

**AN ANALYSIS OF RACIAL STEREOTYPING OF THE SOUTH AFRICAN POLICE IN
THE TELEVISION PROGRAMMES *CARTE BLANCHE* AND *SPECIAL ASSIGNMENT*
FROM AUGUST 2003 TO SEPTEMBER 2004**

by

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the Philosophy of Journalism at the University of Stellenbosch.



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Declaration

I, the undersigned, hereby declare that the work contained in this assignment is my own original work and that I have not previously in its entirety or in part submitted it at any university for a degree.

An Analysis of Racial Stereotyping – Abstract

The aim of this assignment is to examine two investigative journalism programmes in South Africa, namely *Carte Blanche* and *Special Assignment* in order to ascertain whether two South African policing organisations have been subjected to racist stereotyping on these two programmes. Both these programmes are held in high esteem within South African and international media circles. *Carte Blanche* has won many awards, such as the prestigious CNN African Journalist of the Year Award in 2002. *Special Assignment* won the equivalent award in 2001. The approaches and styles in revealing the truth by using investigative forms of journalism are however slightly different. Both *Carte Blanche* and *Special Assignment* have produced stories from August 2003 to September 2004 that have exposed corruption within the South African policing organisations. Many of the perpetrators within the police force were identified as people of colour. This assignment therefore aims to discover whether racist stereotyping exists in this niche of investigative journalism television programmes. This opens up the possibility for these portrayals to be seen as stereotypical, since the dominant press codes in South Africa stipulates that reference to ‘race’ in news reporting should only be done where it will contribute significantly to understanding the subject matter or if the reference to the race of the person is particularly applicable. This assignment aims to discover whether racist stereotyping exists in this niche of investigative journalism television programmes.

The research method comprised analysing programmes on *Carte Blanche* and *Special Assignment* that dealt with the South African policing organisations from August 2003 to September 2004. The original transcripts of the programmes were retrieved from the relevant websites of *Carte Blanche* and *Special Assignment* and have also been studied. Sources on media ethics as well as newspaper and magazine articles dealing with the South African policing organisations, crime and corruption were scrutinized in order to provide background information for the study. The analyses of the programmes was complemented by interviews conducted with the investigative journalists at the helm of the two programmes, namely, Ruda Landman from *Carte Blanche* and Jessica Pitchford from *Special Assignment*.

OPSOMMING

Die doel van hierdie studie is om twee ondersoekende joernalistiekprogramme in Suid-Afrika, naamlik *Carte Blanche* en *Special Assignment*, te ondersoek ten einde vas te stel of die Suid-Afrikaanse polisiëringsorganisasies in dié twee programme aan rassestereotipering onderhewig is. Albei dié programme word hoog geag in Suid-Afrikaanse en internasionale mediakringe. *Carte Blanche* het reeds verskeie toekennings gewen, soos die toonaangewende CNN Afrika-joernalis van die Jaar Toekenning in 2002. *Special Assignment* het hierdie toekenning in 2001 gewen. Die benaderings en styl wat tydens die bekendmaking van die waarheid gevolg word deur die toepassing van ondersoekende vorme van joernalistiek verskil egter effe. Sowel *Carte Blanche* as *Special Assignment* het van Augustus 2003 tot September 2004 stories opgelewer wat korrupsie in die Suid-Afrikaanse polisiëringsorganisasies aan die kaak gestel het. Baie van die skuldiges in die polisiemag is geïdentifiseer as gekleurde mense. Hierdie studie beoog dus om vas te stel of daar rassestereotipering in hierdie afdeling van televisieprogramme met betrekking tot ondersoekende joernalistiek bestaan.

Ondersoekende joernalistiek is ongetwyfeld een van die stimulerendste afdelings van die joernalistiek. Dit is 'n uitgesproke vorm van joernalistiek wat die vermoë het om die samelewing te beïnvloed. Ondersoekende joernalistiek maak gewoonlik misdrywe aan die publiek bekend. Die konsekwente uitbeelding van gekleurde mense op 'n negatiewe wyse sou kon lei tot die inboet van etiese waardes en dus tot rassestereotipering.

Die navorsingsmetode het behels dat daar van Augustus 2003 tot September 2004 na programme oor die Suid-Afrikaanse polisiëringsorganisasies op *Carte Blanche* en *Special Assignment* gekyk is en dat dit op band opgeneem is. Die oorspronklike transkripsies van die programme is van *Carte Blanche* en *Special Assignment* se onderskeie webtuistes verkry en word as bylaes by hierdie studie aangeheg. Bronne oor media-etiek asook koerant- en tydskrifartikels wat oor die Suid-Afrikaanse polisiëringsorganisasies, misdaad en korrupsie handel, is noukeurig nagegaan. 'n Persoonlike onderhoud is met Ruda Landman van *Carte Blanche* gevoer, en met Jessica Pitchford van *Special Assignment* is 'n onderhoud per e-pos gevoer. Landman en Pitchford was albei betrokke by die samestelling van die betrokke ondersoekende stories oor korrupsie in die Suid-Afrikaanse polisiëringsorganisasies.

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CHAPTER 1: INTRODUCTION

In 1999, the Black Lawyers Association (BLA) and the Association of Black Accountants (ABASA) made an appeal to the South African Human Rights Commission (SAHRC) to investigate allegations of racism in the media. Mike Berger expressed his opinion about the role the media plays in perpetuating racism,

The issue of race and racism in our public life is inescapable. Yet ordinary South Africans manifest an amazing ability to relate to one another as members of the same human family; often much more so than would be suggested from the content of the media (Berger, 2000: 273).

The assumption could be drawn from the above statement that the media does have the power to widen the racial divide in South Africa, instead of bridging the gap between people of different races. “Much of the political debate and media reportage widens the racial divides in this country” (Berger, 2000: 273). Racism is in itself a contentious issue in the new, democratic South Africa. Today, five years hence, racism in the media is a continuing debate. South Africa’s media still appears to be plagued with racism. Racism can however, take on numerous guises, one of them being stereotyping of certain individuals in South African society.

This assignment aims to critically analyse and evaluate whether racial stereotyping exists in the South African investigative media sector, by examining two investigative journalism programmes on television. The media is a vast entity so in order to limit the scope of this study, two television programmes have been selected. The print media sectors in South Africa are perhaps more exposed to criticism from media authorities, due to the printed word that can be read and analysed. On the other hand, television is a more transitory medium. Although, television is a more fleeting medium of communication than the print media sectors, visual images are transmitted to viewers and I believe that television is a powerful medium of communication.

To illustrate the point that television is a powerful medium of communication, I refer to the Truth and Reconciliation Commission (TRC). The events and court proceedings of the TRC were published in the daily South African newspapers. Antjie Krog first published *Country of My Skull* in 1998, to detail the proceedings of the TRC hearings. Krog’s book was made into a feature film in 2003. The TRC proceedings were also broadcast on television. It may be expected that the visual impact of the film and television had a strong effect on South African society.

The powerful effect of visually seeing a mother sobbing about the loss of her child must have had a powerful effect on viewers. Television, although more fleeting than the print media sector, undoubtedly makes a persuasive, visual impact.

For nearly two years between 1995 and 1997, South African television audiences were transfixed by 76 sessions of public testimony by the victims of the apartheid war (*Mail & Guardian*, 2003: 23).

The two television programmes that will be evaluated are *Carte Blanche* and *Special Assignment*. *Carte Blanche*, the investigative journalism television programme has been in existence on M-Net's channel for the past fifteen years. *Carte Blanche* is the only investigative programme in South Africa that existed during the years of apartheid and that still exists today, in the new, democratic South Africa. *Carte Blanche* celebrated its fifteenth anniversary in 2003 and had as the slogan for the milestone anniversary "Carte Blanche 15. We've been exposing the truth for fifteen years. We're only getting started" (The Media, 2003: 17). M-Net is a subscribed television channel whereas *Special Assignment* can be viewed on the South African Broadcasting Corporation's (SABC) channel three. Both television channels and both investigative programmes will be discussed in chapter four of this assignment.

In order to provide a balanced overview of the possibility of the existence of racial stereotyping in the media, two different programmes have been selected for evaluation. *Carte Blanche* on M-Net and *Special Assignment* on SABC 3 have been selected specifically because the former is a programme which is broadcast on a subscribed and therefore a pay television channel. The latter is however broadcast on the public broadcaster channel.

The area under discussion of racist stereotyping is the South African Police Services (SAPS) and the Tshwane Metro Police. The South African government has ordained these policing bodies in order to uphold law and order in South Africa. The Constitution of South Africa came into effect on 4 February 1997 and the laws pertaining to the police is in Chapter 11. In the *United States Country Reports on Human Rights Practices*, published in 1999 and released in 2000, it is stated in the Freedom of Speech and Press section,

The South African Constitution provides for freedom of speech and of the press, and the Government respects these rights in practice. However, law under some circumstances can limit these rights. Several apartheid-era laws that remain in force pose a potential threat to the media. In addition, the Constitution bans the advocacy of hatred based on race, ethnicity, gender, or religion, and that constitutes incitement to cause harm.

Nevertheless, the press freely criticised both the Government and the opposition (U.S. Country Reports, 1999: 6).

Interestingly enough in the same United States Human Rights Practices document it is stated,

Several laws from the apartheid era remain in effect that permit the Government to restrict the publication of information about the police, the national defence forces, prisons and mental institutions. While these laws have not been enforced regularly, journalists perceive them to be a threat to the freedom of press (U.S. Country Reports, 1999: 6).

The above citation from the *U.S. Department of State's Country Reports on Human Rights Practices* has been inserted in order to demonstrate an external perspective of the police in South Africa. The statement that the government can restrict the "publication of information about the police" is troublesome. The media now operate freely in a democratic country and the fact that the government can censor information regarding the police, smacks of the apartheid era laws. Anthony Johnson, a former assistant editor and political editor of *The Cape Times* interviewed the Deputy Chief Justice Pius Langa regarding press freedom in relation to the South African Constitution:

Many would agree that the South African media is one of the freest in the world, protected by a Bill of Rights that is widely praised and envied (Johnson, 2004: 9).

Constitutional Court judgments have located freedom of expression, which facilitates the search for truth by individuals and society in general, as lying "at the heart of a democracy". The court has also described this media-assisted right to know and be nosy, as "one of the essential foundations of democratic society; one of the basic conditions for progress and for the development of every one of its members" (Johnson, 2004: 9).

Free speech is essential in a democratic society. Being nosy and having the right to know is the basis of investigative journalism programmes. Johnson reiterated what has been stated in the Human Rights Practices document.

Well, according to government thinking, it has nothing to do with the dozens of pieces of apartheid-era legislation designed to limit media freedom that have curiously been allowed to remain on the statute books despite repeated entreaties by the media to have them scrapped (Johnson, 2004: 9).

Johnson mentions, "The refusal by police authorities to timeously release vital crime information that has a bearing on public safety (Johnson, 2004: 9). In fact, in October 2004, President Thabo Mbeki was accused of trying to manipulate the crime statistics. Mbeki has in turn been criticised for doing this and the crime statistics debate has in turn reverted into an intense racist debate. It is essential therefore that the police function autonomously of the Government and that South African society be fully aware of what is happening within the police services as an organisation. Mbeki retaliated and defended his statements in his monthly newsletter which can be read on the African National Congress' (ANC) website.

I have commented on the matter of the gathering and compilation of our statistics in some detail because there are some in our country who have questioned their integrity and reliability. Essentially, these people are making the firm assertion that the Police Service, the Ministers responsible for Safety and Security and our Government are together lying to the country when we say that gradually we are winning the war against crime. To communicate this view, one of our newspapers published an editorial headed "Crime stats lack credibility." It said, "Crime statistics released by the government lack credibility. They are not believed by ordinary South Africans who experience the realities of everyday life in this country" (Mbeki, 2004: 2 - 3).

The crime statistics are an indication whether the police are winning the battle of crime in South Africa. The zealous criticism and doubt of the crime statistics has bearing on the police as the organisation that is meant to combat crime in South Africa. The credibility of the statistics as well as of the police has hereby been placed in an uncertain light. The situation becomes worse when the police are depicted in a negative manner by the media. The police have been beleaguered with negative portrayals in the media. Numerous newspaper articles that are seen each day in the media can verify this negative publicity. The headlines in the daily South African newspapers can attest to this negative perception: "*Probe into SAPS 'torture, corruption'*" (The Sunday Independent, 2004: 1). This example serves as one example of headlines of this nature that can be read on a daily basis in the newspapers.

Due to the high rate of illiteracy in South Africa, television is able to reach a much larger portion of South African society. According to the illiteracy statistics released in 2000, it was stated that there are approximately 3, 3 million illiterate adults in South Africa. Television programmes like *Carte Blanche* and *Special Assignment* are accessible to many people and have far reaching effects. *Carte Blanche* also has the capability to reach other African countries by transmitting and broadcasting facilities. "M-Net, South Africa's first private subscription television service

was launched in 1986. Today, it has over 1, 23 million subscribers in 41 countries across the African continent” (Burger, 2002: 136). The average South African on the other hand accesses *Special Assignment* more easily as it is broadcast on the public broadcaster. “Combined the free-to-air channels broadcast in 11 languages and reach a daily adult audience of almost 17 million people via the terrestrial signal distribution network and a satellite signal” (Burger, 2002: 136).

This assignment will analyse and try to establish whether racial stereotyping of the South African Police Services (SAPS) has taken place on *Carte Blanche* and *Special Assignment*. The specific case that will be examined, as an illustration of the problems surrounding the representation of the police on *Carte Blanche*, is the investigation of corruption, in the four-part series of the *Tshwane Metro Police*. The genre of the story is categorised by *Carte Blanche*, under the heading of ‘corruption and scams.’ The four-part story was screened on *Carte Blanche* from August 2003 to August 2004. The investigations by *Carte Blanche* into corruption in the police services, is on-going and follow-up episodes to this series are expected. For the purpose of this assignment, an assessment of the specific case regarding the SAPS as viewed on *Special Assignment* will also be given. The case on *Special Assignment* that will be examined is the story entitled “*Good girls, Bad cops.*” This episode of “*Good girls, Bad cops*” was screened on SABC 3 on 28 September 2004.

The motivation for the choice of these two programmes is that both had far-reaching ramifications. The Tshwane Metro Police stories on *Carte Blanche* were deemed to be important enough that four follow-up stories were executed. The Tshwane Metro Police therefore received much broadcasting coverage and alerted not only policing institutions of corrupt members, but alerted the public as well. The story on *Special Assignment* had far reaching effects too. The broadcasting of this story received much media attention and led to the suspension of the seven corrupt police members.

“Hard-hitting current affairs shows are the very best of South African television. They may not show the country in the best light, but they are best at lighting up the country”

Graeme Addison, 2003: 16.

The South African Police Services (SAPS) and the recently introduced Metropolitan Police (Metro Police) have been overtly beset with criticism by the South African Media. Criticism levelled against these law enforcing bodies range from accusations of police brutality to corruption within the policing organisations.

An example of such criticism can also be found in the booklet called *South Africa Crime Quarterly*. This booklet is comprised of crime and policing related articles written by experts in these fields. Gareth Newham and Lulama Gomomo at the Centre for the Study of Violence and Reconciliation say that,

The huge number of complaints received by the unit suggests that police corruption had reached endemic proportions in South Africa, and that the Anti-Corruption Unit (ACU) was recognised by the public as a structure where complaints of corruption could be made without fear of victimisation. Moreover, the Review of South Africa's National Anti-Corruption Agencies argues in relation to the SAPS Anti-Corruption Unit that 'it is important to retain a specific and dedicated focus on addressing corruption in the Criminal Justice System, which this Unit has done effectively over the years.' Clearly, both perceptions and incidents of police corruption and criminality are a serious problem in South Africa (Newham & Gomomo, 2003: 1).

The SAPS along with the South African media have undergone numerous changes and transformations. The transformations have occurred rapidly in the period from the first democratic elections in 1994 to the third democratic elections in 2004. The police however have also been subjected to derision not only in the apartheid era, but also today in a new, democratically enlightened South Africa.

The purpose of this assignment will be to discover if the two selected investigative journalism programmes that have been selected for the purpose of this study, are guilty of portraying certain sectors of South African society in a racist, stereotypical mode. The South African Media is a vast entity, so for the purpose of this study investigative journalism will be studied. To be more specific, this study will focus on M-Net's *Carte Blanche*'s weekly programme and on the weekly *Special Assignment* programme. *Carte Blanche* has, as mentioned previously, been running successfully for fifteen years in South Africa and is also available in other African countries. The aim will be to discover whether *Carte Blanche* is a niche of the South African Media where representation of stereotypical racism exists. In order to present a comparative view of television reporting, a discussion of one story broadcast on *Special Assignment* will also be completed. The aim of this comparative study of the two investigative journalism programmes is to discover by referring to two examples what type of racist stereotyping the police are subjected to.

South Africa is not the only country that struggles to uphold ethical reporting. Bob Steele of the Poynter Organisation in the USA commented that racial stereotyping is often disregarded as an

ethical transgression. The American Society of Newspaper Editors (ASNE) is a respected institution, but it was found that racial stereotyping was not high on their list of ethical priorities.

It is no surprise that the 33 codes of ethics offered by ASNE member newspapers include a wide range of approaches for handling moral dilemmas. Some are heavy on time-honoured tradition and others venture into the impact of the new technologies at the turn of the new century. About half the codes we examined dealt with the subject of sources and matters of manipulation of photographs. Fewer still dealt with corrections and plagiarism. Missing from many codes were standards or discussion of privacy, deception, identification of juvenile suspects and racial stereotyping (Steele, 1999: 1).

One of the most challenging issues faced by newspapers is dealing with matters of diversity, including the use of race as an identifier in stories and matters of racial stereotyping. Only five of the 33 papers in the USA addressed this issue in their codes. *The Dallas Morning News* deals with this as one of 44 areas addressed in a tightly written 'News Department Guidelines,' which says: Racial identifications are used only when necessary to the story. Racial identification of suspects is used when the description provides enough information to exclude all but a narrow group of people using specific identifiers (such as but not limited to age, weight, height, clothing, hats, scars, hair color, getaway cars, etc.) Questions should be directed to the ranking editors on duty (Steele, 1999: 1).

As Steele says, racial identification is problematic. Newspaper articles can omit many identification marks when talking about a possible suspect. Television on the other hand is much more overt in demonstrating who the perpetrators are. The analysis of *Carte Blanche* and *Special Assignment* is essential as many perpetrators of corruption in the Tshwane Metro Police and SAPS were visually demonstrated as people of colour. Television broadcasting is a much more blatant media instrument that cannot disguise identification markings as it is visually transmitted to the public. The question that arises is whether racist stereotyping of police members has occurred on *Carte Blanche* and *Special Assignment*, due to visually showing black police officers as perpetrators of corruption.

