists, especially those who could perform administrative support and expert services. During February 2011, the number of active reservists on the system performing at least 16 hours duty per month amounted to approximately 30 000, while the total reservist compliment on the system currently is approximately 51927 reservists. The high reservist numbers is due to the SAPS focus to strengthen

policing at station level (especially in sector policing) while drawing on stronger community support in crime combating initiatives.

Ministerial summit

Based on a memorandum submitted by reservists to the Minister of Police and the Secretary for Police articulating their challenges, demands and expectations, a National Reservist Summit was convened during 2009. The Summit was attended by reservists, from all Provinces, delegates from the Provincial Departments of Safety and Security and senior officials from the South African Police Service (SAPS). The aim of the summit was to create a platform to discuss and deliberate on problems and challenges experienced by reservists, especially those stated in the above mentioned memorandum. The summit also attempted to solicit concrete resolutions towards the formulation of interventions in addressing the challenges and demands of reservists.

The Summit specifically had the following objectives:

- To identify and record the needs and expectations of reservists,
- To conceptualize concrete suggestions and their conclusions into a plan of action for immediate implementation (short, medium and long term), and
- To incorporate the outcomes of the summit into the Reservist's Policy Review Process.

One outcome of the summit, which was implemented, was the appointment of reservists who qualified for permanent employment into the SAPS. This was based on reviewed criteria issued by the National Commissioner. This resulted in 3265 reservists (2009/2010) and 1577 (2010/2011-up to September) reservists being appointed permanently into the SAPS totalling to 4842.

Given the above, it is thus incumbent to determine whether the present reservist framework (National Instruction 1/2002) is still relevant and effective. Unfortunately, sufficient proof exist which indicates the contrary. Even though effective internal SAPS management processes and systems were put in place poor implementation

at ground level weakened the enabling legislation and SAPS operational guidelines. It is therefore necessary to introduce an appropriate policy framework and guidelines to ensure the SARPS are compliant and administered in line with the principles of voluntarism.

2. SCOPE AND OBJECTIVES

This policy is aimed at establishing and/or reviewing the framework and guidelines applicable for the establishment, administration, control and management of the reservist police service and to introduce imperatives towards uniformity in implementation and approach in command and control.

The objectives are therefore to:

- Facilitate the establishment of a proper system for the recruitment, utilization and deployment of reservists in intensifying the fight against crime,
- Improve the management, command and control and regulation of working conditions in order to secure harmonious and good working relations between members of the reservist police service and permanent members of the SAPS, and
- Provide for classification of the reservist police service into such categories as may be required with proper functions allocated to each.

3. POLICY STATEMENT

Since 1994, much emphasis has been put on community orientated policing. Although this approach was aimed at creating opportunities for communities to build trust between the police and communities, it also sought to provide communities with more say in policing, especially within their own enclosures. The establishment of the reservist police service provided such a platform; the opportunity to actively get involved in creating a safe and secure environment.

The current reservist operational policies (i.e. National Instruction 1/2002 and other Regulations for the SARPS) provides a clear framework which makes provision for the appointment and utilization of reservists as volunteers and their deployment and functions within the context of the law (Section 48 of SAPS Act). Reservists must comply fully when put on duty and must observe all the legislation and policies applicable to the SAPS. This also suggests that reservists must adhere to the SAPS code of conduct and command and control when on duty.

Unfortunately, the introduction of the new phenomena, by the newly elected democratic government, of recruiting volunteers and the trend towards paying stipends, firstly created an expectation with police reservists that the special consideration would be extended to the SARPS as well. Secondly, members of the reservist police service became activists in demanding permanent employment based on their 'experience' and 'long service'. Thirdly, a notion existed that reservists were increasingly utilised to do the work of permanent SAPS members which resulted in permanent SAPS members not reporting for duty on a regular basis. Lastly, the SAPS introduced a system during 2006 whereby reservists could be called up for duty and paid allowances under special circumstances when a specific need existed at station level to address crime trends or flashpoints, following the closing down of the SANDF Commando System. These are the most significant issues raised by reservists as specific demands, which need to be properly defined and aligned with the initial intention of the reservist framework.

