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Understanding policy implementation:

An exploration of research areas
surrounding the National
Crime Prevention Strategy

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Introduction

... Making sure that the government does what is decided is more difficult than selecting the preferred solution. – Graham Allison, *Essence of Decision*.

This paper presents the results of the first phase of a study of the National Crime Prevention Strategy (NCPS).¹ It forms part of a broader research project aimed at examining the gap between policy and implementation in South Africa, and identifying ways in which it can be closed. Case studies are being performed in four selected sectors – education, justice, water, and health – and on three key policy instruments: the RDP, the Growth, Employment and Redistribution (GEAR) strategy, and the NCPS. Finally, the findings of these studies will be synthesised, and some general conclusions formulated.

The case studies are proceeding in two phases. During the first, researchers have undertaken literature reviews, aimed at identifying the main issues in each sector or policy area and formulating research hypotheses. These will be examined and tested during the second phase, which will be marked by substantive, empirical research.

This paper is primarily concerned with three issues relating to the NCPS: goals, means, and consequences. Analysts have written at length about the gap between the government's policy intentions and eventual service delivery. In the case of the NCPS, the study seeks to explore the gap between policy and implementation by examining these three dimensions.

It will be argued that the NCPS has never been implemented in the manner its architects intended. It was developed as a predominantly informal instrument for social control whose success depended on a number of key external factors, including greater community participation, and higher economic growth and employment rates.² Instead, its implementers prioritised improvements to the formal criminal justice system (CJS), because they regarded this as 'the most urgent and immediate problem'.³ Underlying this approach was the view, as expressed by Dr Bernie Fanaroff, former head of the NCPS centre, that the 'front line of fighting crime is deterrence – and to deter, the system must be more predictable. Criminals must know that they will be caught and processed.'⁴ Perhaps this is clearest admission by a senior government official that the NCPS as conceived by its formulators was incapable of implementation.

A University of South Africa criminologist, Professor Beaty Naudé, says the focus on reforming the CJS reflects the fact that the NCPS was a policy-driven model that was in-

¹ Department of safety and security, *National crime prevention strategy*, Pretoria, May 1996.

² Informal social control entails a variety of measures by parents, schoolteachers, and religious leaders to inculcate respect for the law in children and young adults.

³ Dr Bernie Fanaroff, quoted in Jonny Steinberg, *Star turn? Siyaya, IDASA*: Cape Town, winter 1999, issue 5, p 12.

⁴ *Ibid.*

tended to 'manage crime in order to prevent it'.⁵ A United Nations publication has emphasised the interdependence of formal and informal systems of crime control. It suggests that, without informal social controls, any CJS would soon be overwhelmed by a plethora of crimes and would cease to function effectively.⁶ In the same vein, the publication warns that without a CJS 'to impose the threat of arrest and punishment, informal social controls would face a constant challenge to their legitimacy and credibility'.⁷

The architects of the NCPS perceived it as a 'cross-cutting enterprise' for involving a wide range of policy actors at the national, provincial, and local level. They wanted to see it implemented in a co-ordinated and an integrated manner. They envisaged the creation of an interdepartmental committee to co-ordinate the activities of the national departments charged with implementing the NCPS. This committee, however, tended to disregard or overlook the inclusion of provincial and local government structures.

Addressing an anti-crime summit in May 1997, Jessie Duarte, then Gauteng MEC for safety and security, offered a different account when she claimed that all the departments of:

... government are working together in concert and have begun to adopt a common approach and understanding on how to burrow deep into the causes of crime and to respond not only on a long-term basis but to achieve the flexibility to respond immediately.⁸

Notwithstanding these remarks, two years went by after the publication of the NCPS in May 1996 before the white paper on safety and security announced plans to create an NCPS centre. Besides co-ordination function, the centre was to be responsible for social crime prevention strategies, and facilitating improvements to the CJS.⁹ However, the demise of the centre under president Thabo Mbeki's administration suggests that the inter-agency approach to crime was a failure.

