

Police brutality and its effects on society criminology essay



**ASSIGN
BUSTER**

1. Introduction

Police brutality has occurred all across the world and is still a major concern amongst society and police organisations. This brutality ranges from assaults, death as a result of use of force, harassment, Etc. It takes two forms (Thompson: 2004), which is physical brutality which includes assaults, and non-physical brutality which includes use of verbal language. In South Africa cases of brutality has been part of country history as it was happening during apartheid era because of protests, and at the present moment it is much worse as people have rights and most people have access to camcorders to record such incidents which at the later stage attract media attention.

According to Burger (2011) public is slowly losing trust in the police because of amongst other things such as brutality itself, criminal behaviour and abuse of power.

Sean & Tait (2011) explained that most brutality cases within the South African Police Service derived from members of public order policing (POP) as they normally deal with gathering and protests.

Sharpsville massacre is one of the example of which 69 people were killed and 180 injured as a result of police action on 21 March 1960 and recently is the killing of Andries Tatane and thirty four Marikana Lonmin striking miners by the members of South African Police Service.

2. Literature Review

Considering this body of literature, researches were conducted by different authors nationally and internationally to address issue of police brutality and its effects to society.

Before going further with this topic police brutality, the term police brutality is defined as follows:

Thompson (2004) defines Police brutality as any instance in which a police officer using unnecessary excessive force to or while interacting with members of public while performing his or her duties. These brutalities take two forms which is physical and non-physical, physical includes actions such as killing someone, E. g. thirty four mining strikers who were killed by the police at Lonmin mine, and non-physical which includes verbally abusing the public.

There is literature that are relevant to the topic and some of the findings were categorised as follows:

Bruce (2003) explained that the statistics from South Africa Police Service watch dog, also known as independent complaints directorate (currently known as IPID) revealed cases of brutalities against members of the service and organisation from period April 1997 to March 2001. These brutalities were categorised as from death as a result of police action (excludes death in custody), torture, assaults and attempted murder. He further said besides reporting cases of brutalities the public are also not satisfied with the service rendered by the police.

Gary (2003) argued that police brutality is also part of South African history. He mentioned that during apartheid regime many people of which majority were black people had suffered brutality from the hands of the police more especially in South African townships. His statement was supported by photographic images of one of the victim known as Hector Peterson, a thirteen year old who was shot by the police in Soweto. Apart from Peterson tragedy there were also photos of white police official beating and shooting black protesters and the death of Steve Biko who was murdered in police custody for political reasons.

Gary (2003: 9) believes that the past police also benefited from these brutalities and they were very effective than the present police force mainly because they were feared by the public. He said crime then was too low and it was likely that people were afraid to report cases because police then were not approachable.

Masuku (2004) believes that Police Managers lack of monitoring of members conduct is one of the reasons why South Africa is having high number of cases of police violence. He mentioned that procedures are incorrectly followed in the service and records are not properly kept and as a result a member commits the same offence now and then. He said Independent complaints directorate (ICD) findings for the annual report 2002-2003 revealed number of cases whereby people were shot and killed by the police and to date it does not indicate how many were illegal and how many were legitimate. He said standing order 251 which requires factual reports of all shooting incidents is not practiced correctly within the service. He said that they are other cases of police misconduct such as torture and non-lethal

<https://assignbuster.com/police-brutality-and-its-effects-on-society-criminology-essay/>

force were also not monitored correctly and as a fact police officers gets off easily.

Studies conducted by, Minaar & mistry (2006) showed that use of unnecessary excessive force by the police is mostly related to officers wellbeing such as stress. They conducted interviews with members based at Gauteng province and the finding were that members work circumstances such as interacting with suspects is the reason for police action of violence. He also mentioned that counselling and stress management should play a vital role in member wellbeing but criticised the member code of silence.

Shawn & Tait (2011) studies revealed that most brutalities in South Africa derived from violent protests by public and involves member of public order policing within the police such as tactical response team and combat crime unit. He also mentioned that cases of brutalities had increased since 2006 as a result of protests by public. He said that these members resorts to the use of excessive force as last resorts more especially when they are outnumbered by the public and often leads to death of protesters and one example of that is marikana massacre.