South African journalists do indeed follow codes of ethics. There are ten common denominators in different codes as discussed by Johan Retief in his book *Media Ethics An Introduction to Responsible Journalism*. The ten common denominators in South African ethical codes that Retief identifies are: accuracy, truth and deception, fairness, objectivity, confidentiality, conflict

of interest, invasion of privacy, trauma, and stereotyping and social responsibility. Retief includes stereotyping as an important ethical code that should be adhered to. Steele on the other hand says that racial stereotyping appears to be missing from many American press codes.

CHAPTER 2: DEFINITIONS AND EXPLANATION OF TERMS:

2.1 Ethics

The word *ethics* is derived from the Greek word *ethos*, which means character. According to Johan Retief,

The subject of ethics has now become a science. Like other human sciences, it uses a systematic, reasoned, or rational approach, based on a set of principles to determine what is 'good', or ethical, and what is 'bad', or unethical, in human conduct. It can also be defined as the branch of philosophy that deals with questions of right and wrong, good and evil (Retief, 2002: 3).

Louis Day on the other hand describes ethics as, "The branch of philosophy that deals with the moral component of human life and is usually referred to as *moral philosophy*" (Day, 2000: 2). Day believes that ethics and morals can be viewed as equal partners and says,

Professional ethical behaviour cannot be divorced entirely from the moral standards of society at large. Ethics reflects a society's notions about the rightness or wrongness of an act and the distinctions between virtue and vice (Day, 2000: 3).

Day furthermore says,

There are three branches of ethics, namely metaethics, normative ethics and applied ethics. "*Metaethics* attempts to assign meanings to the abstract language of moral philosophy. *Normative ethics* provides the foundation for decision making through the development of general rules and principles of moral conduct. *Applied ethics* is concerned with using these theoretical norms to solve ethical problems in the real world (Day, 2000: 19).

Racism is a contentious issue within the South African media and is an ethical issue that needs to be investigated. Retief refers to the Press Ombudsman of South Africa that has been instituted to monitor media institutions that are found to be guilty of racist stereotyping. In addition to the Press Ombudsman of South Africa, the Broadcasting Complaints Commission of South Africa (BCCSA) is the institution that is responsible to monitor and handle ethical complaints in the broadcasting sectors of the South African media.

The matter of racism is very much an issue in South Africa, so it is understandable that the ethical codes give a lot of attention to the issue. After the initial inquiry of the South

African Human Rights Commission into alleged racism in the South African media, some effort has been made to clarify this issue further. The Ombudsman's code states that the press should avoid discriminatory or denigratory references to people's race, colour religion, sexual orientation or preference, physical or mental disability or illness, or age (Retief, 2002: 43).

The matter of racial stereotyping is therefore perhaps easier to notice in the print media sectors than on television. Television broadcasting has the ability to visually present people in a discriminatory light without the written word.

Every media institution has a code of conduct in order to uphold the ten common denominators of ethical journalism. The SABC for example maintains that the denominator of stereotyping can be avoided and the SABC code of conduct states,

The SABC says it shall be aware of the danger of discrimination being furthered by the media, and shall do its utmost to avoid promoting such discrimination based on gender, race, language, culture, political persuasion, class sexual orientation, religious belief, marital status, or physical or mental disability (Retief, 2002: 44).

2.2 Racism

“Racism is a very primitive reaction” – Max du Preez (Carte Blanche, 2004).

The *Concise Oxford Dictionary* defines racism as “A belief in the superiority of a particular race; prejudice based on this and antagonism towards other races especially as a result of this” (1991: 986). Racism is a particularly thorny and problematic issue in South Africa. Although South Africa has witnessed a colossal transformation from an entrenched history of racism to the democratic society of today, unfortunately racism still appears to hinder many sectors of South African society.

Teun Van Dijk is a Professor of Discourse Studies at the University of Amsterdam and he specialises in the study of racism. Van Dijk's statement that dominance takes on many forms is highly specific to the South African context of racism. History has shown that peoples of non-European descent in South Africa have been subjected to racism in many guises. The white supremacy dominated all sectors of society and dominated the political landscape.

Numerous studies as well as the continuing experiences of minority group members with overt or more subtle forms of ethnic or racial prejudice and discrimination have shown

that western societies are racist. Contemporary racism is a complex societal system in which peoples of European origin dominate peoples of other origins, especially in Europe, North America, South Africa, Australia, and New Zealand. This form of dominance may take many forms of economic, social, cultural and/or political hegemony, legitimated in terms of, usually negatively valued, different characteristics ascribed to the dominated peoples (Van Dijk, 1991: 24).

Given the history of South Africa, it is to be expected that there be concern over balancing the right to freedom of expression against other human rights that have been violated in the past. Of particular prominence is the issue of race relations and racism. Thus far, legislation regarding hate speech has only addressed the area of religion, but a recent set of events promises to result in at least some legislation with regard to race relations and racism (Fourie, 2001: 585).

Due to the history of racism in South Africa the South African Human Rights Commission (SAHRC) decided to launch an investigation into allegations of racism in the South African media. In 1988, the SAHRC began investigations of the allegations of racism in the media. “Finally, in August 2000, the SAHRC issued its final report, concluding that the South African media was indeed racist” (Fourie, 2001: 585).

The Institute for Justice and Reconciliation, based in Cape Town recently conducted a race relations survey. It was found that, “40 per cent of South Africans mistrust people of other race groups” (Hooper-Box, 2004: 2). The survey concluded that, “More than a third of all South Africans never have any cross-racial contact during an average week day, whether at work or otherwise” (Hooper-Box, 2004: 2). The race relations problem can easily be exacerbated by the manner in which people are portrayed in the media. If people of a particular race are habitually portrayed in a stereotypical manner, then race relations will not be effected.

In the context of the discussions of racism in the media, Sarah Crowe demonstrated the difficulties that the media face in the new South Africa.

Never before has the South African media been so free, so diverse and so large. But ironically there are now probably more self-imposed limitations on the media than in the past. The apartheid era gave the media a straightforward “mission” – either you were for it and defended it with all the force of discriminatory and oppressive laws behind you or you were against it and negotiated your way through a minefield of legislation with the

backing of anti-apartheid lawyers and colleagues who shared your values. It defined everything an editor did.

Today the media finds itself choking on the sweet air of new freedoms, trapped in a racial purgatory characterised by patriotic praise singing or thinly-veiled bigotry. There is a great need now for a more astute and nuanced response from editors and journalists (Crowe, 2003: 22).

The 'racial purgatory' that Crowe mentions is very poignant. When exposés or racial issues are brought to the attention of South African society by the media, very often accusations of racism are made. In examining the possibility of racial stereotyping as viewed on *Carte Blanche* and *Special Assignment*, impartiality will be practised, bearing in mind what Crowe has stated. Very often the media as the messenger is shot at even before relevant proof of racism is verified. This sentiment echoes the *Faultlines* report regarding the investigation of racism in the media. Claudia Braude who compiled the report was criticised, as she appeared to have accused the media of racism even before she began the investigation as laid out by the South African Human Rights Commission (SAHRC).

2.3 Stereotypes

The word *stereotype* does invoke negative connotations.

The word 'stereotype' is today almost always a term of abuse. This stems from the wholly justified objections of various groups – in recent years, blacks, women and gays, in particular – to the ways in which they find themselves stereotyped in the mass media and in everyday speech (Dyer, 2000: 245).

Walter Lippmann, the illustrious American author and columnist was the first person to coin the phrase stereotype and to introduce this concept into modern society. Lippmann introduced the concept of the stereotype in 1922. Lippmann originally did not intend the word *stereotype* to have completely negative connotations.

For the attempt to see all things freshly and in detail, rather than as types and generalities, is exhausting, and among busy affairs practically out of the question.... Modern life is hurried and multifarious, above all physical distance separates men who are often in vital contact with each other, such as employer and employee, official and voter. There is neither time nor opportunity for intimate acquaintance. Instead, we notice a trait, which

marks as well known type, and fill in the rest of the picture by means of the stereotypes we carry about in our heads (Day, 2000: 388).

The sentiment expressed by Lippmann echoes Hooper-Box's sentiments surrounding stereotypes. Stereotyping combined with the racist history in South Africa is a toxic mixture.

Louis Day also reiterates what Lippmann means with his definition of stereotypes.

In other words, stereotypes are an economical way of viewing the world. Because individuals cannot personally experience most of the events in which they have an interest, they rely on the testimony of others to enrich their impoverished knowledge of the environment. The mass media, of course, are an important window for this vicarious experience and function as our eyes and ears for that part of the universe we cannot directly observe (Day, 2000: 388).

The focus of this assignment is on stereotypes. The focal point is especially the manner in which the police in South Africa are stereotyped as corrupt and brutal. The preoccupation of this stereotyped role that the police have been compartmentalised in could have detrimental effects on up-holding law and order in South Africa. I say this due to the fact that crime is a preoccupation of South African society in general. The police if habitually shrouded in the stereotypical role could be hampered to make progress with eliminating and dealing with crime effectively. Whether this stereotyped role is a misconception or reality is the focus of this study.

Pieter Fourie defines a stereotype from the perspective of the theory of binary oppositions and the theory of social myths. Fourie says, "Stereotypes are a reflection of or the nature of people to think in terms of oppositions and differences and to think in terms of socially conditioned beliefs" (Fourie, 2001: 469). He believes that stereotypes are represented in two significant manners. In other words stereotypes are born due to the way in which the media portray and represent events and the manner in which the media portray people or groups of people. The representation by the media therefore creates stereotypical images of people or groups.

Stereotyping is a very important topic of discussion in South Africa due to the history of racial segregation as mentioned in the introduction of this assignment.

The question of stereotyping is of special importance in South Africa – a society known for its tension and conflict between different racial, ethnic and language groups. Many people believe that much of this tension is caused by the negative perceptions people of different race, ethnic and language groups may have of each other (Fourie, 2001: 470).

In fact the issue of stereotyping by certain media institutions resulted in the South African Human Rights Commission's (SAHRC) official enquiry into racism and racial stereotyping. The enquiry into racism in the media began on 11 November 1998.

Johan Retief reiterates Fourie's sentiments that stereotyping is of great significance in South Africa due to the history of segregation.

The issue of stereotyping is a particularly relevant and important one for South Africa. Stereotyping is a process that mainly targets ethnic, racial, religious, sexual, and physical groups. In certain respects – mainly, of course, the racial one – this country's troubled past makes the issue of stereotyping even more sensitive than it is in other countries (Retief, 2002: 193).

The theory of stereotyping cannot be viewed as an isolated theory as it leads to other concepts and has many consequences and ramifications. Stereotyping can lead to and play a major role in prejudice, xenophobia, racism and discrimination. These concepts are central in order to understand the ramifications and consequences of stereotyping. Thomas Sullivan, Professor of Sociology at Northern Michigan University in America, specialises in social psychology and although the research conducted in his book *Social Problems* deals with and uses American case studies, which are however, relevant to the South African context as well.

A number of psychological factors can play a part in the emergence of prejudice and discrimination. One psychological factor involves the human tendency to categorise. The physical and social world is sufficiently complex that we need to simplify it by thinking in terms of general categories or by lumping together the elements that have something in common. Categories, however, can become stereotypes – rigid and oversimplified images in which each element or person in a category is assumed to possess all the characteristics associated with that category. Thus, stereotyping can contribute to prejudice and discrimination (Sullivan, 1997: 210).

Sullivan continues to say that,

Prejudice and discrimination can arise when people become frustrated by their inability to achieve sought after goals. Psychologists have shown that frustration can lead to aggression in both overt and covert forms. Aggression can be expressed by direct physical assaults or through prejudice or discrimination. One form this aggression can take is scapegoating, or placing the blame for one's troubles on an individual or group incapable of offering effective resistance. This happened, for example in the southern

United States between 1880 and 1930 when thousands of blacks were lynched by angry mobs of whites, many of whom were suffering from unemployment or other economic difficulties. Such racial hatred and discrimination can serve as a form of release for frustrated people, offering the hope, however false, that they are attacking the true source of their difficulties (Sullivan, 1997: 210).

Prejudice by itself can be relatively harmless, but it can become destructive when it fuels discrimination. Discrimination marks the spot where the social problems surrounding race and ethnic relations begin. In modern societies, discrimination against minorities has had a detrimental impact, although some groups benefit in the short run (Sullivan, 1997: 211).

Sullivan has identified four important consequences of discrimination, all of which can have profound societal implications and ramifications. Firstly, he says that discrimination can force some groups into disadvantageous positions in the stratification system and can adversely affect their chances in life. Secondly, discrimination can distort the perception that people have of themselves. Sullivan says, "Those who feel the brunt of discrimination may come to accept the devalued and stigmatised view of themselves that is implied by their powerless and on the bottom of society" (Sullivan, 1997: 211). Thirdly, discrimination can create tense, hostile and sometimes hostile encounters between dominant and minority group members. Lastly, discrimination can undermine social and political values and institutions.

2.4 Racial stereotypes

The term stereotyping is furthermore complicated in the South African context. Stereotyping is very often linked to race. Racial stereotypes have emerged in the era of democracy. This could be attributed to the racist history in South Africa. It is a well-known fact that the police services during the apartheid era comprised of mainly white members. Today in the new, democratic South Africa the police services is comprised mainly of black members. Martin Schönteich researched the statistics of the races of police officers in the apartheid era and in the new, democratic South Africa. The article entitled *The White Right*, published in March 2003 in the *South Africa Crime Quarterly* booklet indicates Schönteich's statistics and findings,

In mid-1991 some 43% of the police personnel in the former South African Police (SAP) were white. Officers' ranks were virtually exclusively white. Even in mid-1994, some 95% of the officer corps in the SAP were white. At the end of 2002 the picture looks very

different: just over a quarter (26%) of all police personnel in the SAPS are white, and just under half (48%) of the commissioned officers and 22% of the non-commissioned officers are white (Schönteich, 2003: 4).

Notwithstanding this huge change in this sector, the police have not shed the stereotypical role of being corrupt and brutal. Newham and Gomomo comment on police corruption,

In 1996 the SAPS established its first internal anti-corruption unit to tackle what was identified as a growing problem of police corruption. Seven years down the line, combating corruption is still a national priority of the SAPS (Newham & Gomomo, 2003: 1).

Although this study is not determined to find out to ascertain whether the SAPS police members are corrupt or not, but is rather focusing on the portrayal of police members by the media, it is essential to understand the various studies of corruption in the police. Newham and Gomomo drew an interesting observation from their study into corruption and drew the conclusion that,

The ACU (Anti-Corruption Unit) was perceived as being racist, as most of its commanders and many of its members were white, while most of the members investigated by the unit were black (Newham & Gomomo, 2003: 4).

The media and especially investigative journalism programmes like *Carte Blanche* and *Special Assignment* should be mindful of the portrayal of the police members that are depicted as corrupt. If the portrayal of a certain racial group is depicted habitually when covering investigative stories of corruption, then this could lead to racial stereotyping.

South Africa is however, not the only country that has witnessed the emergence of racial stereotypes. The creation of racist stereotypes can also instil feelings of xenophobia in people. As the racial barriers are being degraded in the new South Africa, habitual stereotyping of certain people in particular sectors of South African society can lead to sentiments of xenophobia.

2.5 Investigative Journalism

It is often said that journalism is the first rough draft of history; by contrast, *investigative* journalism provides the first rough draft of legislation. It does so by drawing attention to failures within society's systems of regulation and to the ways in which those systems can be circumvented by the rich, the powerful and the corrupt (De Burgh, 2000: 3).

Corruption indeed does appear to be one of the main drawbacks within South African society. The large-scale emergence of corruption in the new democratic South Africa in government departments is widespread. Investigative journalism programmes such as *Carte Blanche* and *Special Assignment* are essential media programmes, which highlight to the South African public where cases of corruption exist.

Looked at in this way, investigative journalism can be interpreted as simply a weapon in the battles between two competing powers, media and authority, to set the public agenda (De Burgh, 2000: 67).

The exposure of corruption for instance by investigative journalism programmes are essential for a truly democratic society. Patrick Laurence described what corruption could do to a society. “Corruption is a cancer that destroys societies. The government has put in place measures to halt its growth, but still has to prove it can co-ordinate and implement them vigorously” (Laurence, 2003: 2).

There is no clear consensus on the definition of investigative journalism. Marilyn Greenwald in the book *The Big Chill Investigative Reporting in the Current Media Environment* published in 2000 drew upon the opinions from various journalists, editors and readers to define exactly what entails investigative journalism. Two editors, William Gaines and John Wicklein described investigative journalism as, “Reporting that reveals something contrary to versions of events offered by government, business or other authority or reporting that addresses a social ill” (Greenwald, 2000: 58). Another definition proposed that investigative journalism reports the ills or wrongdoings or violations of the law.

J. Herbert Altschull in *From Milton to McLuhan* published in 1990, proposes a different perspective regarding investigative journalism. Altschull says,

At one level, of course, “investigative” journalism is a redundant concept, since *all* journalism requires some kind of investigation on the part of the reporter. At another level, the investigative journalist is expected somehow to dig more deeply behind the “fact” than the ordinary reporter. The term is difficult to define – and some newsmen scoff at the very idea of an investigating journalist. Even so, courses in investigative reporting have become commonplace in schools of journalism, and many students make it clear their goal in the field is to become an investigator. However the term is defined, philosophically the investigative reporter sees himself or herself as the Conscience of

Society, pursuing corruption in high places without fear or favor, the incarnation of the New Muckraker (Altschull, 1990: 288).

The idea could be believed that investigative journalism is a somewhat unconventional method of journalism. On the one hand as Altschull mentions, investigative journalism as the 'Conscience of Society' and yet on the other hand proposes the idea that investigative journalism is regarded as 'muckraking'.

To some, muckraker is a dirty word, the embodiment of all the excesses of the yellow press; to others, it epitomizes the virtues of a democratic press, of the journalist as indeed the tribune of the people (Altschull, 1990: 271).

As long as the word 'muckraking' is attributed to investigative journalism in a negative context, then it cannot serve as the 'Conscience of Society'. A certain amount of muckraking and undercover work is required in order to fulfil the aims of investigative journalism. The goal of the investigative journalism programmes discussed in this assignment, is indeed to uncover and expose corruption within the police. It is rather ironic that the people who are meant to be upholding the laws in South Africa. i.e. the SAPS have been exposed in investigative programmes, such as *Carte Blanche* and *Special Assignment*, actually as the people who are breaking the laws by extorting money and being involved in corruption scams.