It is argued here that the dynamics of the inter-agency approach pursued by the centre affected the relationship between the goals of the NCPS and the means used to pursue them. We are chiefly interested in this process; in other words, what we seek to examine is the centre's 'black box' (to borrow an aviation term). By examining it we hope to unravel how the workings of the centre led to the failure to achieve the strategy's goals.

This does not mean that we are privy to the workings of the NCPS. We hope to glean this information from interviewing the main actors involved in implementing the strategy. Besides this, we will rely on government reviews (to the extent that these are avail-

⁵ Beaty Naude, The South African National Crime Prevention Strategy: a critique, *Acta Criminologica*, 13 (2), 2000, pp 6-7.

⁶ United Nations, Tenth United Nations congress on the prevention of crime and the treatment of offenders, Vienna, 10-17 April 2000, p2.

⁷ Ibid.

⁸ Jessie Duarte, MEC for safety and security, Address to the Gauteng crime prevention summit, 19 May 1997.

⁹ Department of Safety and Security, White paper on safety and security, 1999-2004, September 1998, p 22.

able) of the implementation of the NCPS. In this way we hope to identify the causes of the discrepancy between the NCPS's objectives and its outcome.

A new approach

It is believed that the concept of 'crime prevention' originated with John Fielding, a pioneering law enforcer in mid-18th century England. Fielding is reported to have said that it was 'much better to prevent even one man from being a rogue than apprehending and bringing 40 to justice'.¹⁰ However, governments and academics have only begun to pay serious attention to crime prevention during the past two decades.¹¹ In this period a large body of literature has developed on the subject of curbing crime via crime prevention programmes. Initially, interest in this subject was (and still is) sustained by criminologists, with politicians joining the 'movement' at a later stage when crime had become too politicised an issue to ignore. Today it is common to hear politicians invoking this concept when announcing their programmes for dealing with rising crime.¹²

However, crime prevention has come to mean many things to many people. Its definition is generally not taken beyond the seemingly tautological statement that crime prevention means 'preventing crimes from occurring',¹³ or the 'prevention of criminal acts'.¹⁴ As a result, the concept hides many assumptions and ideological orientations that are 'often present without being clear or expressed ...'.¹⁵ If they go unchecked, these unspoken assumptions present the policy actors with differing and conflicting criteria for measuring the success or failure of their policies.

Although the NCPS document speaks of a 'common' and 'shared' vision, it does not define the concept of crime prevention. Without a common understanding of this concept, the NCPS will probably not work out as conceived by its formulators.

Notwithstanding these conceptual problems, crime prevention is now held in such high regard that it eclipses traditional law enforcement as an anti-crime strategy.¹⁶ The former refers to pre-emptive measures, and the latter to reactive ones. Some criminologists say the shift towards the former seems to be informed by the realisation that punish-

¹⁰ National Crime Prevention Institute, *Understanding crime prevention*, Boston: Butterworths, 1986, p 12.

¹¹ United Nations, Tenth United Nations congress on the prevention of crime and the treatment of offenders, p 3; and Jon Bright, *Crime prevention in America: a British perspective*, Chicago: The University of Illinois, 1992, p 3.

¹² For instance, in the United States, the United Kingdom, the former Soviet Union, and Eastern Europe. The growing crime rate in the last two has fuelled an interest in crime prevention as a law enforcement tool and a topic for research.

¹³ Lala Camerer, Crime prevention in context, in Mark Shaw and Lala Camerer, *Policing the transformation: new issues in South Africa's crime debate*, IDP monograph series 3, April 1996, p 20.

¹⁴ Gordon Hughes, *Understanding crime prevention: social control, risk, and late modernity*, Buckingham: Open University Press, 1998, p 18.

¹⁵ Johan Deklerck and Anouk Depuydt, A conceptual exploration of fundamental crime prevention, *Acta Criminologica*, 13 (2), 2000, p 57.

¹⁶ Hughes, *Understanding crime prevention*, p 16.

ing offenders does not necessarily reduce crime.¹⁷ Hence there is a view that crime prevention is filling the gap created by the lack of ‘a systematic and effective crime control strategy’.¹⁸

Evolution of the NCPS

The NCPS was evolved by an interdepartmental committee consisting of representatives of the departments of correctional services, defence, intelligence, justice, and safety and security. The process also involved some NGO personnel, who provided the committee with expertise. Later, some non-CJS departments (education, welfare and home affairs) were also involved in implementing the strategy; this was because the policy actors believed that fighting crime was beyond the capacity of the so-called CJS departments (justice, safety and security, and correctional services) alone.