It is clear that there has been a departure from the voluntarism concept, which has had a negative impact on the normal policing function of SAPS, as well as led to reservists reflecting their dissatisfaction. The establishment of a reservist police service is not an obligation but is based on discretionary powers conferred upon the National Commissioner of Police. In order to contextualise the Constitution, the SAPS Act and the 1998 White Paper for Safety and Security, it is important that the policy facilitate the re-introduction of the spirit of voluntarism and ensure that SAPS operational policies (National instructions and standing orders) are unambiguous and provide a proper framework for the recruitment, administration and utilisation of reservists. The policy also aims to ensure that effect is given to the spirit of the legislation and must guide regulations and operational policies towards an

appropriate dispensation for reservists in relation to their duties, powers and functions. As the legislation and the 1998 White Paper for Safety and Security suggests, *“joining the reservist police service is based on the spirit and principles underlying “voluntarism”*.

4. LEGISLATIVE AND POLICY FRAMEWORK

The Constitution of Republic of South Africa (Act 108 of 1996)

Although the Constitution does not specifically refer to the establishment and maintenance of a reservist police service, it implies that such a service must be operated within the confines and ambit of the command and control of the National Commissioner within the concept of a “single police service”. Secondly, that the objects of the reservist police service must fall within the objects and mandate of the police service as envisaged in Section 205(3) of the Constitution.

The South African Police Service Act 68 of 1995

The SAPS Act (Act 68 of 1995) provides for the establishment and maintenance of a reserve police service. The establishment of the reserve police service is not an obligation on the National Commissioner, but provides discretion to the National Commissioner to establish such a service. Section 48 provides the National Commissioner with powers to determine the requirements for the recruitment, resignation, training, ranks, promotions, duties and nature of service, discipline, uniform, equipment, and conditions of service of members of the Reservist Police Service and any other matter which may be viewed as necessary for members of the Reservist Police Service.

Section 48 also provides that “a member of the reservist police shall be deemed to be in the employ of the SAPS while on duty, notwithstanding that such a member may not be paid a stipend”. Although section 48 is premised on nonpayment of stipends there seems to be a contradiction in this section of the act as the term “employ” carries the notion of benefits with it.

Regulations for the South African Reserve Police Service

The Regulations for the South African Reservist Police Service gives effect to Section 48 of the SAPS Act. The regulations provide that the National Commissioner must determine the different categories of reservists, in respect of this categorization, shall determine the nature of the services that must be rendered by a reservist appointed to such a category. The regulations furthermore outline the requirements and prescripts under which a person may be appointed to serve as a reservist.

National Instruction 1/2002

The National Commissioner may appoint a person as a member of the reservist in the prescribed manner in accordance with the National Instruction 1/2000: Version 02:00. The National Instruction introduces certain categories for appointment of reservist police service members, based on their skills.

These are:

- Category A Reservists: Functional Policing;
- Category B Reservists: Support Services;
- Category C Reservists: Specialized Functional Policing (Experts);
- Category D Reservists: Rural and Urban Safety.

The National Instruction indicates that every commander must determine their own establishment for reservists at his or her station or any other office, in accordance with the needs and priorities of such a station or office, taking into account the available resources at his/her disposal to properly train and equip such reservists in line with the Resource Establishment Plan for the station or office. All reservists serve under the command and control of the National Commissioner and their functions will be co-ordinated and controlled by the coordinator and head reservist of the division, Province, area, station or unit concerned.

Standard Operational Procedures

A Standard Operational Procedure regulates the general reservist system process, including enlistment, administration, discipline, management, financial procedures and controls, as well as operational call up and utilization (SAPS, 2006). The call up of reservists is based on prevailing crime trends, threats, and challenges at station level, as well as supporting rural safety. Call up is on a rotational basis. The essence of the reservists system, however, remains a voluntary system, despite reservists involved in rural safety being paid stipends. Therefore the responsibility of the Provincial SAPS Reservist Coordinator, with the assistance of Provincial Head Reservist, is to ensure that reservists are utilized to their optimum levels, through monitoring and evaluating the use of reservists at cluster and station levels, against the daily functioning and working hours of the reservist.

5. POLICY IMPLEMENTATION ENVIRONMENT

The SARPS executes its mandate within the context of the South African Police Service Act, regulations and the National Instructions. The recruitment of reservists is dictated by the needs and limitations of a police station or unit within the categories determined by the National Commissioner.

It should be acknowledged that some reservists execute duties which, in some instances, go beyond the minimum hours determined for a reservist to work per month. This is either voluntary or on request of a station/shift commander, especially when permanent members are booked off-sick or for some other reason(s) they are not available for duty. However, this is regarded an exception to the rule and are treated as a contingency rather than the norm, where no other permanent member can be utilized.