Freelance journalist and columnist for *The Sunday Times*, David Bullard, presented his view of investigative journalism in South Africa,

Investigative journalism is essential if we are to preserve democratic values. Left to their own devices politicians will get up to all sorts of skulduggery and it's up to honest hacks to catch them out and make them pay for their misdemeanours. Or so we are told. The greater truth is that investigative journalism is much better for newspaper sales than it is for upholding democracy. Television programmes like *Carte Blanche*, *Third Degree* and *Special Assignment* regularly win awards because they go where no other journalists dare to tread. They make exciting viewing, but do they make any difference? Sometimes they do because they arouse public awareness on an issue, but generally the effect of investigative journalism in South Africa is to send the politicians running for their spin-doctors. It's a battle of resources and the government has considerably greater resources than the media, who only have one chance to get their message across (Bullard, 2005: 1).

CHAPTER 3: THE SOUTH AFRICAN POLICE SERVICES (SAPS) AND THE METROPOLITAN POLICE

3.1 Background and the perception of the SAPS during the Apartheid Era

Three major political events occurred between 1960 and 1977, which would forever change the South African political state of affairs. The three major political occurrences were: On 21 March 1960, the massacre at Sharpeville, on 16 June 1976, the uprising of the black schoolchildren in Soweto and on 12 September 1977, Steve Biko died in police detention. All of these three major events involved the South African police. The police in all three events demonstrated immense brutality. The death of Steve Biko in police detention up until now has not as yet been resolved.

Sixty-nine people were killed and approximately 180 people were wounded by the police at Sharpeville, near Vereeniging on the 21st of March 1960. The massacre was condemned across the world as an atrocity against humanity. Today, to commemorate the atrocity of Sharpeville the 21st of March is a South African national holiday known as Human Rights Day.

The 16th of June 1976 will certainly be the day that will be remembered in South African history. Since the inception and institutionalisation of apartheid in 1948, the year 1976 will be remembered as the most violent and conflict ridden year.

In June 1976 the name of Soweto hit newspaper headlines around the world. When police and army troops opened fire on protesting schoolchildren, the world was shocked. This has had repercussions that are still felt today (Farrow, 1999: 36).

Today, to remember the death of the schoolchildren in Soweto, the 16th of June is a public holiday and is commemorated as Youth Day.

The South African Police Services (SAPS) consisted predominantly of white members until the advent of democracy at the beginning of the 1990's. "In mid-1991 some 43% of the police personnel in the former South African Police (SAP) were white. Officers' ranks were virtually exclusively white" (Schönteich, 2003: 4). The utter brutality that was demonstrated on behalf of the police during the Soweto uprisings of 1976 is indisputably difficult to forget.

Stephen Bantu Biko or more traditionally called Steve Biko was another evident victim of the South African security police. Biko began the Black Consciousness Movement in the early 1970's. Biko was at that time a young medical student at the University of Natal Medical School. Biko, "Sought to instil a sense of pride in being African and acknowledge an entitlement to equal

rights – political, educational and social” (Farrow, 1999: 36). Biko was constantly harassed and died at the young age of thirty-one in police detention.

Biko was detained and interrogated four times between August 1975 and September 1977 under Apartheid era anti-terrorism legislation. On 21 August 1977 Biko was detained by the Eastern Cape security police and held in Port Elizabeth. From the Walmer police cells he was taken for interrogation at the security headquarters. On 7 September *‘Biko sustained a head injury during interrogation, after which he acted strangely and was uncooperative. The doctors who examined him (naked, lying on a mat and manacled to a metal grille) initially disregarded overt signs of neurological injury.’* On 11 September Biko had slipped into a continual, semi-conscious state and the police physician recommended a transfer to hospital. Biko was, however transported 1 200 km to Pretoria – a 12-hour journey which he made lying naked in the back of a Land Rover. A few hours later, on 12 September, alone and still naked, lying on the floor of a cell in the Pretoria Central Prison, Biko died from brain damage (TRC Report, 1999).

The incidences of police brutality and subsequent cases that have not been solved that occurred during the apartheid era have perhaps created an image of the police that is not easy to overlook. The incidences that occurred in the past have perhaps created a negative image of the police and the stigma of police brutality and corruption has perhaps been carried over into the present day. The Independent Complaints Directorate (ICD) published the results of the number of complaints against members of the police services. “When it was created, the ICD was seen primarily as a mechanism for investigating and deterring human rights abuses by members of the SAPS” (Bruce, 2004: 1). The ICD results published stated,

The number of complaints against members of the police service received by the Independent Complaints Directorate (ICD) in the 2003/04 financial year increased by 32,4%, ICD investigations manager Tommy Tshabalala said on Wednesday. Briefing the National Assembly’s safety and security committee, he said the ICD received 5 882 complaints – falling within its mandate – against police officers between April 1 last year and March 31 this year, compared to the same period in 2002/03, when 4 443 were received. In the case of deaths in police custody or as a result of police action, an increase of 31,3% was recorded – for a total of 693 cases (News 24, 2004: 1).

3.2 The public perception of the SAPS and the Metropolitan Police in the new, democratic South Africa

The media has played a large role in influencing the public's perception of the police. The perception of the police appears to be negative and people distrust the police. It is impossible to divorce the perception of the police in the apartheid era to what they are today. The above extract of police brutality regarding Biko serves to illustrate that the idea of the police during the apartheid era was largely negative. Brutality occurred in a different context than it is today in the new, democratic South Africa. Today the negative idea of the police is largely based on the premise that they are corrupt. The media's portrayal of the police may play a role in the negative perception of the public.

The Sunday Independent article mentioned previously, "Probe into SAPS 'torture, corruption' " is an illustration of the negativity that shrouds the SAPS today. *The Sunday Independent* article discussed the revelations of corruption that were made on *Carte Blanche* regarding corruption in the Serious and Violent Crimes Unit (SVC).

Mpumalanga's police commissioner has ordered a top-level investigation into allegations of torture, bribery and corruption within the province's serious and violent crimes unit. The investigation started last week amid allegations of apartheid-era torture methods used by members of the unit against the detainees at police cells in Witbank and Middelburg (Molwedi, 2004: 1).

In chapter six a discussion with Ruda Landman reveals her opinion on corruption in the SAPS. Landman reiterated the fact that one should not accept or believe that corruption is rife in every sector of the SAPS. Landman believes that corruption is more common in the specialised units of the police.

3.3 Breaking down the 'cop' culture

The public's perception of the police that has perhaps stereotyped them is not the only perspective that has to be examined. The police or cops as they are more commonly referred to also perhaps have a stereotypical view of the public. Francisca Nel and Jan Bezuidenhout wrote a book entitled *Human Rights for the Police*. Nel and Bezuidenhout say,

Police the world over have a tendency to see themselves as apart from and somewhat better than the rest of the population. They develop stereotypes of civilians on the basis

of their contact with other sectors of the population, and on the basis of the predominantly interventionist context in which they meet civilians (Nel & Bezuidenhout, 1995: 37).

Nel and Bezuidenhout explain that the police themselves could have stereotypical views of the public. These views are created due to their lives spent in 'enclosures.'

Police tend to spend their lives in what sociologists sometimes refer to as 'dreadful enclosures.' Their professional circles are also their social circles; the families of police personnel often live in single quarters, state-provided housing or flats. The police agency arranges most of the social events, provides religious and counselling staff, publishes in-house magazines – all of which results in limited opportunity for alternative ideas to be circulated (Nel & Bezuidenhout, 1995: 37).

Both above mentioned extracts serve as a demonstration that there is indeed a flip side to the coin. One probably has to approach the analysis of the two television programmes mentioned in this assignment by bearing in mind what the actual realities and personal dilemmas that face the police are.

The second concept that one has to bear in mind is whether it is the policeman living in the single quarters or higher ranking officers that are corrupt. Have all the police, irrespective of their rank in the police force been possibly faced with racist stereotyping when only a few are actually guilty?

The 'cop culture' theory proposed by Nel and Bezuidenhout has been mentioned here in order to achieve a greater understanding of the real life situations in which the police find themselves. The two investigative programmes discussed in this assignment illustrate the misdemeanours committed by the various policing authorities, but it is essential to understand the police in order to understand why there are high incidences of police brutality and corruption.

Police corruption is not limited to South Africa. It is a problem that has been encountered around the world, throughout history, wherever there are police agencies. It is now generally recognised that corruption is an occupational hazard of policing – where there are police officials with powers to investigate crime and enforce the law, there will be individuals and organised groups who will try to influence these officials. They will typically attempt to do so by offering the police officials cash or other rewards (Newham & Gomomo, 2003: 1).

The above statement by Newham and Gomomo does place all police officers in a compromising light. The police “around the world” have been placed in a stereotyped corrupt role.

CHAPTER 4: INVESTIGATIVE JOURNALISM IN SOUTH AFRICA

4.1 The importance of investigative journalism

“Throughout the 20th century, its name may have changed from Muckraking to investigative reporting, but its goals have remained the same: to bring about positive change in existing laws or to expose wrongdoing” – Greenwald, 2000: 4.

Gene Roberts is Professor of Journalism at the University of Maryland. Roberts was the executive editor of the *Philadelphia Inquirer* over a total of eighteen years and under his editorship, the newspaper won seventeen Pulitzer Prizes. His foreword in *The Big Chill Investigative Reporting in the Current Media Environment*, demonstrate the importance of investigative journalism.

A news organization’s comfort level with investigative reporting is a litmus test, of sorts, of how seriously it undertakes its obligation to inform the public. A newsroom that doesn’t dig deep for some of its news is saying, in effect, that all the important news is at or near the surface (Greenwald, 2000: vii).

I agree with Roberts’ statement. Too often the news that is presented to the public is a rushed version of current news affairs, which often lack in-depth coverage of what is actually happening in the society that is affected. Although Roberts’ sentiments are related to the situation in the United States of America, I believe that the situation described has bearing on the South African context.

Further on in this assignment, an interview with Ruda Landman from *Carte Blanche* reveals her view of investigative journalism. Landman reiterated the fact that often news stories and especially investigative stories are presented to society in a manner that is acceptable to that society. Investigative stories often dig too deep and raise thorny issues that could be unpalatable to certain sectors of society. I believe that the exposures of the so-called thorny issues are essential to the functioning of a truly democratic society. South Africa in particular has recently been beleaguered by charges of corruption in civil society. The manner in which the media present these issues is essential for society and the public to understand what is happening in the country. Sometimes the media could misuse the power bestowed on them and investigative stories could present stories of corruption in a biased or inaccurate manner. Investigative journalism could however inadvertently stereotype certain people that are the subjects of the investigation.

4.2 Investigative journalism and The Information Scandal in 1978

The origin of investigative reporting began in the United States of America (USA). The popular belief is that the Watergate disclosures in the 1970's signalled the beginning of investigative journalism. Rosemary Armao states in *The Big Chill Investigative Reporting in the Current Media Environment*, that Benjamin Harris initiated investigative journalism in 1690 with the news publication, *Publick Occurrences*. "...an exposé that focused on French soldiers tortured by the Indian allies of the British Army" (Greenwald, 2000: 36). Investigative reporting in the USA had far reaching effects and certainly set a precedent for investigative reporting elsewhere in the world.

Journalists like Drew Pearson and his protégé, Jack Anderson, investigative columnists who covered Congress and Washington D.C., for more than half a century; broadcaster Don Hewitt, executive producer and creator of *60 Minutes*, the first 'newsmagazine' to put a high priority on investigative reporting; I.F. Stone, whose *I.F. Stone's Weekly*, launched in 1953, set the standards for investigative reporting for decades to come; Seymour Hersh, who conducted his investigation of the My Lai massacre during the Vietnam War while he was a freelance writer; and Bob Woodward and Carl Bernstein, *Washington Post* reporters who helped bring down a U.S. president (Greenwald, 2000: 4).

Ruda Landman in a personal interview, discussed in chapter five of this assignment, said that according to her investigative reporting began in South African when B.J. Vorster, the Nationalist Prime Minister, resigned from office in controversial circumstances.

Trewhella Cameron explains in *A New Illustrated History of South Africa* that the Information Scandal of 1978 was the beginning of South Africa's media questioning of what was happening in the South African government.

In the main Vorster's policy of détente was a failure. In addition the Information Scandal towards the end of Vorster's period of office contributed even further to South Africa's already tarnished image abroad. The new Prime Minister, P.W. Botha, acceded to office in 1978 under difficult circumstances (Cameron, 1991: 298).

A brief description of the Information Scandal according to Cameron is detailed below. The Information Scandal began with the appointment of Judge A. Mostert who was appointed to investigate exchange control malpractices. Mostert was highly troubled with the information that he gleaned about the Department of Information, that he decided to reveal his findings to the

media. Due to Mostert's investigations into the department he found that the National Party was involved with the purchasing of newspapers in order to control what the English press would publish.

They included the use of public funds for National Party political ends to buy control of English-language newspapers inside and outside South Africa, which had resulted in the founding of a new daily, *The Citizen* (Cameron, 1991: 314).

As soon as P.W. Botha was inaugurated as South Africa's new Prime Minister, he closed the Department of Information down and dismissed Judge Mostert. Although a new judge, R.P.B. Erasmus was appointed, Vorster still resigned, citing health reasons as the cause for his resignation. The media in the late 1970's in South Africa were unable to be as vociferous as today. Any media institution that did not tow the official Nationalist Government line was vehemently criticised or silenced with censorship.

It is important to recognise that the Information Scandal signalled the beginning of the media questioning information that was simply put forward to them. The other significant milestone in South Africa's history of investigations and enquiries into the media was the start of The Truth and Reconciliation Commission (TRC). An explanation of the TRC is presented in chapter four.

With this understanding of the background and origin of investigative journalism in the USA as well as in South Africa, the following section details the investigative journalism of *Carte Blanche* and *Special Assignment*. Louis Day in *Ethics in Media Communications: Cases and Controversies*, published in 2000, expounds his theory of moral reasoning, known as the *SAD Formula*. The four-part stories are analysed according to Louis Day's model of moral reasoning. Firstly, the facts surrounding the four-part story will be described and then analysed and then a decision will be made to assess whether *Carte Blanche*'s reporting of the *Tshwane Metro Police* stories are ethically acceptable or not.

There are three types of moral reasoning theories according to Day. Firstly, the teleological theory, which is based on the moral agent's actions. Secondly, the deontological theory, in which moral duties and motives are deemed to be more important than the consequences. Thirdly the virtue theory according to Day focuses more on the character than moral behaviour (Day, 2000: 72).

4.3 *Carte Blanche* on M-Net

Graeme Addison proposed his view of hard-hitting current affairs shows in the monthly, *The Media* magazine. He said that actuality television programmes such as *Carte Blanche* and *Special Assignment* do matter as,

They strike at the heart of our national identity and call attention to the ills of the rainbow nation. The box is forever renewing its image of South Africans as a nation at the end of the universe, banqueting, as it were, on the truth – one of the fruits of our newfound freedom. We are uniquely fortunate to be living in this time and place, beyond apartheid, beyond the experience of most other societies. Pain mixed with pride in self-examination is the trademark of our special brand of documentary TV (Addison, 2003: 16 - 17).

It appears as if *Carte Blanche* certainly set the precedent of investigative journalism programmes in South Africa when Bill Faure of M-Net dreamed up the idea for this hard-hitting current affairs programme in 1988.

George Mazarakis, the executive producer of *Carte Blanche* said that Audience Ratings (ARs) are of no major concern for the show as, “With a fee-paying audience it is not in direct competition with free-to-air e.tv or public broadcaster SABC. Nevertheless, *Carte Blanche* ARs hover around 2.5 – 3” (Addison, 2003: 20). Mazarakis also explained, “*Carte Blanche* sees itself as a magazine actuality programme with strong investigative elements, so it carries ‘wacky human interest features’ along with more combative material” (Addison, 2003: 20). The executive producer of *Carte Blanche* also maintains that the formats and styles of his programme and *Special Assignment* are totally different in the sense that his show is presenter led and covers a number of stories in one episode. *Special Assignment* on the other hand, does not have a presenter and only focuses on one issue per episode. The similarity between both programmes is that, “Both draw on a culture of investigative journalism, owing much to both broadcasting and newspapering experience” (Addison, 2003: 20).

Although the formats and styles of *Carte Blanche* and *Special Assignment* are different, the link between the two programmes is that they both use investigative journalism techniques to bring to the fore and expose social ills that are found within South African society. Both programmes have investigated corruption. This study is focusing within a thirteen-month timeframe from August 2003 to September 2004. The two most prominent stories on the police namely the four part *Tshwane Metro Police* stories on *Carte Blanche* and *Good girls, Bad cops* on *Special Assignment* were broadcast in this period.

4.4 The four-part story on *Carte Blanche*: “Tshwane Metro Police”

“The Tshwane Metro Police is the new force on the block in Pretoria that is supposed to take care of crime in our capital. They have promised to make a difference and, with 1 000 members, they are a force to be reckoned with” – Ruda Landman, Carte Blanche, 2003.

The Situation Definition:

The four stories presented on *Carte Blanche* between 10 August 2003 and 29 August 2004 were the following: *Bull’s-eye: Gun Tenders Gone Wrong*, *Pull Over: Cars and Corruption*, *Gods of the Road*, and *Tshwane Metro Update*. The stories focused on corruption and scams. All of the four stories highlighted corruption as well as brutality that occurred within the Tshwane Metropolitan Police, established in 2002. The original transcripts as they are cited on the *Carte Blanche* website can be found in the addendum of this assignment.

The first story entitled *Bulls-eye: Gun Tenders Gone Wrong* on 10 August 2003 highlights the corruption that occurred in the Metro Police Force. Two million rands worth of pistols were ordered for the Metro Police. It was discovered that the money that was used to buy the pistols ended up in the wrong hands and constituted misappropriation of taxpayers’ money. It was found that Mpho Mmutle, the Tshwane Metro Police Commissioner, could not explain why the two million rands had been apportioned to Diphororo Technologies, the company who was to supply the pistols to the Metro Police. Diphororo Technologies was discovered to be a company which existed on paper only and the contract was awarded to them even though they were not the lowest tender. Mmutle offered no explanation for the disappearance of the funds.