Other studies conducted by burger (2011) states that the brutalities, criminal behaviour and other misconducts by the police has negative effect on public trust and confidence. He further said that society must trust and also have faith in police for their own safety. It seems as this is impossible for the police as the recent reports and images of police brutalities speak another thing such as marikana lonhill miners massacre which was broadcasted on television for days, video footage of ficksburg protester andries tatane who

lost his life in the hands of police, video of members of tactical response team at a bar in Johannesburg and a restaurant in Melville which was shown on 3rd degree on e-tv and the recent case of Mozambican taxi driver who was tied at the back of police vehicle and dragged and later died in police custody.

Again, Bruce (2011) on another article, beyond Section 49, says use of force by members of South African Police Service is being misused and it is uncontrollable and that the policy needs to be amended so that the police can work effectively. He again on this article mentioned the killing of Andries Tatane as one of the victims of such abuse of power by the police.

3. Rationale/ Significance of research

The study is important as it is focused on the difference between the police and the general public mainly because of police brutalities and use of unnecessary excessive force and is also aimed at benefiting both the police and the society to refrain from problem. One organisation such as South African Police Service (SAPS) has its tasks and one is to mobilize the community to act against local crime in terms of newly implemented sector policing and this seems to be unachievable because of the recent cases of brutalities by its members. The objective was to have the police and the public to work together but now because of the police brutality images such as marikana lonmin massacre that were viewed by the society nationwide this seems to be impossible.

Police brutality affects everyone, such as the government, police, organisation and the public, and this proposed study is aimed at preventing future brutalities and improve police-society working relationship.

The above categories will benefit from the study as follows:

Police Officers:

The study will benefit officer as these brutalities normally have consequences and might ruin the future career.

Society:

The society will also benefit as they depend on police for their safety and be brutalised as a result.

Organisation:

The organisation will also benefit as it will finally realise the seriousness of this brutalities and also to deal with culprits to set an example to other police officers and again to ensure that their members are well trained and equipped to deal with the public in a peaceful manner.

Other researchers:

This study will also benefit future researchers and hopefully brings new developments.

4. Research Problem Statement

In a country like South Africa the citizens expect police to do their work in a professional manner and also be accountable to their actions. They expect police officers to protect them and their properties and also uphold the law

<https://assignbuster.com/police-brutality-and-its-effects-on-society-criminology-essay/>

of the country. These police officers have powers invested to them and are governed by certain legislation to perform their duties and the public are also have to be treated in a dignified manner in terms of the rights given by the constitution. It then becomes a problem because criminal procedure act section 49 gives police officer powers to use force to overcome any situation and such powers are the misused by certain police officers as they use them where it is not necessarily. Police officer as members of public themselves work under extreme situations, such as members of public order policing who deal with public violence and protests as they are used to violence and whenever approached they may also use the force which may result in death of citizens such as ficksburg protester Andries Tatane. Independence directorate complaints statistics (Bruce: 2003) reveals number of citizens who suffered as a result of these brutalities, although most of them were not covered by the media but it affect the community in such a way that they lose trust in the police.

5. Research Question or Hypothesis Statement

The main research question of this study is:

Can Police managers better reduce or prevent brutalities and unnecessary use of excessive force and how serious is this to the society?

There are researchers in South Africa such as Shawn and Tait (2011) who have identified factors such situational, individual and organisational as reason that may influence other Police officers to unreasonably use excessive force and brutality against the public.

The following Hypothesis statements (Akdogan, 2009: 3) clearly explain the problem of police brutality:

They are Job satisfaction and work related stress usually affects police official attitudes towards avoiding or put an end to brutality and unreasonable use of excessive force; Police Official post such as a member who is based at Tactical Response Team (TRT) and Combat Crime Unit (CCU), who have low attitude than those who are posted at stations because they deal with riots and are likely to apply excessive use of force. Lastly, Laws relating to police conduct towards society such as section 49 of Criminal Procedure Act and citizen Bill of Rights in terms of the Constitution.

6. Aim and objectives

This study aims to provide all police officials with information on how to serve its public and also how to avoid brutalities and their consequences thereof, how it impacts the organisation, the government and the community as a whole. This study also intends to highlight areas within the police force such a development of employees that needs to be improved and assessed to avoid such brutalities in future.

7. Research Design and Methodology

This proposed study will employ triangulation mixed method, De Vos (2012: 442) meaning that it will employ both qualitative and quantitative methods. In a case of quantitative research theories are tested and confirmed by means of measured numbers and statistical analysis such as those statistics revealed by independent directorate complaints (ICD). Whereas, in a case of qualitative research words are important than numbers and also involvement

of people in studies plays a vital role and an example is a research done by, Minaar & mistry (2006) which involved members.