It is also true that the crime tasking of the SAPS in many instances exposes its limited resources and capacity to effectively conduct visible policing. For instance this has been experienced firsthand during the implementation of sector policing where reservists are mostly utilized to supplement permanent police members. It is thus common that reservists are generally deployed to reinforce the SAPS, specifically in visible policing and crime prevention initiatives. It is observed that due to developments in policing over the years, the distinction between reservists under

Categories A and D became irrelevant since these functions are overlapping. However, this does not diverge on the importance of sustaining and improving policing in rural areas.

It also remains a challenge to attract professionals to supplement those specialized functions and capacity which the SAPS do not have readily available; i.e. Category C reservists. This is particularly evident from the current force levels of the SARPS, which consists mainly of functional policing reservists.

It has been one of the aims of the SARPS to release permanent SAPS members to conduct and execute core policing functions while reservists must be channeled to focus on administrative and other support functions. A reservist officer cannot completely replace a regular police officer in any and all respects. However what happens with the SARPS system is that in many instances reservist police members are found to be doing police duties which is not mandatory.

The policy emphasizes the need to prioritize the recruitment of reservists falling within Categories A and C and to facilitate the development of appropriate guidelines for managing and utilizing reservists in functional policing, premised on the principles of voluntarism. Such guidelines must steer clear from setting precedence or creating expectations towards permanent appointment and remuneration demands. The policy must further address shortcomings in the SAPS command and control and management of resources, which often resulted in the utilization of reservists for working hours far in excess of the minimum, as well as using reservists for certain policing functions outside their scope.

6. CURRENT POLICY CHALLENGES WITHIN THE SOUTH AFRICAN RESERVIST POLICE SERVICE

The introduction and acknowledgement of the government wide volunteer system, and a subsequent paradigm shift by some government institutions to compensate volunteers through stipends, also brought controversy into the administration, management and control of the police reservists. This led to unrealistic demands and

expectations on the part of reservists which often resulted in a negative portrayal of the SAPS.

The role of the reservist police service is to complement SAPS resources through the volunteering of services by individuals who are committed to making a difference in ensuring safer communities. Once recruited, reservists subscribe to the same disciplinary dispensation and Code of Conduct applicable to all SAPS members. Unfortunately these good intentions have been negatively influenced by individuals with aspirations which are in contradiction with the original aim and objectives of the reservist system.

There is an urgent need to introduce a policy framework to address the current challenges and to facilitate compliance to the legislation. However, there are serious challenges which need some intervention and collaboration to reintroduce the reservist police system as a voluntary institution with emphasis on creating awareness and to educate communities (and potential applicants) on expectations and criteria around recruitment processes. The practical application of the current legislation and operational guidelines has deepened the problems relating to reservists already within the system.

Specific attention is required in addressing loopholes and gaps to improve management, control and administrative challenges to ensure full compliance with the SAPS Act. Most of the existing problems are caused by misinterpretation of the existing framework by permanent SAPS members, and a lack of coordinated efforts towards exercising of management and control.

The following issues, amongst others, have been identified as areas of concern;

- The *recruitment of reservists* is not properly managed and coordinated. There are no clear intervals for recruitment of reservists (something similar to the intake of recruits for the permanent Service). Recruitment should not be regarded as an ongoing process throughout the year but should be regulated by the National Commissioner and proclaimed for specific intervals. Experience has pointed that poor management of the recruitment process has lead to some individuals entering the system without meeting all the criteria

for appointment. In some instances it is not clear whether recruitment centers apply the same criteria.

Some trends have been identified that reservists continuously regard their appointment in the SARPS as motivation towards automatic incorporation/appointment into the permanent service. The Reservist Police Service was never meant to serve as a recruitment agency for permanent appointment into the SAPS. All potential applicants must be made aware that employment in the SARPS is not regarded as in-service training towards recruitment as a permanent member. A reservist member, if interested in employment in the SAPS, will be subjected to the same recruitment procedures as any other member of the public and needs to comply with all criteria for such appointment. The National Commissioner is the only authority to consider, in cases where a reservist is recruited into the SAPS, whether an alternative training program can be followed; provided that such discretion is only applicable where special circumstances exist.