The implementation of the NCPS called for the mobilisation of ‘key government resources in a way that is integrated, co-ordinated, and open to evaluation’.¹⁹ The directors-general of these departments organised themselves into a steering committee that oversaw the implementation of the strategy. However, this committee seldom met, and consequently NCPS co-ordination functions were left to less senior officials. Apparently, this practice continued even after the NCPS centre was established.

Interestingly, before the launch of the NCPS, crime prevention did not feature in South African criminology or policing literature. This literature was preoccupied with pathology, focusing almost exclusively on the causes of rising crime between 1990 and 1995 – a trend largely blamed on the political transition. Even advocates of the transformation of the police service hardly mentioned crime prevention as part of the law enforcement discourse in the new South Africa.²⁰

When policy-makers formulated the anti-crime strategy they acknowledged that effective law enforcement involved focusing less on controlling crime and more on preventing it. The former is a reactive response, involving deploying resources after a crime has been committed; the latter is a proactive response, since it calls for pre-emptive measures addressing the socio-economic causes of (certain) crimes.

International evidence on the success rate of crime prevention strategies is inconclusive. Nevertheless, South African policy-makers were initially optimistic that the strategy would work. Judging by the demise of the NCPS centre, though, there is reason to suspect that crime prevention is no longer the government’s dominant paradigm for solving crime.

The success of crime prevention strategies largely depend on community responsiveness and participation. The United States criminologist Lawrence Sherman notes that ‘the community context of crime prevention may need a critical mass of institutional support

¹⁷ T Jones, T Newburn, and T Jones, *Democracy and policing*, London: PSI, 1994, cited in Hughes, *Understanding crime prevention*, p 16.

¹⁸ National Crime Prevention Institute, *Understanding crime prevention*, p 1.

¹⁹ Department of safety and security, *National crime prevention strategy*, p 6.

²⁰ See, for instance, M Brogden and C Shearing, *Policing for a new South Africa*, London: Routledge, 1993.

for informally deterring criminal behaviour', without which 'neither families nor school, labour markets nor places, police nor prisons may succeed in preventing crime'.²¹

The international literature does not deal with crime prevention as an implementation issue for central or national government; it portrays crime prevention as almost the sole responsibility of local governments and volunteer community organisations. In the United States and United Kingdom, for instance, crime prevention programmes are largely local initiatives – hence the limited role of central government in implementing anti-crime programmes. National governments' only roles are funding projects, and commissioning reviews of anti-crime projects.

This is particularly true in respect of the small number of South African articles on crime prevention. This compels us to examine the international literature on implementation in order to elucidate the issues and/or problems associated with the pursuit of policy objectives. However, much of this literature reflects the experiences of industrialised countries. More specifically, since the NCPS was launched not much has been written on issues surrounding its implementation; most studies have focused on the strategy's impact, or the lack thereof.

Reasons cited for failure

Critics of the NCPS say the strategy has not worked because:

government departments are in survival mode ... and [therefore] concentrate on their core functions. Crime is not the core function of education and welfare, so for them [the Centre's head, Dr Bernie] Fanaroff is just an irritating distraction. He simply does not have the leverage to get what he wants.²²

This suggests that officials in non-CJS departments prefer to focus on their core functions and, given an atmosphere of government fiscal restraint, are reluctant to undertake interdepartmental tasks that stretch their budget allocations. Initially, the NCPS was funded from the RDP fund. Before the demise of the NCPS Centre it was envisaged that NCPS programmes or projects would be financed by participating departments. Some officials probably resisted this development.

The vast literature on policy-making and implementation says these sorts of problems are impediments to inter-agency co-ordination designed to achieve public policy objectives. The literature makes it clear that policy co-ordination should be more than just a matter of declaring one's intentions.