7. 1. Research Design:

For quantitative studied survey designs is suitable for these proposed study as the topic itself is not concerned about police brutality alone, it is also concerned about how it affect society and then a population group needs to be identified to gather data.

7. 2. Unit of Analysis:

This proposed study includes more than one unit analysis which is individual within the organisation such as police officers, organisation which these individual represents and the social interaction or behaviour of these individual such as police use of violence and brutality. These mention units need to be analysed to carry out the study.

7. 3. Identification of Variables:

For the sake of this research independent variable is identified which is section 49 of criminal procedure act which give police officers powers to use force and the dependent variable which is the bill of rights which gives citizen right to be treated in a dignified manner, In simple term is that use of force violates human rights.

7. 4. Sample and sample type:

For sampling purpose, other stakeholders will be included such as community, police officers or organisation, department of justice, etc. by means of simple random sampling which will give others opportunity to

participate and that will be determined by using table of random numbers from the population.

7. 5. Data Collection Methods:

Methods of collecting data will vary based on types of people affected by police violence for the purpose of quantitative research and the most suitable method for this proposed study is survey questionnaire (Welman 2005: 152) as it is concerned about the background of individual and the difference will however determine whether everyone understands the seriousness of the effects and for qualitative research method that will be utilised is interviews.

7. 6. Data analysis:

For the purpose of this proposed study data information will be gathered from statistics and interviews and will be used to answer the research question. In a case of quantitative research information will be gathered from statistics and reports and then analysed according to categories such as the total number of fatal force used by police officers quarterly, and in a case of qualitative research (De Vos 2011: 402) information will be gathered from interview recordings, visual materials, etc.

8. Ethical consideration/ constraints:

Before studies commence, ethical issues need to be identified and reviewed to ensure that potential participants are not exposed to harm. De Vos (2011: 115-126) and Welman (2005: 182) identified ethical issues that needed to be taken into consideration to ensure that all participants are protected and information gathered is legitimate. An approval from research

ethics committee is also important as it will protect participants from researchers who conduct studies in an unethical manner. At the end of the study all findings and results that will be presented will be that obtained during the study.

9. Overview of the Chapter Structure

This chapter started by focusing on the research main question which was directed to the managers of the organisation, that what can they do better to better the situation or problem the society is facing and also how to render effective service. The chapter was further discussed and three components (hypothesis) were highlighted that managers should look into when addressing the problem and finally the methods were identified to carry out the studies in order to reach the aims and objective of this proposal.

10. Research Time Schedule

According to, De Vos et al (2011: 111) a project should include a work plan. As organisation is responsible for behaviour of its members, then a time frame for this project is one year. Then an organisation can make analysis of reported cases and then used its findings to compare to the previous to determine the difference to achieve the aims of the proposal.

11. Budget

This study does not require any financial planning as lack or insufficient training was seen as factor that is needed to educate and provide police officers with skills on how to handle the public and that has been done by the organisation for a period of time.

12. Preliminary List of Reference/ Bibliography

BRUCE, D. 2011. Beyond Section 49: control of the use lethal force. SA Crime Quarterly, 36: 3-12

BRUCE, D. 2003. What the Independent Complaints Directorate Statistics tell us (or not): Gripes or grievances? SA Crime Quarterly, 4: 23-30

BURGER, J. 2011. To Protect and Serve: Restoring Public Confidence in the SAPS. SA Crime Quarterly, 36: 13-22

DE VOS, A. S, STRYDOM, H. FOUICHE, C. B & DELPORT, C. S. L. 2011. Research at Grass Roots: For the social sciences and human service professions. 4th ed. Pretoria: Van Schaik.

KYNOCH, G. 2003. Personal Security concerns in South African Townships: Apartheid Nostalgia. SA Crime Quarterly, 5: 7-10

MASUKU, T. 2004. National Monitoring of Police Misconduct: number that counts. SA Crime Quarterly, 8: 5-10

MINAAR, A & MISTRY, D . 2006. Dealing with the use of force and stress related violence by members of the police: some observation from selected case studies in Gauteng province, South Africa. Acta criminological, 19(3): 29-63

TAIT, S, & MARKS, M. 2011. You strike a Gathering, You Strike a rock- current debate in the Policing of Public Order in South Africa. SA Crime Quarterly, 38: 12-22

WELMAN, J. C, KRUGER, S. J & MITCHEL, B. 2005. Research Methodology. 3rd ed. Cape Town: Oxford.