



Response

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SAPS Corruption: Misfortune or Carelessness?

In Oscar Wilde's *'The Importance of Being Earnest'*, Lady Bracknell famously admonishes the orphan Jack Worthing: "To lose one parent, Mr Worthing, may be regarded as a misfortune; to lose both looks like carelessness."

What would she have made of South Africa's record of 'losing' not one, or two, but three national police commissioners to criminal charges? Jackie Selebi was convicted of taking bribes and sentenced to 15 years' imprisonment in 2010. Khomotso Phahlane was arrested on corruption charges in 2019, but the case has not yet been finalised. And now, Fannie Masemola has been summoned to appear in court in connection with an allegedly irregular tender award to Vusimusi Matlala – who is himself appearing alongside a dozen senior police officers in a case linked to the same tender.

It is possible that both Mr Phahlane and Mr Masemola will be acquitted if and when their cases are ever finalised, but that still leaves us with three out of the eight post-1994 commissioners, or acting commissioners, having faced accusations of serious crimes. To that we can add the mounting evidence of corruption, tender collusion and other criminal offences against numerous senior officers who have been credibly accused at the Madlanga Commission of Enquiry and at Parliament's *ad hoc* committee investigating police corruption.

The fact that so-called 'bent cops' are to be found in any police service should not detract from the gravity of our situation: in the face of what everyone agrees is an unacceptably high crime rate, a significant chunk of the top leadership of the country's main law enforcement agency finds itself on the wrong side of the fight.

The various trials and enquires will concern themselves mainly with the facts about who did what, and to some extent with why they did it. But there is another question that needs to be asked: what steps are taken in the selection and appointment processes to ensure, as far as possible, that successful candidates are people with the ethical backbone and fortitude needed to resist the temptations that will inevitably come their way? In Lady Bracknell's terms, the appointment of one national police commissioner (or deputy/provincial/divisional commissioner) who turns out to be corruptible might be considered a misfortune, but when it happens again and again and again it really does look like carelessness – or worse.

It would be too easy simply to blame it all on cadre deployment or politically motivated appointments. Yes, Jackie Selebi and another past commissioner, Bheki Cele, were certainly cadres, but it is striking that commissioners Masemola and Phahlane, deputy national commissioner Shadrack Sibiya, national head of crime intelligence Dumisani Khumalo, and other senior officers previously accused of malfeasance, all joined SAPS in the apartheid era – hardly classic cadres.

There must be something else at work, some lack of proper diligence in carrying out background checks, in doing lifestyle audits before, not after, appointment to senior posts, or in testing candidates' grasp of and commitment to ethical and moral principles. Greater transparency in the selection process, with room for public input along the lines of the Judicial Service Commission, would surely help in securing better leadership for SAPS. Because unless we find a way of appointing strong, dependable, honest and

trustworthy people to lead the fight against crime, the Agliottis, Guptas and Matlalas will always end up winning.

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