The second story in the series, *Pull Over: Cars and Corruption* on 12 October 2003 demonstrated further misappropriation of taxpayers’ money, this time involving the purchasing of expensive motorcars. The three vehicles purchased each cost just under a half a million rands and were driven by the top officers. Apparently the vehicles were purchased for official use only, but Deputy Chief Sekhudu’s wife was seen to be driving the motorcar for private use. Philip Gohl, the Democratic Alliance (DA) Councillor commented, “It’s an ongoing saga spiced with corruption, fraud, negligence, incompetence and nepotism – all sponsored by ratepayers’ money and masked by an impenetrable bureaucracy” (*Carte Blanche*, 2003).

The third part of the Tshwane Metro Police stories presented on 19 October 2003 was entitled *Gods of the Road*. This story highlighted the brutality wielded by the Metro Police against people who transgressed road regulations. A victim of this brutality explained how he was

kicked before being handcuffed by the Metro Police officer. "In the past 18 months 41 civil cases have been laid against the Tshwane Metro Police. There've also been numerous criminal cases lodged, including 12 for assault and two for grievous bodily harm" (Carte Blanche, 2003). The result of this exposure was that Commander Bhebe's temporary appointment at the Metro Police had been revoked.

The fourth part of the Tshwane Metro Police, broadcast on 29 August 2004, entitled *Tshwane Metro Update* investigated the misuse of the high-speed motor vehicles and the officers, which have committed traffic violations. Tshwane Metro Police Chief, Mpho Mmutle was speeding at 181 kilometres per hour in a 70-kilometre per hour speed limit zone.

The dilemma that one is faced with upon viewing or reading the transcripts of the four-part series investigating corruption in the Tshwane Metro Police, is that an overwhelming majority of the people accused of being corrupt in the series, are black people. There appears to be a constant and consistent portrayal of black police members as being the corrupt people in the Tshwane Metro Police. There are a number of cases in the four-part stories where the people that propose anti-corruption sentiments are white. An example of this is in the part two of the stories, namely *Pull Over: Cars and Corruption*. The Department Manager of the Traffic Academy is identified as Gavin Kelly, a white official. In other words while the perpetrators are black, the officials that proposed anti-corruption sentiments within the police force, were white.

This constant portrayal of black people as the perpetrators of corruption could possibly lead the public to believe that only black police members are corrupt. This consistent portrayal could in turn lead to racist stereotyping of police members in general. If the police were perceived to be corrupt in the new, democratic South Africa, people would be hesitant to respect the law enforcing bodies in the country. On the other hand the public need to be aware of corruption, irrespective of the race of the guilty people. One would have to consider on the other hand, the possibility that *Carte Blanche* did not have any intention to purposely choose black people as the people guilty of corruption and brutality. The people in the stories could have been randomly selected and not aimed at specifically. The question is therefore asked whether the police officers accused of corruption in the four-part *Tshwane Metro Police* stories have been racially stereotyped?

Analysis of the Situation:

It is debatable whether *Carte Blanche* and the various journalists that exposed corruption and brutality in the Tshwane Metro Police, intentionally meant to only show black people as the perpetrators of crime and corruption. Although, *Carte Blanche* has a clean record with regards to the BCCSA, the programme should be aware of only portraying people of certain races in particular positions in society as the perpetrators of corruption.

The perpetrators of corruption indeed do need to be exposed and Tom Lodge expresses the sentiment, “Government spokespeople contend that modern corruption is mainly a carry-over from the past” (Lodge, 2002: 130). Although the focus in this analysis is not whether corruption exists within the police or not, it is essential to understand that investigative journalism programmes have a social responsibility to uncover the possibility of corruption within the police.

The Truth and Reconciliation Commission (TRC) was instrumental to expose to South African society, the misdemeanours which took place during the apartheid era. The TRC was at the time however a mammoth task. Today, programmes such as *Carte Blanche* have the ability and accessibility to information to expose corrupt practices as they transpire. These kinds of regular exposés are essential to keep South African society well informed and up to date of what is happening in the present day. It could be said that South African society would have more trust for the authorities that govern the country if they are well informed of what is happening within the police services for instance. It is therefore the responsibility of trustworthy media institutions such as *Carte Blanche* that need to keep the public as well as South African society truly informed.

Pieter Fourie states that the media have certain responsibilities towards society. If these responsibilities are maintained then a true democracy and freedom of expression can be maintained. “The media should avoid publicising information that can lead to crime, violence or social disruption, as well as information that can offend ethnic or religious minorities” (Fourie, 2001: 272).

Louis Day proposes that there are two main principles that can be applied by the media in order to achieve social justice by media practitioners. The two concepts are the libertarian concept of justice and on the other hand the egalitarian concept and social responsibility. A third concept plays an important role and is a hybrid or mixture of the libertarian and egalitarian concepts. This hybrid philosophy was born because, as Day says, “The ethical concerns of the contemporary

media are too complex to fit neatly into a two-theory configuration of social justice” (Day, 2000: 355). The libertarian concept of justice according to Day is aligned to the traditional view of the media’s role in society and that it is mainly concerned with self-interest. Social injustice under this theory can be avoided by maximising individual freedom from government coercion and demands for special attention by segments of society.

The egalitarian concept is not concerned with self-sufficiency, but rather on equality for all members of society. “The goal is to protect the weakest or most vulnerable parties in the relationship from injustice” (Day, 2000: 354). With the egalitarian concept cultural labels and stereotypes would be discarded in news and advertising.

Due to the fact that both these theories strictly adhere to specific principles, a third philosophy has been developed. It is known as the hybrid philosophy and is easier to apply in today’s media. Day says, “Under this hybrid philosophy, the media’s role in the cause of social justice usually revolves around four concerns: access to information, media coverage and representations of minorities and the disadvantaged, diversity in the workplace, and the media’s impact on criminal justice” (Day, 2000: 355).

The external factor that is likely to contribute to the decision of *Carte Blanche* to expose corruption and brutality in the Tshwane Metro Police is the recognition that this type of exposure could contribute to minimising corruption in South Africa. The revelations would therefore contribute to South African society in a significant manner. The historical factors of apartheid, the SAHRC and the TRC as explained in this assignment are all historical reminders of what occurred in South Africa. *Carte Blanche* by revealing cases of corruption and brutality as they happen are in fact contributing to an honest and open account of what is happening in South Africa.

Although *Carte Blanche* did portray many of the culprits in the Tshwane Metro Police as black, the programme did not use any underhand method of acquiring the video footage. The use of spy cameras for instance was not used. *Carte Blanche* gathered and compiled the information for the four-part series and directly approached the people involved in the misdemeanours. Personal interviews were conducted with the people concerned and they were given the opportunity to openly state their perceptions of the charges of corruption that were laid against them.

Louis Day proposes in *Ethics in Media Communications: Cases and Controversies* that there are three ethical theories in moral reasoning. Firstly, the deontologists or nonconsequentialists act,

“On principle or according to certain universal moral duties without regard to the good or bad consequences of their actions” (Day, 2000: 59).

Secondly, Day proposes the teleological or consequence-based theory. According to Day this theory is popular in modern society and “They are predicated on the notion that the ethically correct decision is the one that produces the best consequences” (Day, 2000: 61). This theory basically does not occupy itself whether a policy is correct or not, but whether it will have a positive result.

The third theory proposed by Day is the virtue theory or Aristotle’s Golden Mean.

Although duty- and consequence-based theories differ in many respects, they have one thing in common: they are concerned with standards and principles for evaluating moral behaviour” (Day, 2000: 62).

These three ethical theories in moral reasoning are helpful for a decision to be made regarding the *Tshwane Metro Police* stories on *Carte Blanche* and also the *Good girls, Bad cops* story on *Special Assignment*.

Decision:

Louis Day says,

Television is a symbolic medium, and the visual portrayals that appear on the screen can communicate subtle, as well as obvious messages. These messages can influence our view of the world (including reinforcing stereotypes) in ways that are not always immediately clear. But under the stress of gathering television news, journalists cannot always be aware of audience perceptions of their stories. They strive for accuracy and fairness without any intent of offending minority audiences. But the visual symbols sometimes communicate ideas that go beyond the pure facts of the story (Day, 2000: 398).

Carte Blanche is an important investigative journalism programme in South Africa. This programme clearly aims to expose the social ills within South African society. *Carte Blanche* uses the modus operandi to expose misdemeanours committed by the police. This investigative journalism programme has achieved the aim of exposing the perpetrators of corruption and in some instances police brutality. These exposures have highlighted to South African society

where corruption problems can be found and is therefore contributing positively to South African society and the ideal of maintaining a true democracy.

On the other hand the four-part stories regarding the Tshwane Metro Police, do portray black police officers as the perpetrators of corruption and in some instances brutality. The white police members interviewed were mainly people in higher ranking positions and the people who issued statements against corruption. These factors do indicate and could presuppose that *Carte Blanche* has racially stereotyped black police officers.

This having been said, *Carte Blanche* did successfully expose the perpetrators of corruption in the Tshwane Metro Police. This is a positive contribution to South African society. *Carte Blanche* has used the teleological or consequence-based theory of moral reasoning that states,

Teleological, or consequentialist, theories are popular in modern society. They are predicated on the notion that the ethically correct decision is the one that produces the best consequences. Consequentialists, unlike deontologists, do not ask whether a particular practice or policy is right or wrong but whether it will lead to positive results (Day, 2000: 61).

The exposure of the perpetrators of corruption and police brutality within the Tshwane Metro Police was effectively dealt with in the four-part series on *Carte Blanche*. This programme concerned itself with the possible positive results that could have been achieved by exposing the culprits. The method that was used to expose the perpetrators was fair and accurate. The common factor however in all of the four stories was that the black police member was guilty and in a majority of instances the white police member was the innocent person. This could lead one to believe that the black police members are the perpetrators of misdemeanours. This in turn could lead one to believe that all black police members are corrupt and therefore racially stereotype them.

4.5 *Special Assignment* on SABC 3

Ten years after the commencement of the broadcasting of *Carte Blanche*, South African television viewers were then exposed to another investigative journalism programme. In 1998, *Special Assignment* was launched on SABC 3.

Ten years later, former *Vrye Weekblad* journalists Max du Preez and Jacques Pauw were commissioned by the SABC to produce a weekly programme, *Special Assignment*, on

Tuesday nights. This carried on from the TRC Special Report, which had probed the grim past by reporting cases before the Truth and Reconciliation Commission (Addison, 2003: 18).

Max du Preez, one of South Africa's stalwart and respected journalists, resigned from *Special Assignment* in 1999. Many newspapers reported that Du Preez was fired from the SABC, whereas *The Star* newspaper sympathised with Du Preez. Under the headline 'Max-imum folly?' an editorial in this newspaper stated: 'The SABC's decision to axe Max du Preez is a sad event for South African broadcasting. His presence as an outspoken champion of investigative journalism will be missed on air' (Du Preez, 2003: 258). Du Preez's book *Pale Native Memories of a Renegade Reporter* published in 2003, details his resignation from the SABC. In the chapter *The poor man's Stalin*, he describes the demise of his career at the SABC. "The year 1999 heralded the inauguration of a new president, Thabo Mbeki, but also the rapid decline of the SABC" (Du Preez, 2003: 254). Du Preez recently expressed disdainful comments about the SABC. Du Preez expressed his distress at the SABC simply being the mouthpiece of the government.

The sharp descent, once more of the SABC into a state rather than a public broadcaster puts a heavy burden on the independent media in South Africa to serve the public with balanced news and to reflect all developments and voices in our society" (Du Preez, 2004: 11).

Du Preez said that in the past few years, the SABC has improved dramatically on radio as well as television. Two areas that remain a concern for him is the reporting of the news and current affairs programmes. Du Preez specifically indicated SABC 3 as the blameworthy channel. The SABC was accused of being the mouthpiece of the government during the apartheid era and although the whole political arena has undergone an enormous metamorphosis, the SABC is still accused of acting as the state broadcaster.

Du Preez expressed the idea that, "Democracy is about diversity, not hegemony" (Du Preez, 2004: 11). *Special Assignment* albeit the fact that it is a current affairs programme on SABC 3, appears to demonstrate independence in the compilation of the programme. It can however be said that the investigative stories, specifically linked to the SAPS is a contentious issue. Whether the investigative story under discussion demonstrates truly democratic reporting is debatable.

The founding editor of the *Mail & Guardian* newspaper, Anton Harber expressed his view in *The Media* about investigative journalism in South Africa and said, "Long-format documentary

TV leads the media in terms of investigative, exposé journalism. And it's great theatre too" (Addison, 2003: 18). Harber mentions some of the most memorable investigative programmes on television.

Police setting dogs on Mozambiquan immigrants, on *Special Assignment*, showing culpable SAPS members recording their own actions on video, leading to a national outcry against police brutality and the chief perpetrators being jailed (Addison, 2003: 18).

Addison makes an extremely valid and poignant remark when he says, "Long may freedom of the airwaves last...but don't count on it. *Special Assignment*'s executive producer, Jacques Pauw, speaking about whether he will mount an investigation into bribery allegations surrounding Deputy President Jacob Zuma, maintained that he could do a piece if he wanted to. One tends to believe him, but with an election coming up and a creepy sense that the honeymoon of liberation is over, we all have to wonder" (Addison, 2003: 18). Addison furthermore explains that a, "Former SABC presenter and veteran TV journalist, Pat Rogers recently lodged a case against his old employers with the Broadcasting Complaints Commission (BCCSA), making precisely the point that censorship is alive and well and living in Auckland Park. He accused the SABC of a material omission and self-censorship for not covering the Scorpion's case against Zuma – or at least ignoring it for two weeks while newspapers were full of it" (Addison, 2003: 18).

Addison appears to be inferring that the SABC still imposes self-censorship and the issues that are reported are never issues that would be overly contentious to be broadcast. Whether the SABC is still monitoring what the public should or should not be seeing on television is indeed a daunting thought. One would have to question whether *Special Assignment*, which is broadcast on SABC 3, functions as a mouthpiece for the government or not. The SABC has after all been the public broadcaster for such a long time.

Jacques Pauw maintains that the success of *Special Assignment* is due to the print background of his investigative journalists.

I am not sure that the best journalism is always found in longer format TV programmes, as Anton Harber suggested, but if it is, it is probably because newspapers are increasingly staffed by young journalists. Five years ago we recruited the core of our staff from newspapers and by then they already had substantial experience as investigative reporters. We can usually choose from the best that is available in journalism as *Special*

Assignment is seen as a prestigious (often wrongly so) place to work at (Addison, 2003: 21).

Special Assignment projects on their website the image of a stalwart institution that will not be held back by anybody in order to investigate and reveal social ills within South African society.

Special Assignment's stories offer something different. They tell viewers something they didn't know, or make them think differently about something they already knew. We believe that social activism through television – and transparency by decision-makers – is crucial to our new democracy. Our fearless “where angels fear to tread” reputation means we regard nobody as untouchable (*Special Assignment*, 2005).

Special Assignment has indeed demonstrated that it will not be intimidated by the government or any other legal institution in South Africa in order to reveal and expose perpetrators of social ills. The investigative story that created a stir in the media and within the SAPS will be discussed in the following section of this assignment.

4.6 The story on *Special Assignment*: “Good Girls, Bad Cops” or is it “Bad Girls, Bad Cops?”

The Situation Definition:

This investigative story was screened on *Special Assignment* on 28 September 2004. In the addendum of this assignment one can view the original transcript of the programme as it was placed on the *Special Assignment* website from September 2004 until 12 January 2005. It is apparent from the transcript that the story was originally entitled *Good girls, Bad cops*. An e-mail interview conducted with Jessica Pitchford, the producer of the story, revealed that according to her the story was meant to be entitled *Bad girls, Bad cops*. After indicating several times to Pitchford that the story was entitled *Good girls, Bad cops* on the *Special Assignment* website, Pitchford issued an e-mail explanation saying, “I have spoken to our web design team – they apparently copied it off a press release, which got the title wrong. It will be fixed by today, I hope” (Pitchford e-mail, 12 January 2005).

The essence of this investigative story does change slightly with the change of the title as of 12 January 2005. Both versions of the cover page of the story are included in the transcript in the addendum (e.). Supposing the title is *Good girls, Bad cops* as it appeared on the transcript of the website from the end of September 2004 until 12 January 2005, then the story would make sense. The assumption that this, the initial title of the story, is the correct version, then this would

mean that the sex workers were portrayed in a positive light. This assumption is correct as the story demonstrated the plight of the sex workers at the mercy of police members extracting monetary bribes from them. The visual ending of the story demonstrates a *Special Assignment* journalist walking with the sex workers to a Johannesburg court in order to press charges against their pimps.

Supposing that the new proposed title by Pitchford is the correct version i.e. *Bad girls, Bad cops*, then both the police members as well as the sex workers were meant to have been depicted in a negative light. The story would have had to show the sex workers as transgressors of the law as well as the SAPS members as lawbreakers. It is however, obvious on the programme that only the police members were portrayed in a negative manner. The police members were caught on spy cameras as accepting bribes from the sex workers. All of the seven police members were black. Irrespective of the discrepancy of the title of the programme the fact does indeed remain that the police members or cops as they are referred to in the story are the 'bad' people in the story. Furthermore, sex workers of all races were interviewed to highlight their plight of having to pay monetary bribes to the police members.

The discrepancy of the title is not meant to detract from the analysis of this programme. It has been explained in order to demonstrate that by not checking one's facts, the emphasis of the story may shift. This point is particularly relevant as there could be some people who did not watch the episode of *Special Assignment* on 28 September 2004. In this case, whoever reads the transcript on the website would assume that to be the correct version of the programme.

The ethical question involved in this programme by *Special Assignment*, is that of racial stereotyping. It would appear as if this programme showed and broadcast only black SAPS members as the people accepting monetary bribes.

In the period on which this study is focusing, *Special Assignment* broadcast four main stories about the SAPS. The story in August 2003, entitled *Traumatised Cops* and the story entitled, *West vs. West* on 24 February 2004, both demonstrated the plight of police members. Most of the people interviewed were white.

The ethical question that could be asked is whether *Special Assignment* has racially stereotyped black SAPS members as being the corrupt members in the force. The story caused a reaction from South African society in general and the SAPS were forced to review corruption within the SAPS.

Analysis of the Situation:

Investigative journalism is a courageous mode of delivering in depth news events to the public. Mathew Ehrlich presents a critical and somewhat cynical view of investigative journalism in *The Big Chill Investigative Reporting in the Current Media Environment*. Ehrlich says, “The line between news and entertainment is blurred, and that it is partly due to commercial pressures” (Ehrlich, 2000: 103). He maintains that, “There always has been an affinity between serious-minded investigative news and sensation-minded tabloid news” (Ehrlich, 2000: 103). His perception is that both investigative and tabloid news recount the stories of the innocent victim versus the guilty villain. Ehrlich refers to James Carey who believes that cultural studies are imperative for the understanding of investigative journalism.