In the real world of policy-making, there is no neat and clear demarcation of boundaries between formulating and implementing policies. Public policy is a dynamic process that is constantly evolving, because it involves 'many people and actions over time'.²³

²¹ Lawrence W Sherman, <http://www.ncjrs.org/works>.

²² Fanaroff, quoted in Steinberg, *Star Turn?*, p 12.

²³ Jarol B Manhein and Richard C Rich, *Empirical political analysis: research methods in political science*, New York: Longman, 1991, p 349.

Majone and Wildavsky have observed that when officials or other agents act to implement a policy, they change it in the process. They describe this evolutionary process thus:

Policies are continuously transformed by implementing actions that simultaneously alter resources and objectives.... It is not policy design but redesign that goes on most of the time. Who is to say, then, whether implementation consists of altering objectives to correspond with available resources or of mobilising new resources to accomplish old objectives?²⁴

When policy-makers reviewed the NCPS in October 1999, they found themselves in the situation (described by Majone and Wildavsky) of having to either alter the NCPS or mobilise new resources to implement it. When do policy-makers reach this critical juncture of adjusting their policy objectives to correspond with resources, or *vice versa*? One way to resolve this problem would be to pay attention to 'changes *through* time' and to investigate 'how "the working of things" changes'.²⁵

The formulators of the NCPS admit that '... crime prevention is a new area of work for many sectors of government'.²⁶ Hence the view that it should be regarded 'as an important milestone which gives direction for the future but [does] not [provide] the final answer to the problem of crime'.²⁷ Therefore, 'the challenge is to find appropriate and sustainable combinations of activities which impact effectively on crime in the long term'.²⁸ Owing to the uncertainty surrounding the future of the NCPS, the 'sustainable combinations' being referred to here may lead to the resurgence of law enforcement as a dominant anti-crime strategy.

In addition, most of the crime prevention policies and initiatives are still being developed.²⁹ In respect of crime prevention, the government admits it is constantly learning 'to ensure substantial improvements in the efficiency and effectiveness of service delivery ...'.³⁰ It usually takes a long time for some policies to achieve their stated objectives, especially if their aim is to change mindsets or modify social behaviour – as the NCPS does.

Some observers attribute the government's implementation problems to the fact that many of the new cadre of politicians and officials in government lack the requisite skills 'to analyse or make policy'. Harsher critics say many of these officials and politicians have tended to regard 'policy as a moral activity'.³¹ According to Job Mokgoro, 'the gaps between multiple policy reform initiatives introduced since 1994 and implementation of these policies seems to be due to policy management capacity shortcomings in govern-

²⁴ Quoted in Paul A Sabatier and Daniel A Mazmanian, *Implementation and public policy*, 1989, p 172.

²⁵ H Hugh Hecló, Policy analysis, *British Journal of Political Science*, 1972, 2, p 93.

²⁶ Department of safety and security, *National crime prevention strategy*, p 6.

²⁷ *Ibid.*

²⁸ *Ibid.*

²⁹ White paper on safety and security, p 28.

³⁰ *Ibid.*, p 38.

³¹ Ann Bernstein (ed), *Policy-making in a new democracy: South Africa's challenges for the 21st century*, Johannesburg, Centre for Development and Enterprise, 1999, p 19.

ment'.³² He attributes this to '... a tendency [on the part of the new ministers and officials] to destroy everything that came from the past, whether it was good or bad'.³³

By contrast, in its report of 1998, the presidential review commission says much can be learnt from the design and operation of the NCPS model.³⁴ It concludes that 'the NCPS re-engineering initiative could result in a significant reorganisation of departmental responsibilities if the senior managers associated with the key departments wholeheartedly embrace the concept'. The report says further: '... this will only occur if there is sufficient pressure from above to overcome departmental efforts to maintain their existing structures'.³⁵ Another favourable view says the model '... is a promising initiative which ... build[s] on the essence of co-operative governance'.³⁶

A United Nations study on crime prevention says the success of crime prevention programmes hinge on the presence of a full-time co-ordinator of the disparate institutions involved in the process. The literature on implementation studies, however, suggests that co-ordination among government departments or agencies is an unnatural phenomenon. Thus Giandomenico Majone notes that:

feasibility analysis is not always taken seriously [because policy analysts tend to] deal explicitly with a few easily quantifiable limitations such as technical or budgetary constraints, but tend to treat political and institutional constraints, if at all, as second thoughts or last-minute caveats appended to an already hardened structure.³⁷

Democratically elected governments invariably face many policy problems whose solutions compete for limited resources. Hence it will be interesting to examine how the inter-agency approach copes with the problems of competing needs and limited resources, which could impede the pursuit of the NCPS objectives.