- Due to a *lack of resources*, reservists are sometimes not provided with the necessary equipment and tools of trade, whilst being exposed to and utilised in dangerous policing situations. In some instances, reservists are required to use their own equipment or property in the execution of their duties. In these instances they are required to sign indemnity forms against any claim for damages to such property in the course of duty. This situation prejudices the reservist since the SAPS is required to provide all resources and should reasonably compensate a reservist for such damages. The practice of signing indemnities must also be re-considered.
- The current guidelines are not clear on the covering of *medical expenses* for reservists who are injured on duty and whether death benefits must accrue to the families of a reservist in case of death on duty. It is clear from the current framework that the moment a reservist reports for duty, he/she becomes a functionary under the auspices of the SAPS and should therefore qualify for the same compensation, which would normally accrue to a permanent member. There is also a need to clearly articulate on the reasonable

reimbursement of expenses to reservists in instances where they are or were forced to pay for such expenses in the execution of their duties; i.e. for travelling where the reservist are required to report elsewhere for duty and official transport cannot be provided, or such other incidental expenses which can be proved as reasonable. This must not be confused with payment of allowances which can only be approved and introduced by the National Commissioner in line with proper guidelines and for specific instances. The policy notes that the National Instruction 1/2002: Version 02:00 makes provision for reimbursement and compensation, supported by the Standard Operational Procedure which provide a step-by-step approach, as well as several national circulars/directives which provide specific guidelines, eg injury on duty, death grant, subsistence allowances, etc). However these have been implemented inconsistently which has resulted with tensions among the SARPS.

- Many concerns have been raised around the *ineffective management and coordination* of the SAPS in relation to the work hours of reservists within a specific month. Reservists work hours, in some instances, exceeds the normal hours worked by permanent SAPS member. This strengthens the reservist's resolve of being more effective than permanent SAPS members, and it creates precedence of reservists towards motivating for automatic employment as permanent SAPS members. The minimum of 16 hours per month is in line with international norms and calls for the process to be managed and coordinated in an effective manner.

The SARPS *training program* include the introductory training for reservists (ITR), Training for Category A reservists, and all functional Training attended by SAPS members, based on their availability, eg Tactical Training, Victim Empowerment, SWAT, Crime Prevention, Sector Policing, etc). However *training system* for reservists has come under criticism by reservists. This refers both to content and conduct. Reservists are not trained immediately after being recruited. Some of them are only nominated for training after working for months, or even years. There is no formal induction program, nor are refresher training courses provided. The duration of reservist basic

training normally spans between three to six months, and includes practical training. Compared to the basic training of the SAPS recruits, which has been extended from 12 to 24 months, reservists are regarded as lay persons to policing since many of them do not have policing background. If borne in mind that a reservist executes the same functions as permanent members when on duty, there should be some level of authority in ensuring that reservists are at least provided with proper basics to functional policing. It is thus incumbent that the content and standard of the reservist training modules be reviewed and appropriately accredited.

- The SARPS is currently threatened by *ill-discipline*, disregard of the SAPS Code of Conduct, and non-compliance with the laws, rules and regulations applicable to the SARPS. Disrespect and ill discipline on and off-duty have often led to criminal behavior and insubordination. Such conduct, not properly managed by the SAPS management despite the provision of measures in the legislation and other prescripts, has resulted in the Service being brought into disrepute.

7. REGIONAL AND INTERNATIONAL PERSPECTIVES

Uganda

In Uganda provision is made for the establishment of two reserve police force systems. The Ugandan Police Act provides for a *police reserve* force which is established by the Inspector General. The Uganda Police Reserve consists of police officers from the permanent force, who have reached retirement age and whose contract with the force has expired; or who have terminated their service with the force and offered to continue serving on the reserve.

Uganda also has the special police constables (SPCs) as part of the police reserve force consisting of both members from the community and police officers whose contracts expired and are turned into a reserve police force by the Inspector General of Police. The special police constables operate as non-uniformed police officers. The SPCs perform police work anywhere in the country and normally execute

functions only when called up for duty; i.e. around election periods and for the policing of big (major) events.

Botswana

The Botswana Police Act makes provision for two categories of reservists namely: the special constables system and the police reserve. The special constables are appointed by the Commissioner of the police only when there are not sufficient members of the permanent service available to perform police duties; i.e. when there are serious disturbances of peace or in anticipation of imminent disturbances. Special constables are appointed also when the implementation of any written law that is in the public interest requires that the general or specific police powers be exercised by particular persons or class of persons. In this instance the President may authorize generally, or in any particular case, any senior officer to appoint in writing persons prepared to act as special constables for such time and in such manner as the senior officer may deem fit and necessary.