According to James Carey, cultural studies should examine journalistic genres ‘against the cultural tradition in which they are imbedded’ and that they continually express and transform. Scholars have traced a tradition of tabloidlike sensationalism in the news as far back as the 16th century, noting that the human fascination with crime, sex and gossip seems to transcend time and place (Ehrlich, 2000: 107).

Based on the above statement, I would make the assumption that the *Special Assignment* episode of ‘*Bad girls, Bad cops*’, ventured into the realm of tabloidlike sensationalism. All the ingredients that Carey mentions were present in the episode of ‘*Bad girls, Bad cops*’. The programme demonstrated the sexual aspect by highlighting the plight of the sex workers, the focus of the criminal aspect was of the black policemen as the perpetrators of bribery and corruption. Comparing the four-part *Tshwane Metro Police* stories on *Carte Blanche* I would say that there was certainly much less sensationalism presented. *Carte Blanche* as well as *Special Assignment* aimed to expose bribery and corruption within the policing organisations of South Africa, yet the styles of representation were divergent.

The four-part *Tshwane Metro Police* stories on *Carte Blanche* were produced in a different manner to the *Good girls, Bad cops* story on *Special Assignment*. The *Carte Blanche* stories were all filmed with the people involved consciously aware that it was for a television broadcast. *Special Assignment* on the other hand used spy-cameras to capture much of their footage. The method employed therefore could be regarded as a dishonest and underhanded method to capture the perpetrators of corruption.

On the other hand the aim of the *Special Assignment* story was to expose corruption in the SAPS. Similarly as *Carte Blanche* did, the aim of the *Good girls, Bad cops* story on *Special Assignment*

was to expose corruption in the SAPS in order to make the public and South African society aware of the corruption and bribery problems within the SAPS. As stated earlier, Pieter Fourie stated that the media have certain obligations towards society. The *Special Assignment* episode did indeed achieve the goal of exposing bribery and corruption within the SAPS. The programme however appears not to have taken too many precautions for sensitivity in its approach. In other words *Special Assignment* appears to have been more interested in the result of the programme than the manner in which it would expose the perpetrators and maintained the idea that the 'end justifies the means', no matter how it could be achieved.

Another factor that should be highlighted is the original transcripts of the programmes. These transcripts are in the addendum of this assignment. If one looks at the accompanying logos next to the title of the four-part Tshwane Metro Police Stories, one can see that *Carte Blanche* has used neutral logos. On the other hand, *Special Assignment* has used a photograph of a black policeman at an automatic teller machine (ATM). The story of *Good girls, Bad cops* details SAPS members forcing people to withdraw the cash from the ATM's in order to pay the monetary bribes on the spot.

Decision:

I would conclude that *Special Assignment* has also used the teleological or consequentialist theory in order to achieve the objective of exposing bribery and corruption in the SAPS. The most significant difference between *Carte Blanche* and *Special Assignment's* approaches to expose corruption is that *Carte Blanche* maintained an open and even-handed approach to achieve the results. On the other hand, *Special Assignment* approached the exposé by deliberately using spy-cameras in order to achieve their result.

There are a number of objections against using the teleological theory that believes that the end justifies the means no matter what the consequences are. One of these objections highlighted by Louis Day states,

Another objection to consequentialism is that it does not always take into account the special obligations to individuals or small groups that may conflict with our moral duties to society at large. Media practitioners who are intent on producing the greatest good for the greatest number of people often overlook the needs of special audiences. This neglect results in a form of artistic majoritarianism, in which minority needs are slighted in the media marketplace (Day, 2000: 62).

CHAPTER 5: ETHICS OF REPRESENTATION

The issues discussed in this chapter are essential to understand what factors have contributed and helped with the perpetuation of racist stereotyping in South Africa. Firstly, a brief discussion explains why and when apartheid began. The history of apartheid in South Africa is most certainly a contributing factor for the perpetuation of racist stereotyping. Secondly, the two major commissions that contributed to truth finding in the realm of racism are discussed. These two commissions were the SAHRC's inquiry into racism in the press and the TRC's investigations into atrocities that occurred during the apartheid era. Lastly, a brief description of the effect that television has in presenting crime and corruption to television viewers.

5.1 Apartheid:

The term apartheid is a term that was coined in South Africa and is strictly applicable to South Africa. Although many other countries might have witnessed different forms of segregation, the word "*apartheid*" applies to the South African historical context of official segregation. The Questia Online Library provides a definition of the word "*apartheid*" as follows,

Apartheid is the South African policy of ethnic segregation that became law in 1948 and was not repealed until the early 1990s. While apartheid was not the official policy of South Africa until the election of Daniel F. Malan of the Afrikaner National Party in 1948, it had been practiced since the Dutch settled in South Africa in the mid 1600s. The goal of apartheid was to keep the races separated (Questia Media, 2004: 1).

Segregation existed in South Africa before the apartheid laws were officially instituted after the Second World War in 1948. The institutionalisation of apartheid however witnessed the imposition of severe separatist laws. "In most respects, apartheid was a continuation, in more systematic and brutal form, of the segregationist policies of previous governments" (Burger, 2002: 36 – 37).

The architects of apartheid, among whom Dr H.F. Verwoerd was pre-eminent, responded by elaborating a theory of multinationalism. Their policy, which they termed 'separate development', divided the African population into artificial ethnic 'nations', each with its own 'homeland' and the prospect of 'independence', supposedly in keeping with trends elsewhere on the continent. This-divide-and-rule strategy was designed to disguise the racial

basis of official policy-making by the substitution of the language of ethnicity (Burger, 2002: 37).

The separate development envisaged by Dr H.F. Verwoerd and Dr D.F. Malan resulted in apartheid legislation laws. The majority of the laws were drafted and institutionalised between 1949 and 1961.

5.2 South African Human Rights Commission (SAHRC):

The inception of The South African Human Rights Commission's (SAHRC) enquiry into allegations of racism in the media was undoubtedly a turning point for the South African media. The initiation of the enquiry started with a letter that the SAHRC's chairman, Barney Pityana, wrote in the *Sowetan* newspaper in August 1997.

Pityana made a statement to refute the South African media and said that the media,

Are questioning and killing the locus standi of the African, are out to damage the integrity of Africans, uses the cliché of press freedom to continue to abuse its powers and the limits of that freedom, has subconsciously elected not to understand the African, continues with impunity to negate the African mindset and finally columns are littered with racial innuendo and statements (Fourie, 2001: 488).

The last statement that Pityana wrote is the assertion, which is pertinent to this assignment. Racial innuendo could possibly lead to racist stereotyping that is an unnecessary media iniquity in the new, democratic South Africa.

Pityana's letter in the *Sowetan* spurred the Black Lawyers Association (BLA) in conjunction with the Association of Black Accountants of South Africa (ABASA) to make an official request to the SAHRC to investigate the allegations of racism in the media. The two newspapers that were accused of racism were the *Mail & Guardian* and the *Sunday Times*. The investigation was launched principally for the alleged violations of the fundamental rights of black people. Although the SAHRC propagated much awareness of racism in the print media sector, television programmes have not been scrutinised in this mode.

The method adopted by the SAHRC to check for racial innuendos was to monitor 1 430 news articles in the two-month period of July and August 1999. "The SAHRC concluded from this analysis that there are indeed incidents of 'racism and stereotypical reporting' in the media" (Fourie, 2001: 488).

At the time that the Interim Report was released by the SAHRC, South African editors acknowledged that racism does exist in the media, whose ownership is still predominantly white, as is their news agenda, however, lawyers representing editors' groups at the SAHRC hearings said there was 'no substance to complaints and examples submitted to the SAHRC of racism. Sheena Duncan publicly slates the Media Monitoring Project's and Claudia Braude's reports as 'ridiculous' (Fourie, 2001: 489).

5.3 Can “*Faultlines: Inquiry into Racism in the Media*” be faulted?

Claudia Braude compiled the *Faultlines: Inquiry into Racism in the Media* report. The enquiry into allegations of racism in the media drew on submissions from a group of black editors. These editors were Kaiser Nyatumba from the *Durban Daily News*, Mike Siluma of the *Sowetan*, Phil Molefe of the *SABC*, Cyril Madlala of the Durban newspaper *The Independent on Saturday* and Charles Mogale of the *Sowetan Sunday World*. The aforesaid editors made the enquiry along with the Black Lawyers Association (BLA) and the Association of Black Accountants of South Africa (ABASA).

The inquiry had two main objectives. The first objective was to determine the transformation and media diversity. The opinion by the complainants was that, “South Africa's media continues to be controlled by white people and caters for white interests and reflects the world view of the white minority” (Faultlines, 2000: 20). With this white control, the black majority deemed that there was gross under representation of black people in key positions in the media.

The second objective of the inquiry was that racism in the media. This objective is especially pertinent to this assignment as it deals with corruption reports in the media that are inevitably linked to black people. Mr Halle Qangule, speaking on behalf of BLA/ABASA pronounced his sentiments.

If a newspaper is making a point about corruption being perpetrated by black people then it is no longer a corruption story. It cannot be corruption story...” Besides the stereotyping of African people as corrupt or incompetent, the Media Review Network complained that Islam was represented as being terrorist. It is suggested that newspapers use racial stereotypes routinely without regard to the hurt this caused to the esteem and dignity of black people (Faultlines, 2000: 21).

These objectives of the *Faultlines* report are therefore essential for the understanding of this assignment. The inquiry into racism in the media specifically dealt with racist stereotyping of

black people by examining the print media sector, whilst this assignment is examining the racist stereotypes presented on television.

The issue of corruption that was raised during the inquiry remained a contentious issue. Mike Robertson, the editor of the *Sunday Times* defended the newspapers coverage of corruption stories, by saying, “It is a cancer in our midst and must be rooted out. It does not matter whether the person is black or white. What matters is that they are undermining our democracy and must be stopped” (Faultlines, 2000: 25).

I agree with the above-mentioned statement of Robertson, but I do think he is missing the point of the corruption allegations. He is correct by saying that corruption should be rooted out of South African society, but there seems to be a slight denial on his behalf that black people are primarily depicted as the main perpetrators of corruption. In the print media sector, it could be relatively easy to withhold the names of the perpetrators and therefore disguise the identity of the corrupt party. The race of a perpetrator becomes slightly more evident in the case of television. Television can often also mask the identities of criminals and perpetrators, but in the specific cases of *Carte Blanche* and *Special Assignment* the accused conspirators of corruption were blatantly shown on television.

5.4 The Truth and Reconciliation Commission (TRC)

“Reconciliation and forgiveness must be based on truth. Reconciliation depended on ‘uncovering the truth’, though the commission recognised that such revelation by itself might be painful and might only be one requirement of many needed in a reconciliation process”
(Lodge, 2002: 178).

“An agreement about amnesty was an indispensable condition for a peaceful transition to democracy in South Africa” (Lodge, 2002: 176). Tom Lodge’s book *Politics in South Africa from Mandela to Mbeki* provides some useful insight into the Truth and Reconciliation Commission’s (TRC) hearings. In November 1995, Archbishop Desmond Tutu was appointed as chairperson of the commission and Alex Boraine as his deputy.

Three indemnity laws were instituted between 1990 and 1992. These laws were necessary in order to protect people who had been in exile due to political reasons. These newly enacted laws would also prevent people from being prosecuted upon their return. “There was a need for

understanding, not vengeance; reparation, not retaliation; and *ubuntu*, not victimisation, the postscript maintained” (Lodge, 2002: 176). It was furthermore envisaged that the truth of the political atrocities that occurred between 1960 and 1994 would be an emotionally fulfilling substitute for revenge.

The South African TRC was inspired by the Latin American experience and four objectives of the TRC were based on the Chilean truth commission. Lodge expounds the four objectives of the Truth and Reconciliation Commission as follows:

“(1) The discovery of the causes, nature and scope of ‘gross violations’ of human rights between 1960 and 1994;

(2) The extension of amnesty to those who fully disclosed their involvement in politically motivated violations of human rights;

(3) The identification and location of victims of violations and the design of reparations for them;

And (4) the compilation of a report, which should contain recommendations for measures to prevent any future violations of human rights” (Lodge, 2002: 177).

The TRC hearings were considered to be unique in the sense that the hearings would be accessible to the public. “ The South African TRC was to be the first truth commission to feature public participation in its establishment” (Lodge, 2002: 177).

It is essential to understand the structure and system deployed by the TRC in order to understand the involvement of the South African Police Services (SAPS) during the apartheid era. An exceptional number of people made statements before the TRC. The number of people totalled 21 000.

Most statement-givers were Africans – 19 144 in total, the majority of them from KwaZulu Natal, the province most affected by violent conflict in the 1980s and 1990s. Lukas Baba Sikwepere, blinded by a police sniper in Nyanga, Cape Town, in 1988, told commissioner Gobodo-Madikizela that ‘what has been making me sick all the time, is the fact that I couldn’t tell my story. But now I - it feels like I got my sight back, by coming here and tell you my story (Lodge, 2002: 187).

Of course Lukas Baba Sikwepere will not physically get his eyesight back, but has instead made an internal peace with the police sniper who blinded him. Sikwepere is merely one of the 2 600 victims due to the police brutality. “Out of 14 000 killings reported to the TRC, the ANC was

responsible for 1 300, third in order after the IFP (4 500 killings) and the South African Police (2 600 Killings) (Lodge, 2002: 192).

Researchers from the University of Stellenbosch conducted an interesting experiment regarding the TRC hearings. The research was conducted between late 1996 and early 1997 and involved a sample of 3 031 South Africans. Lodge explains that subjects were asked to respond to a biographical narrative about Philip, a veteran of the political conflict. They were told either that Philip had been a member of Umkhonto or that he had been a security policeman. In each case he was said to have been responsible for killing people, but with differences in the degree of his moral culpability (Lodge, 2002: 196).

The research findings demonstrated the different perceptions of Philip, by black and white South Africans. Philip was judged less harshly when he was the Umkhonto member and whites judged him less harshly as the security policeman. White respondents were also in favour of amnesty for Philip the security policeman. This experiment demonstrates how stereotypical views of people have been entrenched in the minds of South Africans.

5.5 Crime and Corruption in South Africa:

“Crime is an act or failure to act that violates a law for which a penalty (usually a fine, jail or probation) is set by the State” – Tshiwula, 1998: 13.

In 1998, a few years before the inception of democracy, Lullu Tshiwula conducted a study of crime in South Africa. Tshiwula is the head of the Department of Social Work at the University of Port Elizabeth. Tshiwula says,

The mass media may also play a role in the incidence of crime. According to Botha et al. research has shown that children in South Africa spend almost three and a half hours a day watching television. Adolescents spend a great deal of their time watching television, which might provide a link between violence on TV and aggression (Tshiwula, 1998: 71).

It could therefore be said that television programmes serve to give people ideas of the world around them. Criminally related ideas can be induced into one's mind by watching television. It can however be said as a juxtaposing view that positive programmes on television can induce positive reactions and behaviour from people. In the case of investigative programmes such as

Carte Blanche and *Special Assignment* it could be said that perpetually portraying certain sectors of South African society in a negative light could induce negative thought patterns.

An insightful study into corruption in South Africa in the *Focus* quarterly magazine revealed the perception that South Africans have about this contentious subject.

An overwhelming majority of South Africans rate corruption as one of the main problems facing the post-apartheid order and, by implication, one on which the future welfare of their emerging nation depends (Laurence, 2003: 2).

CHAPTER 6: COMMENTS FROM PEOPLE IN THE MEDIA PROFESSION

6.1 Interview with Ruda Landman from *Carte Blanche*

“Investigative journalism is sexy. If you get it right you can get a lot of shine. It is not just about sensational headlines” - Ruda Landman.

Ruda Landman has been a presenter on *Carte Blanche* since 1988. She not only presents this programme, but also proposes ideas for the possible investigative stories. In an interview with Landman in Johannesburg on 13 December 2004, she said that being a citizen as well as a journalist is a difficult task. “As a citizen you want to see the bad guy arrested, but sometimes reporting difficult issues as a journalist could sometimes leave the audience perplexed. After a programme, *Carte Blanche* receives hundreds of e-mails and calls where people would say, ‘So you have exposed the bad guys, what is going to happen to them now?’ ” Landman maintains that *Carte Blanche* does not piggy-back on other investigative journalism programmes or on the police for their information. Neither do they wait for a report from someone else, as the tactic is to directly approach the police themselves. “On both levels the investigative process has to be completed: the police protect their process and we protect our process in order for it to work better. *Carte Blanche* has never chosen a specific beat.”

Landman explained that the producers of stories are journalists as well. Four people work closely together in order to put a story together for *Carte Blanche*. These four people that work hand in hand are the producer, the presenter and the camera and sound people. The team has to work closely together and sometimes a research team is also involved. Susan Purén produced the four-part story that exposed corruption in the Tshwane Metropolitan Police Department. Landman, who presented some of the exposés of corruption, believes that the stories were very good. Purén managed to make an exposure of this nature as she lives in the Pretoria area. Landman said that Purén was able to make invaluable contacts in order to gather the incriminatory information due to the geographical area in which she lives.

The question posed to Landman was whether she thinks that the stories that exposed the corruption within the police could lead to racist stereotyping of policemen. Landman responded, “I think we should speak of corruption within the species of policemen. Corruption within the police is irrelevant of race as there are good ones and bad ones. Ninety per cent of the stories however, were about black policemen.” Referring to an investigative story about the Serious and

Violent Crimes Unit (SVC) in Witbank, Landman said, “In a link on the website regarding black cops, we actually said that it seems as if the old, corrupt habits have been transferred to the new corps of policemen.”

Commenting on the crime situation in South Africa, Landman said, “If people feel hopeless about crime, they feel hopeless about the cops and in turn the perception is that the cops are hopeless.” Landman’s personal view of crime in the new South Africa is that, it is not a hopeless situation. She however points out that she is amongst the minority of South Africans that feel there is hope for the future of her family. The media and investigative programmes such as *Carte Blanche* certainly have a role to play in the public’s perception of issues such as corruption, crime and war. Landman uses the example of the recent war in Iraq to illustrate what she means. “If one looks at the reporting of the Iraqi War, one cannot fail to notice just how similar the message was from journalists. The media institutions from *The New York Times* to *The Washington Post* all conveyed similar messages. I believe that the opposite view was available, but it was not touted loudly.” Landman refers to an article in the November 2004 edition of *Vanity Fair* and says, “It all has to do with Zeitgeist story, which means to convey the spirit of the times. One then lands up with the chicken and egg situation.”