According to the NCPS document, the promotion of a shared vision and common understanding of crime prevention demands that government departments transcend their parochial interests and move towards an integrated approach in implementing of the NCPS objectives. The inter-agency approach, however, has its share of problems. Some policy actors say the execution of the NCPS has tended to concentrate too much on CJS projects.

In October 1999 the department of safety and security, assisted by consultants, intensively evaluated progress made implementing the NCPS, or the lack thereof.³⁸ The authors

³² Ibid, p 20.

³³ Ibid.

³⁴ Presidential Review Commission, *Developing a culture of good governance*, Pretoria, 27 February 1998. This is a report of the said commission that looked into the reform and transformation of the public service in South Africa.

³⁵ Ibid, p 60.

³⁶ Graeme Götz and Glenda White, *Family therapy? Rethinking intergovernmental relations*, Policy: Issues and Actors, 10(3), Johannesburg: Centre for Policy Studies, March 1997, p 23.

³⁷ Giandomenico Majone, *Evidence, argument and persuasion in the policy process*, New Haven: Yale University, 1989, p 70.

³⁸ At the time of writing, the report referred to has yet to be released. All attempts thus far to gain access to it have been unsuccessful.

of this study have made several unsuccessful attempts to secure a copy of the report. Judging by major restructuring of the NCPS operations since then, the report has had a major impact on the Mbeki government. The secrecy surrounding the report makes it difficult to determine which factors most impeded the work of the centre. It certainly does not assist well-intentioned efforts to find ways of closing the gap between formulation and outcomes.

To reiterate, our concern is to assess the efficacy of a multiple-agency approach to preventing crime, as advocated in the NCPS. As this approach is new to South Africa, we wish to establish how the CIS and other departments implementing the NCPS have dealt with the problems surrounding the multi-agency approach. These include power and bureaucratic politics; misperception and miscommunication; and perceptions of traditional roles and functions, which have always hampered inter-agency implementation.³⁹

Conclusion

There is a widespread belief that the South African government often fails to match its policy outcomes with its policy intentions. Nevertheless, not all government policies suffer the fate of unmitigated failure. A significant exercise is to identify the main factors that prevent expected policy outcomes. As government institutions are supposedly learning organisations, it is crucial to understand exactly how these impediments are overcome or dealt with.

Our point of departure in this study is that the effective implementation of public policy is one of the greatest challenges facing the government as it seeks to provide basic social services to citizens, and consolidate democracy. Therefore, the primary objective of the project of which this study forms a part is to identify how the country's public administration may be improved, thereby enabling it to realise the government's policy intentions more effectively.

In short, the challenge here is to stop and ponder 'possible reasons for the repeated failures before embarking on a search for new solutions';⁴⁰ the second phase of this study will be guided by this consideration. We will examine this subject from two perspectives, namely:

- a) whether the vision of the NCPS is capable of being realised; and
- b) the co-ordination problems (or efforts) of the implementing agency – ie, the Centre.

Earlier on, it was noted that the formulation of a policy does not end when it is adopted; in fact, policy goals are constantly assessed, re-evaluated and adjusted. This process is a learning experience for many policy-makers and implementers. We need to ascertain just how this 'learning' has been carried out in the case of the NCPS.

³⁹ For a detailed discussion of the inter-agency problems, see Graham Allison, *Essence of decision: explaining the Cuban missile crisis*, Harvard: Harper Collins Publishers, pp 178-9; and Bright, *Crime prevention in America: a British perspective*, p 88.

⁴⁰ Majone, *Evidence, argument and persuasion in the policy process*, p 72.