Special constables appointed under this Act are subjected to limitations related to the time and nature of their duties as may be imposed by the Act. They have the same powers and authority as police officers and may be suspended or expelled from the service in writing. If a special constable dies or is killed or is permanently or temporarily disabled by sickness or injury on duty, the special constable or his/her dependants become eligible to compensation at the same rate and subject to the same conditions applicable to other police officers.

The President of Botswana authorizes the establishment of a Police Reserve which consists of members up to the rank of Superintendent. Members of the police reserve are appointment by the Commissioner who may also terminate such appointment without notice or obligation to provide reason thereof. The Reserve is voluntary, and members are required to carry out such police duties on a part-time basis as the Commissioner may direct. The Act makes provision that during a state of emergency the President may direct that the Police Reserve or any member or part thereof render full-time service for such period that the President deem

necessary. The Commissioner must provide the necessary resources for use by the police reserve, such as batons, weapons, uniforms and other articles as he may consider necessary for the proper carrying out of their duties.

Kenya

The Kenyan Police Reserve (KPR) or the Auxiliary Police was formed after an amendment to the National Service Act. The reserve force was established to assist the Kenyan Police in the maintenance of law and order. The KPR now only exists in rural areas of Kenya, where it is sometimes called the Kenya Home Guard. As the Kenya police services experienced a shortage of personnel, it retained former Auxiliary Police members on a voluntary basis, known as Special Police. The special police have similar functions as those of the special constabulary reservist (UK) with a command structure parallel to that of the regular force.

Tanzania

The Tanzanian police reservist system was established through the Auxiliary Police Amendment Act authorising the establishment of an Auxiliary Police Service. The Auxiliary Police are not functioning as a body with nation-wide mandate. It has units that are established on an *ad hoc* basis to maintain order and protect property in a declared area. The President grants permission for the establishment of an Auxiliary Police Unit in a particular and declared area. The rationale for the establishment of Auxiliary Police Units is to take pressure off the Tanzanian Police Force. The advantage is that it cost less to recruit and maintain, its members have a detailed knowledge of a particular area, and are more representative of and responsive to the community in which they operate.

United Kingdom (London)

In London the reserve police are called the Volunteer Special Constables. These are trained volunteers who work with and support their local police. Special Constables (SCs) form a vital link between the regular police and the community. SCs are unpaid members of the community who are attested by Magistrates to assist the regular police service in providing policing to their community on a part-time basis.

SCs have the same powers as regular police constables. These powers are applicable when the volunteer special constables are both on and off duty.

SCs are subject to the same police conduct and performance regulations as regular police constables, including performance regulations. There is a requirement to perform a minimum of 200 hours of duty each year. Although SCs do not receive a salary they are reimbursed for out-of-pocket expenses for travelling to and from duty and a meal allowance. SCs come from all walks of life – homemakers, students, accountants, engineers, developers and taxi-drivers – but whatever the background, SCs take pride in giving something back to the community.

SCs wear a similar uniform as regular police officers but with a special insignia on the shoulder identifying them as Special Constables. They are provided with the same equipment as their regular colleagues although the exact type of equipment varies from force to force. Generally an SC carries a baton, handcuffs, a personal radio and some form of incapacitating spray while most police officers in the UK routinely wear a stab vest (body armour) too.

Australia (Queensland)

In Queensland the reserve police members are called Volunteers in Policing (VIPs). They are based in local police station where they work with police to address customer service, community safety and crime prevention needs. The task of the VIPs compliments the roles and responsibilities of paid police officers and staff members. Among the criteria for being a member of the volunteers in policing is willingness to participate in a mandatory training program and willingness to work a minimum of 4 hours per week and a maximum of 16 hours per week.

Netherlands

Netherlands volunteer police' function is to act as a reserve to the regular force. The volunteer police make a contribution to good policing by helping out during busy periods in the country. They undergo the same training as the regular police officers and they are used for the most part for work that would that would otherwise be carried out by surveillance officers (lower rank police officer). Volunteer police have

investigative powers as police officers, they wear the same uniform and they are entitled to use force. The rank of the volunteer police can be police trainee, police patrol, constable or constable first class. The manner in which volunteers work differs from region to region in the country. Overall it is the force manager who makes a determination on how volunteer police are utilized in accordance with the national guidelines.

Canada

In Canada, the police force utilizes the services of auxiliary constables under various provincial policing legislations and the Royal Canadian Mounted Police Act. The role of auxiliary constable is to assist regular force constables in the execution of their duties, as well as to provide assistance in community policing.