Landman explained that the Zeitgeist now is the television news services belong to people whose primary focus is to make money. They sense that viewers do not want to hear a certain thing. “For instance *Carte Blanche*’s viewing figures took a dive in 1993. South Africa was depressing in 1993 and people did not want to be depressed further by watching programmes that depicted the harsh realities of what was going on in the country. It was perceived that people did not want to know and wanted to switch off mentally from what was happening. This situation could lead to a danger that we catch the Zeitgeist and therefore report what we think people want to know.”

Landman believes that investigative journalism has to be treated with respect. “When covering an investigative story, know what it is you are doing and why you are doing it. If you decide that the audience does not want to hear a specific story then do not report it. And beware of going off into all kinds of side issues. One has to remain focused on exactly what you are doing and what you are going to achieve.”

Landman is however rather aware of the race issues that arise within the media. She believes that journalists cannot simply dissociate themselves from where they come from. “I am a white Afrikaner and cannot change who I am. I cannot for instance understand my domestic worker’s reality. Teams of journalists sit around a table and discuss possible stories. White, middle class

journalists do not see the world in the way that our viewers experience the world. *Carte Blanche* does not have enough black producers to balance this situation.” In her view the media has made progress in recent years. “In South Africa during the years of the struggle and the state of emergency, censorship of the media was rife. The South African newspapers could not print what was actually going on in the country. An interesting form of protest action was when the newspapers printed the articles with pieces of the print blackened out. At that time the media scene was so narrow in all sectors of newspapers, radio and television broadcasting.” Landman mentions that a major turning point for the media was brought about in 1986 when the laws changed and instead of only state broadcasters, M-Net, an independent broadcaster was allowed to broadcast. “At that time M-Net could however not broadcast a daily news bulletin, but *Carte Blanche* was allowed to do what happened in South Africa during the course of the week.”

The approach to stories on *Carte Blanche* today are the ones with which viewers identify. The most important factors that are to be taken into consideration when doing a story according to Landman are fairness and accuracy. “When one makes a conscious decision then one must stop and think. When the idea of a story arises the producer and presenter, sit and talk and fight, especially when the issues are close to the bone. I am fiercely against advocacy journalism. If the team is divided then a story could slip into a form of propaganda. I want to be a messenger and both sides must be angry after a story. That is when I know we have done a good job with a story.”

Landman says that dealing with the police is a sensitive issue, but reiterates that when *Carte Blanche* does a negative story about the police such as in the Tshwane Metropolitan Police stories, that it should be remembered that not every policeman should be blamed. “When is it fair to say that the police did not want to talk to us? The police are unable to defend themselves. We have the last word on television as we are standing in front of the nation. On television we have enormous power that has to be handled with respect.”

Landman mentions that she perceives corruption to be foremost on the minds of white South Africans. The only way that she feels that she can monitor whether black South Africans are concerned about corruption is to read *The Sowetan* newspaper. From reading this newspaper she feels that it appears as if black, South Africans do not accept or grant corruption. “I simply do not have the facts of the views of black South Africans. The whole system seems to be coming into place in order to up-root corruption in all sectors of South African civil society, including within the police force. The government appears to be too soft when they do find corruption.” Landman perceives that in general South African society does not accept corruption.

Returning to the corruption stories within the Tshwane Metropolitan Police, Landman says, “It was reported in the newspaper last week that all the accused police officers that were in the stories, were found to be not guilty. Last week a judgement was passed and they have all been cleared of charges of corruption.” The question was posed to Landman whether *Carte Blanche* would consider doing a story of their innocence. “I do not know whether there will be a story. I do not think so. It is wrong, I know and the proverbial egg is now on our faces. The decision will be in the producer’s hands.”

Carte Blanche does not often receive complaints from the South African Broadcasting Complaints Commission (BCCSA). When researching a story, Landman maintains that it is imperative to keep the list of ethical questions drawn up by the Poynter Institute in the back of one’s mind. These questions that should continually be asked will lead to ethical and responsible investigative journalism. “By using the list of ethical questions, it crystallises everything that lives in your head.”

The future of investigative journalism is becoming increasingly possible. “It is a freer kind of journalism that deals with the flavour of the month topic and the public loves it.” Investigative journalism is a special kind of journalism that demonstrates a certain depth. Investigative journalism has advanced in the technological aspect as well. “Technology can literally be put in a button or a cellular telephone.” Landman believes that investigative journalism has become much easier in the last ten years. It is still however an expensive form of journalism, but she believes that as society in general becomes more affluent, newspapers and investigative journalism will become more viable. “Investigative journalism is sexy. If you get it right you can get a lot of shine. It is not just about sensational headlines.”

6.2 The *Special Assignment* team of journalists

Special Assignment has been on SABC 3 since mid-1998. The *Sunday Times Magazine* featured a story on the special team that make up *Special Assignment*. Jacques Pauw is the executive producer and he believes that investigative journalism is very difficult as, “You never know whether or not you’re going to get the story” (Davern, 2004: 7). Pauw works with a team of only six highly experienced journalists.

In September 2004, the story that created much concern in the South African Police Services (SAPS) circles was the story entitled “*Good Girls, Bad Cops.*” Jessica Pitchford made the feature production that exposed corruption within the police force. Six policemen and one

policewoman were subsequently prosecuted due to the exposure of *Special Assignment*. The corrupt police members were found to have extorted money from sex workers in Johannesburg.

Pitchford used an unorthodox method to catch the perpetrators. “Production co-ordinator Dimakatso Raphoto, the youngest member of the team, posed as a sex worker while investigator Alex Stellanios captured the police on a spy camera taking thousands of rands worth of ‘spot fines’ ” (Davern, 2004: 7). Pitchford describes the relationship between the police and the investigative team candidly and says, “Actually, I think they have a healthy respect for us” (Davern, 2004: 7). Pauw on the other hand expresses the police interaction as a love and hate relationship. “The love/hate relationship is a traditional one, because police don’t like journalists – who tend to interfere with their investigations. I have an excellent relationship with the divisional commissioner of police – I can literally walk into his office. Although they don’t quite trust us and we don’t quite trust them, sometimes we meet halfway and work out a deal” (Davern, 2004: 7).

6.3 Interview with Jessica Pitchford from *Special Assignment*

“If you want results, go to the top. Police management is concerned about the image of the SAPS” – Jessica Pitchford.

Jessica Pitchford produced the investigative story that was screened on SABC 3 on 28 September 2004. Although the story is entitled ‘*Good girls, Bad Cops*’ on the transcript on the *Special Assignment* website, <http://www.sabcnews.com/specialassignment/sept28script.html>, Pitchford insists that the story is entitled ‘BAD GIRLS, BAD COPS.’ Pitchford says, “The story was called BAD GIRLS, BAD COPS, not GOOD GIRLS, BAD COPS. Both the women and the police were breaking the law.” If that were the case that both the sex workers and the police were breaking the law, then the policemen certainly were portrayed in a much more negative light. In fact the story led to the seven police members to be dismissed from their duties. The sex workers were not charged or convicted of any crime or misdemeanour.

Pitchford was asked whether the SAPS are often portrayed in a negative light on *Special Assignment*. Pitchford responded, “Investigative stories focus on different topics every week. We don’t often do negative stories about the police. I just happened to do one showing the police taking bribes. Of course it is possible to do positive stories on the police – we have done many. “Trauma Cops”; “Hillbrow Blues”; “Cowboys Don’t Cry”; West vs. West”; Part 3 of BAD GIRLS BAD COPS featured a police officer trying to help sex workers in Rosettenville.” The

four additional stories mentioned by Pitchford do all indeed deal with police issues. Out of the four stories mentioned by Pitchford, *Traumatised Cops* and *West vs. West* fit into the timeframe in which this assignment focuses. Although the focus of this assignment is not on the other stories featured on *Special Assignment*, it is worthwhile to mention that in *West vs. West*, the story dealt with Nigerian drug dealers and the police spokesperson was Willie Louw, a white policeman. <http://www.sabcnews.com/specialassignment/west.html> The story entitled *Traumatised Cops* evidently portrayed white policemen suffering from post-traumatic stress. <http://www.sabcnews.com/specialassignment/traumatised.html>

Examining the story screened on 28 September 2004, one cannot help noticing that all of the seven police members that were shown to accepting the bribes were all black police members, to which Pitchford responded, “Nowhere in the program was the race of the police men and women made mention of. I know that the surname of one of the policemen arrested was McKenzie, but have no idea of his race. There was also a policewoman arrested with the surname of Pillay – it could’ve been her maiden or married name. Colour simply wasn’t an issue.” The photograph that accompanies the transcript of the story on the *Special Assignment* website is of a black policeman sitting in the police van. The spy camera that captured footage of the policemen and the policewoman, accepting the monetary bribes is all black. The person in the police that Pitchford refers to in part three of the story is a white policewoman. The result is that all black police members were captured on camera as the people accepting the bribes. On the other hand the person showing an interest in the sex worker’s plight, is Captain Cathy Newcombe, a white policewoman.

Pitchford is resolute that the exposé of corruption in the police did not racially stereotype the seven police members who were caught on camera. “I don’t believe the story racially stereotyped the police. As I’ve mentioned, it simply wasn’t an issue, just as the colour of the sex workers wasn’t relevant. If the story had been broadcast on radio, you wouldn’t be asking these questions.” I beg to differ with Pitchford that if the story had been broadcast on radio that one would not question whether the police members were racially stereotyped or not. I feel that Pitchford is inferring that fewer questions would have been asked had the story been done on the radio as there would be no visual proof of the people who were involved. Three important factors have to be remembered and taken into consideration regarding the representation of the races of the people involved. Firstly, it is visually evident that black and white sex workers were interviewed. Secondly, it was black police members who were visually seen to be taking the bribes. Lastly, the police member who is seen trying to aide the sex workers, is a white

policewoman. These three factors evidently demonstrate that the story was meant to portray the black policemen in a disparaging context.

Pitchford's statement, "If the story had been broadcast on radio, you wouldn't be asking these questions" would seem as if she is denying the impact of the on air visuals. Graeme Addison says in *The Media*, "Hearing Mandela's voice on air reminds us that radio has often been called theatre of the mind. By comparison that doesn't make television merely a portrayal of the visibly obvious. Visuals carry their own depth of impact. With ruses like the use of hidden cameras and ironic voice-overs to highlight lies and hypocrisy, television can be powerful, evocative reportorial medium" (Addison, 2003: 18). As Addison says, "radio is the theatre of the mind" and if one were to have heard the episode of the *Special Assignment* programme then one could have imagined the accused police members as being of any colour imaginable. The fact of the matter is that one could visually see the races of the police members by watching it on the programme.

When asked what kind of justice was achieved by the exposure of the corruption within the police, Pitchford responded, "The aim of the story wasn't to achieve justice. It was intended to expose illegal activities by those meant to be enforcing law and order and to show that one of the reasons crime isn't being dealt with effectively is because some police are concentrating on other issues. In Johannesburg it has become commonplace simply to pay off police officers rather than be ticketed. South Africa has a crime problem, which is meant to be the focus of the SAPS. If there is corruption, crime cannot be dealt with effectively." Pitchford is admitting that the focus of the story was to expose corruption within the SAPS. Her answer for justice nowhere deals with the issue of the sex workers and Pitchford's earlier statement that, "Both the women and the police were breaking the law" does not demonstrate any action taken against the sex workers. In fact all of the seven police members that were seen to be accepting bribes were arrested. No footage on the programme demonstrated any kind of legal action against the sex workers. In fact the sex workers were urged and aided by *Special Assignment* to take legal action against their pimps. From Pitchford's response, I would have to believe the title of the story on the website, '*Good girls, Bad cops*' instead of '*BAD GIRLS, BAD COPS*' that Pitchford vehemently, as producer of the programme, insists is the correct version of the title.

The perception of the public when viewing these kinds of investigative programmes also has to be taken into account. Pitchford was asked whether the public's perceptions of the police could be influenced negatively or positively. "I should imagine that the initial perception would be

negative, but that the reaction of the police headquarters to the program – the arrests, visits to the affected police stations, etc, would've been positive.”

Pitchford maintains that the police are very co-operative when they have to work together with the *Special Assignment* team. “The SAPS are extremely co-operative, provided you go to the top. We dealt with them extensively before, during and after the broadcast of BAD GIRLS, BAD COPS and have a good relationship with management.” The statement of dealing with people at the top in the police is worrisome. I say this as once again the issue of race comes to the fore. The explanation of my statement is that all the police members that were captured on camera of bribery and corruption were all black police officers. The incriminatory footage was then shown to a police member at the top. The incriminatory video footage was shown to some of Gauteng's most senior policemen. The Deputy Provincial Commissioner, Bushie Engelbrecht, a white policeman commented on the footage. “If you want results, go to the top. Police management is concerned about the image of the SAPS.”

Pitchford declined to comment on the difference of the effectiveness of the police during the apartheid years and today in the new South Africa. Pitchford instead believes that the aims of the police in the new South Africa are different to what they were during the apartheid years. “The aims and objectives of the police in Apartheid South Africa were completely different to what they are now. I am sure the old SAP was very effective at finding “terrorists” and quashing resistance.” Responding to the question whether brutality and corruption within the SAPS has increased or decreased since 1994, Pitchford responded, “According to figures, brutality and corruption have increased, but this is, according to analysts, because of the existence of the ICD and a free press. In the past, there was probably far more of both, but it was often not reported, or encouraged by the old regime.”

This is the only perception that Landman and Pitchford appear to agree on. Landman also made reference to the censorship of the press that was imposed during the apartheid years. The atrocities of the white policemen have been reported. In fact on 2 March 2004, *Special Assignment* documented the story of former security policeman, Colonel Gideon Nieuwoudt. The story entitled *Unfinished Business*, rehashed the story of the murders that he committed over twenty years ago. To simply ignore the historical facts surrounding the police force during the apartheid era and say that there is not enough evidence of what the SAPS did during the apartheid era would be turning a blind eye to the truth. Nieuwoudt is an example of a white policeman that has recently been convicted of brutality committed during the apartheid era.

There is no denial of the fact that censorship was rife as Landman and Pitchford have both stated, but there is enough evidence of the corruption and brutality during the reign of the old regime.

Pitchford negates that the downbeat stories about the SAPS could lead to racial stereotyping. “We use our common sense. We receive lots of correspondence from the public after stories. There were no complaints about racial stereotyping after BAD GIRLS, BAD COPS. In the past we’ve had complaints about portraying Nigerians as drug dealers and so-called Coloured people as gangsters.” Examining this specific story of the police, whether the title is *Good girls, Bad Cops* or as Pitchford denotes it BAD GIRLS, BAD COPS, I think that the existence of racist stereotyping of the police is in a very subtle form.

The *Special Assignment* story of *Good girls, Bad cops* is cited in certain areas of the text in capital letters. In the e-mail interview conducted with Pitchford she made reference to the story in this manner by using capital letters.

6.4 Interview with Norman Joseph, Senior Crime Reporter for the *Cape Argus* newspaper

“There are a lot of things happening in the police that we do not get to hear about. There are crimes that are kept under wraps” – Norman Joseph, Senior Crime Reporter at the Cape Argus.

Norman Joseph is the senior crime reporter at the *Cape Argus* newspaper. An interview was conducted on 1 December 2004 with Mr Joseph. The interview was conducted with this crime reporter in order to gain insight of his knowledge as he reports on crime situations on a daily basis. His contact with the police also occurs on a daily basis.

Joseph was a policeman during the apartheid era and was in the minority of Coloured policemen working for the police force. Joseph was a detective at the Murder and Robbery branch at the Bellville South Police Station and then at the Philippi and Athlone Police Stations. He was in the police uniform for a total of seven years. He was subsequently dismissed from the police force as he developed serious signs of trauma, due to the atrocities he witnessed whilst working in the police force. After his dismissal he became a security officer at the *Cape Argus* in November 1989. Joseph then landed the position of crime reporter at this daily newspaper. Joseph with his police background and position at the *Cape Argus* therefore contributes to this assignment in an invaluable manner.

Joseph is proud of his family legacy in the police force. His twenty-five year old daughter works at the Cape Town Central Police Station in uniform and his father was also a policeman. "It is a family thing I guess." He does believe that the police force has undergone a transformation. "The police have certainly changed. It used to be a force, but now it is a service. The brutal incidents committed by the police are not really reported by the media. The media do not really report what is going on. Brutality is there, but it happens sporadically. When the police commit acts of brutality, one should try and understand and forgive them." Joseph believes that corruption does exist within the SAPS today. Corruption exists according to Joseph due to police members being underpaid. An act of brutality that is committed by police a member is largely due to the police member's own experiences of trauma and stress. Joseph can understand and empathise with these police members as he too found himself in the same situation whilst being a policeman himself.

Joseph proposed his view of corruption within the police force and said, "I do believe that there is corruption in the police, but it is in my opinion, minimal." Joseph finds it imperative to distinguish between corruptions within the police in general. With this he means that corruption exists in the specialised units of the police force, rather than in the whole entity of the police force. "I do think that corruption exists within the commercial crimes branch as well as in the Organised Crime Unit (OCU). I personally know detectives at the OCU that live in huge houses. How can these policemen whose take home salary is approximately R4000, 00 possibly afford these huge houses?" Joseph explained a high profile case that was investigated four years ago. The case was of a police inspector who lived in a small council house and all of a sudden was living in a palatial home on the Cape Flats. "This police inspector is actually a friend of mine and all of a sudden he was living in a five bed roomed house with a few cars." Joseph reiterated the fact that a police inspector after fifteen years of service does not take more than R5000, 00 home at the end of the month. "Let us say corruption is still there, but let us label it as minimal. I would say that corruption within the police is more rampant in the specialised units, so rather amongst the plain-clothes cops than the cops who wear the uniform. There are a lot of things happening in the police that we do not get to hear about. There are crimes that are kept under wraps"

Joseph has the belief that an investigative journalist has to have many reliable sources within the police force. Often though, these sources want to be kept anonymous. "A journalist has to have many reliable contacts in the police. There is usually too much red tape if something is said on the record or officially. Ninety per cent of my stories are through my own unofficial contacts

within the police force.” As for writing stories that could be sensitive Joseph believes that one has to be firm. “If a journalist has information that would attack the police, then they must be hammered and one cannot be too sensitive with them.”

Joseph believes that the investigative journalists that work in the Cape Province know very little about the police. “Dealing with the police is a two way street, but often journalists are scared of the police and a journalist does not know his or her rights when dealing with them and this leads to fearful and cautious reporting.”