Auxiliary constables in Canada wear uniforms similar to regular force constables. However, most wear the insignia with the word "auxiliary" on a rocker panel under the force's crest on each arm, and in some cases, wear a red and black checkered head band on their service caps to distinguish them from full-time police. Auxiliary constables are usually unarmed, but are trained in firearms, they do carry a baton and handcuffs while on duty.

India

The Indian Home Guard is an Indian paramilitary force which is tasked as an auxiliary to the Indian police. The duties performed by the Home Guards include serving as auxiliary to the police and generally help in maintaining internal security, helping the community in any kind of emergency - such as on air-raid precautions or on any natural disaster, functioning as an emergency force intended for special tasks directly or indirectly connected with the defense of the country

The above regional and international perspectives show some interesting trends. Some countries have more than one "reserve" police system. The one system is referring to a "*Police Reserve Force*" system which is established from retired police officials or those members who left the service but voluntary indicated to continue

serving the Police. These members are normally utilized to conduct training and to provide assistance in more complicated policing situations.

The other *reserve system* is established with the aim of targeting community members and experts, the latter in those areas which the SAPS are lacking. The latter system is normally based on the principles of voluntarism. This system is called, depending on the Country, Auxiliary force; Volunteers in Policing; Special Constables; the Special Constabulary; etc.

The system based on voluntarism utilizes members for crime prevention programs and projects and to some extent assisting with administration. It is very rare and unusual, especially in countries abroad, that such volunteers are deployed in hard core policing functions. In Africa, these voluntary members are deployed to do functional policing and only when they are called up. They sometimes assist in policing major events or during times of elections.

There are common traits of minimum hours; working conditions, distinguishing uniform or insignia, coverage of medical and other relevant expenses, training and management priorities.

8. LESSONS FOR SOUTH AFRICA FROM THE INTERNATIONAL/REGIONAL CONTEXT

The above regional and international perspectives show some interesting *systems* of reservist police.

- The one system is established from *retired police officials* or those members who left the service but voluntarily indicated to continue serving the Police. These members are normally utilized to conduct training and to provide assistance in more complicated policing situations.
- The other *reserve system* is established with the aim of targeting *community members and experts*. This system is called, depending on the country: Auxiliary Force; Volunteers in Policing, Special Constables, and the Special Constabulary.

The systems utilize members for crime prevention programs and projects and to some extent assisting with administration. It is very rare and unusual for such volunteers to be deployed in hard core policing functions. In Africa, volunteers are deployed to do functional policing only when they are called up. They sometimes assist in policing major events or during times of elections.

Other important commonalities include minimum hours, working conditions, distinguishing uniform or insignia, coverage of medical and other relevant expenses, training and management priorities.

The three most *common international models* include the following:

Model 1: Full-time employed people

This model includes volunteerism by people who are in full-time employment, but have an interest in crime prevention/policing. These people can be called up to assist in policing whenever a need arises and they are available to provide crime prevention services although they are employed full time elsewhere.

This category also includes people with expertise (specialties) regarded as scarce skills that is required by the police service. For example: In Hillsboro, Oregon (USA), the Police Reserve Specialist program recruits individuals with high technological skills to serve as reservists for a minimum of two years. These people are trained on the requirements and constraints of a criminal investigation process. These reservists do not receive any remuneration.

Model 2: Unemployed people

This model is based on internship principles. It includes volunteerism by people who are unemployed but who are interested in a career in policing. This model grants that the period one spends as a reservist in the internship program, serves as a prerequisite for recruitment into the police force. A reservist is required to work 16 hours per month.

In the UK, for instance, the special constabulary is seen as part of the recruitment strategy for the regular police force. To decide on a paid policing career at a later date, a special officer is normally expected to have worked for a total of at least two years as a Special Constable before becoming a police officer and only if such a person applies and

meets all the criteria for appointment in the regular police force. There is no automatic absorption.

Model 3: Retired senior citizens

This model involves volunteerism by retired people who are still fit to perform policing duties and have an interest or expertise in policing/crime prevention. This category of people includes retired police and defense officers, professionals, nurses and educators.

The research on the above countries does not reveal the practical application of the reserve system; it is assumed that such does exist. The approaches seem effective and provide much flexibility for the establishment, management and administration of a reservist police service.