It is perhaps due to his background in the police that Joseph is a successful crime and investigative journalist. His sympathy for police members, irrespective of their race is tangible. “One has to understand why the police are involved in corruption. One cannot help but be sensitive to their plight. It is important to understand why they are doing it. I do believe however that it is the higher ranking officers that are more corrupt.”

The National Police Commissioner, Jackie Selebi made the announcement in December 2004 that police members could expect salary increases as from April 2005. “Selebi said the ‘long over-due salary improvement’ was intended to boost the morale of members and to improve service delivery to the public. He said the salary increase ‘will serve to eliminate the temptation of bribery and corruption’ ” (Joseph, 2004: 2).

CHAPTER 7: CONCLUSION AND RECOMMENDATIONS

7.1 Overview

From the analysis and the viewpoints of the journalists presented in this assignment, it would appear as if the SAPS and Metropolitan Police do have many contentious issues to deal with. The revelations of corruption and bribery by members of the force do appear to be evident as presented on *Carte Blanche* and *Special Assignment*. A large majority of the police members implicated in the bribery and corruption exposés were evidently people of colour. From this it could be concluded that the police members were racially stereotyped as the partakers in bribery and corruption.

Johan Retief in *Media Ethics An Introduction to Responsible Journalism* says,

Journalists are very much in danger of falling into the trap of stereotyping, precisely because most of the time they write about people. And because journalists have their own subconscious beliefs and are highly subjective in their thinking, they easily fall into the trap of generalizing, of creating “boxes” into which people can be fitted. If journalists fall into this trap, the media perpetuate these images – and influence people to judge others on the basis of preconceived ideas. That could be detrimental not only to the media’s future, but also (and especially) to the future of a country like South Africa (Retief, 2002: 194 – 195).

I believe that what Retief says regarding journalists having “their own subconscious beliefs” to be poignant and true. Joseph and Landman both expounded the ideas that bribery and corruption does exist in the policing bodies in South Africa. If this is their intrinsic belief of the policing bodies then it is impossible for this belief not to spill over into the reports that they deliver of the police. Although this assignment is not concerned whether the police are corrupt or not, the point is that if a journalist believes that corruption is pervasive in the police, then it will follow through in the reports of them.

It would be incorrect to conclude that the whole police force is subject to bribery and corruption. And as Ruda Landman and Norman Joseph both stated, corruption appears to be more pervasive amongst the higher-ranking officers. *Carte Blanche* did indeed expose corruption within the higher-ranking police members whilst *Special Assignment* exposed corruption within the lower-ranking police officers.

Perhaps the task at hand is to dispel with corruption in all sectors of the civil services within South Africa. The South African media should perhaps be more sensitive when investigating corruption cases. Evading corruption charges is however going to be increasingly difficult in South Africa as the technology of capturing perpetrators increases.

Investigative journalism programmes such as *Carte Blanche* and *Special Assignment* are effective media institutions that create awareness of corruption in the new democratic South African society. As stated earlier in this assignment, South African can only truly be a democratic society if corruption is dispelled with effectively. Racial issues should not be used as smoke screens in order to cover up the essential issues at hand. The media are often castigated if the race of a person is mentioned in derogatory terms. The castigation of the media whether it be by President Thabo Mbeki or South African society is totally justifiable if the perpetrators are perpetually and habitually misrepresented.

The media should be held accountable for the investigative reports that are conveyed to South African society. Investigative journalism could flirt with the notion of tabloid journalism, which should be avoided at all costs. *Carte Blanche* and *Special Assignment* have proved to be invaluable investigative programmes and it should be remembered that nobody is completely infallible.

Tom Lodge reveals exactly what role the media has in bringing investigative stories to the forefront,

It may of course be argued that even a weak official response is probably better than none at all. It seems that most reported instances of corruption are at least investigated by one official authority or another. In 1997 one survey found that 84 per cent of corruption cases referred to in the press had received some form of anti-corruption attention from the government. Indeed, most of the corruption cases reported in the media became public knowledge because they were the subject of official investigations. Another survey found that in the 12 months preceding July 2000, 75 per cent of corruption reports referred to incidents that attracted press attention because of an official action; only 11 per cent of the revelations were a consequence of investigative reporting. The rest were outcomes of whistle blowing and complaints from 'civil society' (Lodge, 2002: 144).

Lodge's observation that only 11 per cent of corruption revelations are made by the media appears to be a low statistic. Assuming that this statistic is correct, then it could be said that the media should play a larger and more significant role by using investigative journalism. *Carte*

Blanche and *Special Assignment* are therefore very important media institutions that should be maintained in South Africa.

As discussed in this assignment, investigative journalism can be a problematic form of journalism. Investigative journalism should uphold the ethical code of avoiding racist stereotyping.

7.2 Recommendations for sensitivity to racist stereotyping in investigative journalism

“Today’s television newsmagazines couple traditional investigative reports with the tabloid fixation on crime, sex and gossip” (Ehrlich, 2000: 115).

The main focus of this assignment was to determine whether *Carte Blanche* and *Special Assignment* portrayed the police members in a racist stereotypical manner. I do however believe that by using a more tabloidlike approach to the investigative stories, that the ethical nature of ‘*Bad girls, Bad cops*’ is questionable. In fact the *Special Assignment* story did receive much more media attention than the four-part story on *Carte Blanche*.

A recommendation for investigative journalists would therefore be to be aware of the fine line that divides sensationalist tabloid journalism with the more sober nature of investigative reporting.

Herein lies the dilemma. Investigative reporting must be interesting and, yes, entertaining enough that people will read and watch and care about it; yet it must do so without pandering or descending into sleaze. It must be sceptical toward those in power and yet not degenerate into the cynical detachment of ironic knowingness. It must be fair and yet not succumb to numbing moral neutrality that leads to paralysis in the face of injustice. This dilemma is particularly vexing for those working in television news, for it is especially vulnerable to the pressure to present stories of sensation and fluff that meet the dramatic requirements of the medium, but rarely fulfil the requirements of quality journalism (Ehrlich, 2000: 116).

The quality journalism that Ehrlich mentions certainly includes the realm of ethical journalism. The ethical issue of racist stereotyping is an important aspect of quality journalism.

Trace Regan, a journalism teacher, cautions journalists of how to avoid perpetuating racist stereotypes in newsgathering, without detracting from the content of the story,

I don't think journalists should duck newsworthy issues or in any way alter the substance of the stories they report or "tone down" relevant information, no matter whom it embarrasses. What I have suggested embraces the ideals of journalism and...simply allows a reporter to make changes in the non-substantive elements of a story to minimize any effect that might sustain racism" (Day, 2000: 398).

Johan Retief makes recommendations of how journalists can be sensitive towards racist stereotyping. Retief believes that these positive recommendations for ethical reporting were born from the SAHRC's inquiry into racism in the media.

- It advocates the retraining of journalists.
- It should make journalists sensitive to racial issues in South Africa.
- The investigation has a symbolic value, particularly for black people.
- Various media organizations acknowledged the need for ongoing transformation in newsrooms and boardrooms of media organizations.
- Journalists should indeed be exposed (as much as possible) to the cultural diversity of the country.
- Codes of conduct should indeed be reviewed to include matters of diversity and sensitivity with regard to racial issues (Retief, 2002: 201 – 202).

In conclusion, Gene Roberts said, "A news organization's comfort level with investigative reporting is a litmus test, of sorts, of how seriously it undertakes its obligation to inform the public. A newsroom that doesn't dig deep for some of its news is saying, in effect, that all the important news is at or near the surface" (Greenwald, 2000: vii).

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ADDENDUM (a.) *Carte Blanche*: Bull's-eye: Gun Tenders Gone Wrong



Bull's-eye: Gun Tenders Gone Wrong

[Print](#)


Tshwane Metro Police

Date : 10 August 2003
Producer : Susan Purén
Presenter : Ruda Landman
Genre : Corruption and Scams

The Tshwane Metro Police is the new force on the block in Pretoria that is supposed to take care of crime in our capital. They have promised to make a difference and, with 1000 members, they are a force to be reckoned with.

In setting themselves up since their inception in 2002, the Tshwane Metro Police have paid out millions on training, uniforms, vehicles and most recently upgrading the old Iscor clubhouse as its new headquarters. And of course the Pretoria ratepayers are footing the bill. In the last month they've also paid out more than two million for pistols. But that money seems to have landed in - let's say - the wrong hands.

All the Metro has to show for that money is this invoice with a list of serial numbers.

It started innocently enough with a call for tenders. The specifications were for 1050 pistols that must be from Vektor, which is part of Denel, a parastatal. All the winning tender had to do, it seems, was to set up the sale and collect a commission of about R200 000.

The company that won in April this year was called Diphororo Technologies. But Carte Blanche was tipped off that this company only existed on paper. The documents gave Bob Masilo as the company's project manager and Regina Ikaneng as its only director. Her address was listed on the company registration, and that's where we started investigating.

Ruda: "...the television programme and we are looking for Regina Ikaleng."

Owner: "Oh okay. We bought this house from them in 1997."

The current owner gave us the next link in the chain: a telephone number.

Regina - a clerk - met with us at her workplace in Mabopane, north west of Pretoria.

Ruda: "Regina, on the company registration it says that you are the Director of Diphororo Technologies. What was the history behind that? How did you become involved?"

Regina: "'Bob was my friend and then he told me to be in a company with him, so I just told him it was okay and then I signed the papers that I was one of his company."

Ruda: "You know nothing about what he was doing with the company?"

Regina: "I know that he was working with the tenders; Diphororo was just the name of the company. And then he used me to sign ... mine is just the signature."

It seems the signature was the all-important thing and when Regina wasn't around, her signature was still available.

Ruda: "Is that your signature? ... So this is not your signature?"

So the only director of Diphororo knew hardly anything about her company and nothing about this tender.

There's one name at the centre of the story, Bob Masilo. Listed as project director on the tender documents, his is the only face - or name - that Diphororo Technologies ever presented to the world.

Bob's voice mail, "...please leave a message..."

Except that he never did. So we went looking for him.

The address in Bob Masilo's ID book is a flat in this block in Sunnyside, Pretoria... let's see.

But Bob was nowhere to be found. We were told that the tenant at the address wasn't Bob. The only other clues we had were a variety of addresses listed in the tender documents.

This vacant stretch of land in Zwartkops, southwest of Pretoria, is where Diphororo is supposed to have its business premises. But there's no shop in sight here.

The company's physical address was given as this office park in Midrand, but a couple of empty offices were all we found.

Another street address and yet another wild goose chase; once again it led to nothing.

How did a company as insubstantial as this get a multi-million Rand contract to supply - not curtains or stationery, but firearms? The answer lies at least partly in Government's Preferential Procurement Policy, which tips the scale in favour of

previously disadvantaged individuals.

The man who needs to answer to this is Tshwane Metro Police Commissioner, Mpho Mmutle.

Mmutle: "In council they primarily use two conditions. The first is on the price and the second is on the preferential policy framework act. In other words, ensuring that BEEs become part of winning tenders."

In the case of this tender Diphororo was the fourth lowest, but what tipped the scale for them was the fact that they were seen as a BEE - a black economic empowerment company.

In any firearms deal, the most basic question to ask is surely: Do you have a license? It would seem that the Metro Police, keepers of law and order in our capital, didn't ask that.

Mmutle: "Most of companies from the previously disadvantaged - those who have never been within an environment of trading in firearms, who have not necessarily at the point of any tender had a licence ... I am saying that we don't ask them."

What Commissioner Mmutle is saying, it seems, is that to win a Government tender it is not essential to have all the necessary documents.

Bob Masilo, however, had made a plan to get around this minor glitch. The day the tender closed he approached Johan Cilliers, the owner of a small firearm dealership, to cut a deal.

Johan Cilliers: "We gave him a quote and we agreed on a split commission."

Having agreed to split the profit, Johan's wife, Vicky, even typed up the tender hours before the deadline.

Vicky Cilliers: "That is what I typed for him, and Diphororo then basically handed that in as the quote."

So on the basis of this tender, Bob got his contract and Sunnyside were meant to make a considerable sale. But that was the last real dealings they had with the elusive Bob Masilo.

But two months later, the Metro Police phoned Sunnyside Arms asking for a copy of their licence.

Vicky: "On the 23rd of May, I faxed the same licence to Ella Hattingh at Tshwane Metro Police."

Johan: "I spoke to them and said to them that he came in - I know about the guy and he asked us to do a tender with us."

The Commissioner confirmed this enquiry. However his recollection is that Sunnyside "denied" the relationship with Diphororo.

Mmutle: "And we got confirmation from that fair arms dealer - that there was no such thing."

Curiouser and curiouser ... who was stringing along whom?

Mmutle: "Then we became even more suspicious and that is why, for instance, very decisively we had to act in the manner in which we did."

The reality was, it was too little too late. The investigation began only last week - one month after payment and only after Carte Blanche started asking difficult questions.

On the 25th of June Bob Masilo sent the Metro an invoice for R2.25 million. Even though all these irregularities had already been raised with them, someone approved payment, even calling it 'urgent'. So on the 30th of June a cheque was issued. But they made a spelling mistake and the cheque had to be cancelled. Once again, the whole sorry saga could have been stopped, but it wasn't. Three days later, a second cheque was issued and this time payment went through.

So why did they pay before they had the firearms?

Mmutle: "For us as the Metro Police to get a licence for the firearms we are purchasing involves paying whoever has to supply us with those firearms."

But firearms dealer Johan Cilliers disagrees.

Ruda: "Is it not a requirement from the gun registry that the gun has to be paid for before they will give you a licence?"

Johan: "No, that's not a requirement from them."

But it seems that Bob circumvented Sunnyside altogether and went straight to the manufacturer, Vektor.

However, the two and a quarter million that the Metro paid Bob reached neither of them. Bob opened a company bank account, got special clearance and started spending. As for the firearms ... they're still sitting with Vektor. Neither Vektor nor Denel would grant us an interview. We tried.

Voice: "Are you from Carte Blanche again?"

Producer: "I just wanted to check the validity of the letter Mr Fransman sent..."

Producer: "It is not your client we want to discuss. It is you, it is Denel and Vektor."

But according to them "the transaction is still under way".

This letter is another piece of the puzzle, which doesn't seem to fit anywhere. It comes from Vektor, addressed to the Central Firearms Registry and dated the 4th of July - the day after the Metro had paid Diphororo. And it makes only one point; that Vektor had given a mandate to Bob Masilo and Diphororo to market their pistols.

But a month later Vektor said the mandate had been "rescinded".

Mmutle: The Metro has never dealt with firearms. It has dealt with the procurement of other things where the requirements might not necessarily be as stringent as it is supposed to be with firearms."

On Friday police arrested Bob Masilo on charges of fraud and dealing in firearms without a licence. However, we are still left with more questions than answers. But for the time being it seems that the Tshwane Metro Police will have to continue window-shopping for their Vektor pistols.

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ADDENDUM (b.) *Carte Blanche*: Pull Over: Cars and Corruption



Pull Over: Cars & Corruption

[Print](#)


Tshwane Metro Police Part 2

Date : 12 October 2003

Presenter : Ruda Landman

Genre : Government, Municipal and Legislation, Corruption and Scams

It's Monday morning just before seven and, at the headquarters of the Tshwane Metro Police in Pretoria, top officers and officials are arriving for work. Among the cars driven through the gates are three brand new Volvos - each worth around R 400 000 - and bought to serve as high-speed patrol vehicles. But they've never been used for that purpose.

Philip Gohl (Tshwane Metro): "They're now using them for something totally different. If we had known that this was what they would be used for, we would have objected to the purchase thereof."

DA Councillor Philip Gohl, spokesperson for the procurement committee of the Metro, says he has since demanded to know why Council was misled.

Philip: "And in the answer that they got from the Department it was said that the vehicles would be used as quick response vehicles and can be used also by VIP protection unit should a shortage be experienced. That was never said to us. The main fact is that these vehicles are available for operational use in Tshwane and for Metro Police, but they are not."

And one can't help wondering why the Volvos were not marked and fitted with blue lights if they were meant for high speed patrol cars. Whatever the case, fact is that Metro Police Chief, Commissioner Mpho Mmutle has allocated the cars to his three deputies for official use.

"I have decided to make the following vehicles available for your official use... PJV 708GP, PJV 705GP, PJV 723 GP."

So every day deputy chiefs Kassie Coetzer, Pius Mokhine and Boetie Sekhudu drive to work and again back home in the Volvos for which the ratepayers forked out 1,2 million rand.

But are the three chiefs in fact using the cars for official police business? Well, last Monday Deputy Chief Sekhudu's wife was being chauffeur driven by a Metro Police Officer around Pretoria in her husband's Volvo.

Philip: "They've got total disregard for what is going on and the rules and regulations of council."

Nit picking? A storm in a teacup? Maybe, but it's just one of many questionable practices that's allegedly happening on a daily basis in our capital's Metro Police Department.

It's an ongoing saga spiced with corruption, fraud, negligence, incompetence and nepotism - all sponsored by ratepayers' money and masked by an impenetrable bureaucracy.

But let's start at the very beginning.

The face of municipal traffic departments in South Africa has changed since 2000 with the inception of the new municipal and metro police forces. They were given more status and functions far wider than just road policing - all in support of the overstretched South African Police Service. In Tshwane, licensing, road and crime policing all became Metro Police functions and, to set them up, around R343 million per year is being pumped into operations.

The core of the new force was made up of traffic officers from the various municipalities in and around Pretoria that were amalgamated to form the new Council of the City of Tshwane, but hundreds more were freshly recruited and have since been trained at this academy in Pretoria West.

In the basic course all subjects are compulsory and a 50% pass mark is needed to qualify. Recently Tshwane sent out this press release claiming a 98% pass rate when a group of 128 qualified in July of this year. However, on closer examination the final results show some very creative juggling of the marks scored.

The year marks were altered after the exam papers had been moderated so that the pass mark of 50 % could be obtained. In one subject year marks were increased by as much as 16% to bump a candidate up to a pass mark.

Gavin Kelly (Department Manager, Traffic Academy NDOT): "This is corruption and it is just totally unacceptable. We will not allow this."

Gavin Kelly of the Department of Transport was astounded when we showed him the different versions of the exam results.

Gavin: "I can only make an assumption that this was done between the final marking put on the paper and being logged onto the computer. So somewhere along the line in the administrative function of the college this has then happened. If you look at the subjects on the sheet, they have not been pulled out of the air. They are there to save lives, to save infrastructure."