The following are other issues observed from the analysis of the countries:

- there are clear intentions in retaining the voluntary service, except for those whose expertise can contribute positively towards complementing the permanent police service capacity and resources
- all of the voluntary models make clear provision for issues around recruitment, training, deployment; command and control
- the different country models follow a similar categorization (even providing for senior citizens)
- some models put emphasis on acquiring or retaining the skills of retired police members, while also focusing on those reservists who can make expert contributions.

The SARPS system compares favourably with regional and international models. The system used in South Africa is a hybrid, aligned to the first model, and minimally, to the last model. There is currently no provision for the internship system in the SARPS; only a pure dependence on voluntarism.

It is interesting to note that legislation and policies applicable to the SARPS cover most international aspects and are of a high standard. However, deficiencies lie in the practical implementation and administrative management thereof.

10. KEY ISSUES TO BE ADDRESSED AND RECTIFIED IN OPERATIONAL POLICIES AND STRATEGIES

It is critical that current regulations and operational policies of the SARPS be reviewed to ensure that a proper framework is introduced which places a firm duty on management to take full responsibility and be accountable.

System of voluntarism

It is critical that the reservist police service remains a voluntary service, as practiced internationally, as well as agreed upon during recent stakeholder consultations. All potential and existing reservists are required to abide by such principle. Reservist will not automatically qualify for permanent appointment in the SAPS.

Categories for appointment

National instruction 1/2002 provides for four categories of appointment into the SARPS, based on particular skills. The updated National Instruction will provide for two categories of policing:

- Functional Policing
- Specialized Functional Policing

Functional policing should be focused on policing functions reservists are provided training in such as assisting a full time police officer in the customer service centre but not be left on his/her own. Other functions may include support in sector policing crime prevention programs, assisting in searches for missing persons, providing crowd management functions at large events, participating in public awareness campaigns, and accompanying regular police officers on daily patrols. For specific functions such as being part of big events reservists are to be provided with

specialized training to be able to function independently in such situations without being dependent on SAPS members.

Specialised functional policing requires intentionally targeting recruits with scarce skills, or recruits with expertise in a particular area, such as educators who have the ability to provide training at police colleges, as was done with reservists resorting under category C of National Instruction 1 of 2002: Version 02:00.

A reservist will be appointed to serve the station precinct within which they reside.

Recruitment and selection criteria for reservists

The SARPS system is aimed at complimenting particular resources of the SAPS. Therefore meticulous attention must be focused on the recruitment and screening processes for appointment of reservists. This must include criteria which are able to enhance the recruitment of people with good character and personality, in order to in protect the integrity of the SAPS. The following recruitment criteria should be considered:

- Must be younger than 60 years;
- Must be subjected to an interview (CPF representatives *may be consulted*);
- Should not have a criminal record;
- Must pass a minimum fitness and psychometric test and prove to be medically fit;
- Must provide proof of qualifications (minimum grade and experience); and
- Have a valid driver's license

The crucial consideration remains that, any reservist who reports on duty, by virtue becomes a police official with policing powers. It is thus imperative that emphasis need to be put on strict application of screening techniques.

A reservist must be subjected to the normal criteria and requirements and processes applicable for appointment into the SAPS as a permanent member.

An unemployed person can be a reservist police but for very specific tasks and functions such as working on the rural safety strategy. However strict measures must

be implemented to ensure this is properly managed to avoid problems that were experienced previously.

The selection and recruitment processes for reservists *may be done* in consultation with the local CPF executive, or such other CPF members. The CPF may make certain recommendations with regard to the appointment of individuals. CPF members must not make themselves available to serve as reservists.

Training of reservists

Reservists are required to attend the introductory and orientation session of training, although this has not been formalised and is provided in some instances only. Reservists also attend the Reservists Basic Training sessions of the SAPS. Training is presented over a period of between three to six months, depending on the category of appointment, including the practical phase which is usually presented by means of in-service training.

During the training period reservists should work in the Community Service Centre as part of their in-service training. At the end of the training period they should be posted to vehicles or conduct patrols within their specific community, or other duties as determined by the commander. Firearms training are included in the training programme and no reservists should be allowed to perform functions if the module has not been successfully completed.

Additional training such as training in domestic violence, victim support, sector policing, neighbourhood watch, regular patrol with marked cars, should also be presented, depending on the category of utilization.

Since the majority of reservists are lay persons and do not have any background in policing, there is a challenge in transferring skills within such a short space of time. Considering that the training period (maximum six months) also include practical work, it raises questions on the competency levels especially of functional police. This may have worked well in the past with reservist already working at the police station and thereby only sent to training after some months or years.

In this regard, a review of the content of the current reservist training modules is urgently required and serious consideration must be given to the training methodology. The formal training must be accredited and aimed at providing reservists with reasonable opportunity to acquire at least the appropriate level of skills and competencies. This also suggests that the current methods and practice of training, which is conducted over weekends and after hours, must be more contact orientated. Such training must be followed by proper practical in-service training within the physical and functional fields. It is obvious that this training is targeted at the category of reservists who will be deployed in softer policing functions.

Besides the formal training, the SAPS *must* introduce a compulsory induction/orientation programme for all new reservist recruits which may, for example, run over 3-5 days (consecutive). This training must be regarded as basic information on what the service are all about; the mandate of the reservist police service and how it relates to the permanent service; the powers and functions of a reservist within the different categories; etc. This orientation will lay the foundation for those reservists who are recruited as experts (scarce skills) and should exempt them from functional training.

Finally, provision should be made for refresher courses to ensure reservists stay abreast of new legislation and policy developments within the policing environment. The national office should maintain a proper database of registered and trained SARPS members to ensure that all reservists have been trained.

Placement and deployment of reservists

Normally, the placement and deployment of reservists differs from station to station due to the capacity and skills required at a specific station. Therefore, the placement and deployment of reservists should be based on human resource shortages and needs for scarce skills, such as forensics. Once recruited, the deployment of reservists will be determined by the respective station commander, in line with the station's operational plans in addressing crime. The station commander must maintain all records relating to the use of reserve police members during such operations and where a reservist has been called-up for any other purpose.

Some level of performance assessment must be introduced to ensure that reservists are properly utilized, and remain productive, within the SAPS despite them not being mainstream paid employees.

Reporting mechanisms

Reports to the provincial as well as national offices on functioning and management of reservists must be provided on a monthly basis by the cluster police stations. This is to ensure that regular monitoring of reservists are undertaken, and will as well assist in minimising and addressing particular issues that have arisen in the past.

Resourcing: Uniform and Equipments

International best practice indicates that auxiliary police forces are generally unarmed although they are allowed equal powers to enforce law and order as regular police officers. They may however be provided with necessary protective equipment, such as bullet proof vests, handcuffs, batons, pepper sprays, equipment used by regular police, as per the specific functions that they have been allocated to perform. This must be specifically a requirement in the case of reservists who are deployed for functional policing.

In South Africa reservists are issued with firearms when reporting for duty as some of their functions are associated with high risk operations such as crowd management, patrols or manning road blocks. While this policy does not advocate for reservists handling firearms, the policy does recognize the significance of allowing reservists the opportunity to protect themselves while on duty and during specific functions as determined by the station commander.

Carrying of firearms by reservists can only be allowed after full competency has been indicated. Reservist allocated administration duties should not be given firearms. Those reservists issued with firearms should not be allowed to take their firearms home; firearms should be booked-in at the station. All firearms that are issued to the reservist members reporting for duty are to be placed through strict management control and firearms storage as per legislation to minimize accidental incidences.

The policy further recommends a long-term re-evaluation of reservists carrying of firearms. The possibility exists that reservists may in the future be denied carrying and using firearms.

The practice of some reservists using their own equipment is undesirable and should be discontinued. The reservist police should wear the SAPS uniform but with a different insignia that clearly identifies them as reservists.

11. POLICY IMPLEMENTATION

The aim of this policy is to confirm the principles of voluntarism (non-payment) which underlies the SARPS and to facilitate the review of the current guidelines applicable to the recruitment, administration and management of the SARPS.

This policy is also designed to minimise mismanagement of the reservist police. The basic foundation for the reservist police service is to compliment the police services, by means of voluntary assistance, and not to replace police at any given time. The implementation of this policy will clarify any existing aspects wherein the roles of the reservists become blurred with that of the SAPS members. The tendency to confuse roles is problematic when the public as well as the police expects a reservist to perform to the standard of a regular police when problems arise or in an emergency. Due consideration should be focused on the challenges incurred in the intake, training and management of the reservists. This policy provides guidance on the management and control of operations when reservists are on duty and or in the amendment of legislation. It is imperative that the policy give effect to creating and maintaining a sense of professionalism amongst reservists.

Policy on Reservist in the South African Police Service

Approved by Minister of Police

A handwritten signature in black ink, appearing to read 'EN Mthethwa', written in a cursive style.

**EN Mthethwa, MP
Minister of Police
Date:**