But, without proper training, that becomes impossible. Last Sunday 14 people died when a runaway truck ploughed into a minibus in Potgieter Street in Pretoria. At the scene were Metro Police Chief, Mpho Mmutle, and the Mayor of Tshwane, Father Smangiso Mkhathshwa, who said brake failure and overloading were the cause. And on Tuesday he announced that overloading

would soon be a criminal offence in the capital.

The irony is that the subject in which the new officers failed most dismally was called "Loads on Vehicle".

Gavin: "The potential danger in terms of that vehicle not being able to stop, not being able to steer properly, so that the driver could lose control of that vehicle, we would have an uncontrollable heavy vehicle that could do damage to property, to life and really, really cause a problem"

But it's not only the theory that's tripping up the Metro policemen. Some of them also have problems with the most practical of skills. Driving.

Earlier this year another group of officers went on a driving course to upgrade their defensive driving skills. But they fared so poorly that remedial training was recommended for more than 30% of those who had attended. A Code 8 driver's licence was a basic requirement for the course, yet some of the Metro Police officers needed dual controls to be able to handle a car.

In other cases, the problem lay with, let's say, attitude. Since last year the Metro Police have spent around R25-million on vehicles. Apart from the three Volvos, they also bought this Mercedes for its chief and topped up their fleet with 59 Nissan Almeras, 25 Mercedes Benzes, a few bakkies and heavy-duty vehicles.

Vehicles are a sorely needed resource for any police department and one would think that this money was very well spent. But the lack of driving skills has a devastating impact on this investment.

At any point in time around thirty vehicles are parked at the Metro's panel beaters and some have already found a final resting place at the municipal scrap yard. The damage runs into millions of rands and has had a spiralling effect on insurance premiums. This document reveals that just from July to November last year the Metro Police submitted insurance claims of more than R1 million for a very long list of accidents.

This has forced the Council's legal department to take action against those misusing vehicles.

Which brings us back to the Volvos. Four weeks ago the one used by Department Chief Sekhudu and his wife was also involved in an incident, but no report was filed and no action was taken against him. Of course we wanted to discuss these and other issues with either the Metro Police or Council, but no one was willing to talk to us.

Chief Mmutle referred us to City Manager, Renier du Toit, who hasn't been available to take our calls for the past six weeks. Deputy Chief Kassie Coetzer told us that the Mayoral spokesperson, William Baloyi, had stopped them from talking to us.

Kassie Coetzer: "... and he told us not to grant you an interview and that all enquiries be referred to him."

So we tried and tried again to get hold of him, but with no luck.

Chief Mmutle and his deputies each earn around R500 000 per year, but the law lays down very specific requirements for appointments like these.

In Tshwane, however, these stipulations were simply overlooked. Not one of the three deputy chiefs meets the basic requirements. None of them are qualified traffic cops, none of them have done any basic training and one of them doesn't even have a matric. This was condoned by the office of the National Commissioner of Police, Jackie Selebi at request of Metro Police Chief, Mpho Mmutle. So what are their credentials?

Carte Blanche obtained their CVs and the original advertisement for the positions and approached a credible independent recruiter for comment.

Sam Deucher (CEO The Oval Office): "My experience in the government arena and the parastatal arena would suggest that this ad is not written typically in the format of what the government organisation would advertise a position as."

CEO of The Oval Office, Samantha Deuchar gave us very specific examples as to the shortcomings of the ad but could not verify the CVs without the owners' consent.

Sam: "There was no salary ranking or salary range specified here, which is very unusual. I have never seen it in a municipal or government advertisement."

Ruda: "But they say it is negotiable, isn't that acceptable?"

Sam: "No. You have very specific ranges within a government environment. So the salary starts at X and ends at Y "

Deputy Chief Mokhini's CV describes a seven year career in the SAPS, but an old pay slip reveals that he started at the Metro while still being employed and paid by the SAPS.

A search at the registrar of companies revealed that he has also been a director of several companies, one of them being a private security service; this while being a police officer.

But what about deputy Chief Sekhudu? His CV describes a military background, but also mentions a stint in a SAPS task team for stolen vehicles.

We could not find any reference of him ever being in the SAPS. So we asked him, and surprisingly he said he had never been a policeman. So why the claim on the CV? What he did admit, though, was that he was a close relative of Commissioner Mmutle.

And now for a final look at the Volvos... On Wednesday this week Deputy Chief Sekhudu's Volvo was written off when it hit a vehicle from behind. The skid marks indicate the car was clocking 163 kilometres per hour.

Tailing the Volvo was another Metro Police vehicle which was damaged by the flying debris, but had left the scene.

We look forward to the official explanation...

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ADDENDUM (c.) *Carte Blanche*: Gods of the Road



Gods of the Road

[Print](#)


Tshwane Metro Police Part 3

Date : 19 October 2003

Presenter : Zaa Nkweta

Genre : Government, Municipal and Legislation, Corruption and Scams

Diepsloot, Johannesburg 3rd May 2003

Dan: "He was kicked in the face like a soccer ball and he was so dizzy that he didn't know what was happening."

Diepsloot, Johannesburg 3rd May 2003

Woman: "The police fired two shots into the air to chase everyone away from the scene."

Diepsloot, Johannesburg 3rd May

Dan: "When he tried to get onto his hands and knees they hit him from behind with a gun."

Sunnyside, Pretoria 19th September 2003

James: "When I then fell onto the road I was punched and kicked."

The clips you've just seen come from people who fear for their jobs, their future and in some cases their lives. That's why some of them can't be identified.

Diepsloot, Johannesburg 3rd May 2003

Dan: "In our region it is like a mafia. I was afraid if I spoke out, I would be victimised."

Sunnyside, Pretoria 19th September 2003

James: "I said, 'Well why I am I being charged?' He said, 'You will find out in court'."

These interviews were done earlier this week and in each case fingers were pointed at the Tshwane Metro Police.

William Baloyi (Mayoral spokesperson Tshwane Metro Council): "This is not during the Scorpion era of the Apartheid Police. No, no, this is not during that particular era where people will fear the organs of State."

William Baloyi, Mayoral spokesperson of Tshwane may believe so, yet all these people came forward following last Sunday's exposé on Carte Blanche.

It shook the capital to its foundations and brought structures within the Metro Police to the brink of collapse.

But the Carte Blanche investigation began in August, when we revealed that the Tshwane Metro Police and a company called Diphororo Technologies had entered into an illegal gun deal.

Carte Blanche 10 August 2003

Ruda: "The most basic question to ask is surely: 'Do you have a license to deal in firearms?' It seem that the Metro Police, keepers of law and order in our capital, didn't ask that."

In the process Metro Police chief Mpho Mmutle and Metro management paid more than two million rands for pistols that have until today not been delivered.

But from then on things just went from bad to worse.

Carte Blanche 11 Oct 2003

Last week we exposed the abuse of high-speed reaction cars by the three deputy chiefs, Kassie Coetzer, Pius Mkhini and Boetie Sekhudu.

But this was just the tip of the iceberg. The ratepayers forked out R1.2 million for these Volvos. Yet, by the end of the programme, it was obvious that the disregard for public money seems to be standard practice.

We also revealed how exam marks were juggled, how two of the three deputy chiefs had lied in their job applications and how none of them met the basic requirements for the positions they now hold.

Carte blanche 11 October 2003

Ruda: "It's an ongoing saga, with corruption, fraud, negligence, incompetence and nepotism sponsored by the ratepayers."

The programme was enough to finally kick the Council into some kind of action.

The Commercial Crime Unit was immediately called in to prevent the destruction of evidence and on Wednesday an inter-departmental team was commissioned to investigate the debacle.

William Baloyi: "We have decided that we are going to investigate the whole Metro Police Department, ranging from the management and also to appointment and training."

And William Baloyi is adamant that there will be accountability.

William: "We are also looking at the role of the chief of the police because he is also the accounting officer."

Since the last broadcast the Tshwane Metro Police have allegedly targeted policemen who they believe have leaked information to the media. However, they're not the only ones to have felt the wrath.

Philip Gohl (DA Councillor Tshwane Metro Council): "Immediately after the broadcast last week Sunday I got a phone call that I must be careful because certain people have their knives out for me."

DA Councillor Philip Gohl appeared on last week's show, saying Council's Procurement Committee had been misled by the Metro Police when they motivated the purchase of the three Volvos.

Philip: "And on Tuesday I got two anonymous phone calls saying that I had been followed the previous night and that photographs had been taken of me."

Later that day Philip spotted the tail in the street where he lives and approached them.

Phillip: "They told me they were from the Metro Police and that they had been instructed to follow me and see who I was going to see and who was coming to see me."

Zaa: "Who gave them those instructions?"

Phillip: "Allegedly the Deputy Chief, Kassie Coetzer."

Zaa: "...Had told them to follow you?"

Phillip: "Ja."

But Deputy Chief Kassie Coetzer denied the allegations when we called him.

Kassie Coetzer: "I have no knowledge of such instructions, definitely not."

But did he request that they do such a thing?

Kassie: "Never."

William: "The first caller was just saying to me that, 'We have sent you warnings, through whatever has happened. And we think that you will stay away from...' - this time they said - 'the Metro Police'."

Spokesperson William Baloyi received three death threats the day after a group of men tried to force his 17-year-old daughter into a car.

William: "I just took it as petty crime. But later, yes, I did get some nasty calls. But you see when they started being connected to what was actually happening, you obviously take them seriously."

While there were death threats and intimidation felt within council, Carte Blanche received several claims of bullying tactics from the public by the Tshwane Metro Police.

Just less than a month ago James Short stopped at a café in Sunnyside where the Metro Police were attending a call.

When a bystander hurled comment, James was falsely accused. But he denied their claim and the officers began verbally abusing him.

James Short: "So I said 'Can I have your name please?' 'No'. I went round the back of the car and took the car number and that was it. They jumped out of the car and they attacked me."

He was kicked and punched and finally handcuffed.

James: "And then they said to me. 'Get up.' Of course, my hands behind my back, there was no way and also I have a false leg. I said to them, 'I cannot get up, you must help me up'."

James suffered an anxiety attack, but police ignored his pleas for help until the next morning when he was finally taken to hospital. 24 hours later the court dismissed the case against him.

In the past 18 months 41 civil cases have been laid against the Tshwane Metro Police. There've also been numerous criminal cases lodged, including 12 for assault and two for grievous bodily harm.

But not all incidents are reported. This Tshwane Metro policeman – we will call him Dan – took part in an impromptu raid at the Diepsloot informal settlement in Johannesburg....

Commanding the group was this man, Simon Bhebe.

Dan (Tshwane Metro Police Officer): "It was chaos, there was no procedure. Suddenly the door was smashed in and the six people sleeping inside were thrown out."

What happened next is the reason why Dan has come forward.

Dan: "I was shocked. The suspects were told to lie on the ground and Bhebe, another commander, informers and volunteers began kicking them in the head like you would kick a soccer ball. There was this one suspect... when he tried to get up he was bashed on the back of the head with one of these LM Rifles."

The injured suspects – allegedly Mozambicans – and the goods confiscated at the shack, were thrown onto the back of a bakkie and taken to the Erasmia Police Station. But the police there refused to book them into the cells, saying they needed emergency treatment.

So they were taken to the Pretoria West Hospital. The only evidence that the incident took place is this inscription in the hospital's report book. There's also a vague reference in the occurrence book at the Metro Police.

In Diepsloot the neighbours were reluctant to give us detail of what they had witnessed that night.

On Friday we received information that Commander Bhebe's temporary appointment has been revoked by Council, in the interest of good governance and ethical conduct, but this decision was not related to our investigation.

Good governance and ethical conduct ...

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ADDENDUM (d.) *Carte Blanche*: Tshwane Metro Update



Tshwane Metro Update

[Print](#)


Date : 29 August 2004
Producer : Susan Purén
Presenter : Ruda Landman
Genre : Corruption and Scams

It's just after a quarter to seven in the morning on Friday, the 12th of March this year, and in Atteridgeville - on the outskirts of Pretoria - a Volvo is speeding through the streets.

It's of no concern to the driver that the speed limit is 70 kilometres per hour because he knows nothing will happen to him if he is caught speeding, so he manages to clock 181 kilometres per hour in peak traffic on his way to work in town - this, despite the fact that a device has been installed in the vehicle to monitor speed.

Fifteen minutes later he turns into the Headquarters of the Tshwane Metro Police. The chief has arrived...

Tshwane Metro Police Chief, Mpho Mmutle and his deputies Cassie Coetzer, Pius Mkhini and Boetie Sekhudu have made headline news since August last year - unfortunately, all for the wrong reasons.

It started when Carte Blanche broadcast a series of programmes exposing widespread corruption, fraud, negligence, incompetence and nepotism within the force.

After the broadcast, Tshwane mayor, Father Simangaliso Mkwatsha, instituted a probe into misconduct. It allegedly resulted in death threats and an attempt to abduct the daughter of mayoral spokesperson William Baloyi.

DA Councillor, Phillip Gohl - who exposed some of the corruption on Carte Blanche - pressed charges after allegedly being harassed by the Metro Police.

Ruda: "The year since then has been taken up by investigations. There was an internal investigation, an external investigation and finally a forensic report by Deloitte. This was tabled in May, but still the wheels are turning very slowly."

Commissioner Mmutle, his three deputies and three other people have now been put on what is called 'special leave', on full salary, pending the outcome of a disciplinary hearing. The charges have not been made public and the hearing has now been suspended, with no date set for its resumption.

Clr. Absalom Ditsshoke (ANC, Metro Police): "In this case, the terms of reference which were referred to in the report - corruption, nepotism, mismanagement and other things - the report found those four things, only nothing against them."

Councillor Absalom Ditsshoke is the political head of Safety and Security in the Council.

The report talks about the shortcomings in the administration[s] ?.

Ruda: "Well that may be how the councillor read the report, but the copy in the possession of Carte Blanche confirms every allegation we made in the original story."

We showed that the three deputy chiefs didn't meet the minimum job requirements and that some of them made false claims on their CVs. The report concurs.

Absalom: "There is no doubt in our minds that this CV is falsified and that there is no truth in the CV. They have been pardoned, but there have been people delegated to look into other areas in terms of the CVs."

At the Tshwane Municipal Training Centre we exposed how Metro Police exam papers had been marked up to claim a pass rate of 98 percent. Deloitte's report found exactly the same.

A senior officer at the centre, Johnny Dikela, confirmed to Deloitte he had given instructions for the marks to be changed.

*

Ruda: "A year later nothing had been done to re-examine or de-register the cops who'd qualified as a result of the corruption. All of them are still on the job, and it seems that there's no hurry to take action."

Absalom: "We haven't received a report detailing who are those people individually."

But have they asked for it?

Absalom: "Yes, we've asked. We need to get the report. Obviously we want to know exactly who are those people who have had their marks adjusted."

In October last year, this Mercedes was Chief Mmutle's official car, and these Volvos were inappropriately used by the three deputy chiefs as their personal vehicles; they were meant to be used as high speed patrol cars.

Shortly before Carte Blanche exposed this, the Volvo used by Deputy Chief Sekhudu was involved in a high-speed accident.

Ruda: "The damage was more than R130 000 - about a third of the original price of the car - and ten months after the crash,

we are told that the vehicle is being repaired behind these walls... but, what about the other two Volvos? Are they still exclusively allocated to top management?"

Absalom: "No, they are not allocated to them."

So, the Volvos are finally used as high speed patrol cars?

Absalom: "The cars are back, yes."

Really? ...

... Not according to this logbook. It shows that Commissioner Mmutle and sometimes his driver have been behind the wheel of one of the Volvos since December last year.

We asked what has happened to Mmutle's official Mercedes?

Absalom: "Yes it got in a car accident. That car was involved in a car accident."

Ouch! ... another accident for the top brass? Well, Commissioner Mmutle didn't waste time to jump into a Volvo and, as the rule prescribes, he meticulously completed the car's logbook.

The onboard computer, in the meantime, recorded what was happening to its engine.

Exact times, distances and the top speed clocked during every single trip were later downloaded and compared with the logbook. The picture that emerged was not a pretty one.

Speeds of 170, 146, 166 and 186 km per hour were recorded on a daily basis. Then, about a month ago, Chief Mmutle was yet again involved in an accident. He crashed the Volvo on a Saturday morning on his way to a funeral in Hammanskraal.

Ruda: "The highest speed during the trip was recorded as 198 km per hour and, when the accident made headline news, the Metro Police took immediate action. Surprisingly, not against the speeding Chief, but against the officers suspected of leaking the pictures and information to the media! They were transferred within 24 hours and are now caught up in disciplinary action."

Fortunately, they have the full support of their labour unions.

Silas Letsimo (South African Municipal Workers Union): "I don't understand why the Tshwane Metro is trying to play hide and seek with these men. Our national government is transparent and open on these issues of corruption. Local government is a public institution. It serves the people; it needs to serve the people fairly, honestly and transparently."

Johan Koen (Independent Municipal and Allied Trade Union): "They were simply called in, wild allegations made and then simply transferred to another region, and they've simply been sidelined and intimidated by council."

The Tshwane Metro Council recently appointed a new City Manager, Blake Mosley-Lefatola. If anyone should address these issues, it is [him]. They offered us an interview, but we left empty-handed.

Ruda: "Mr Lefatola spent an hour talking to us off camera, but only about one thing - the questions we were allowed to ask him. He wanted a written list and a whole series of topics - among them the issues raised by the unions - were simply off limits. In the end, he declined to go on camera.

The one thing we wanted to bring to the City Manager's attention was that Commissioner Mmutle, like two of his deputies, received Departmental Drivers Licences without ever being tested. According to Council rules they are therefore personally liable for the damage done to the cars they've used. But we never had a chance of making that point.

He demanded that we supply him with copies of speeding tickets issued to Commissioner Mmutle's deputies before he would act or comment on the issue.

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ADDENDUM (e.) *Special Assignment: Good girls, Bad cops*



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SPECIAL ASSIGNMENT

This Week	Archives	About us
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This week on Special Assignment SABC 3 at 21h30 on Sept 28, 2004

"Good girls, Bad cops"

Press release

Media clips
require Real
Player



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INTRO:

Tonight on Special Assignment we expose criminal activity rife in the sex industry.

Except it's not prostitutes and their clients guilty of bribery and corruption, but those meant to be responsible for upholding law and order.

We'll show you how the police make easy money, preying on some of society's most vulnerable...

[SEX WORKERS]

I DON'T THINK I WILL RESPECT A COP BECAUSE I KNOW ALL THEY WANT IS MONEY...

IF I SEE THE POLICE ON THE STREET, I DON'T FEEL SAFE

THEY CATCH ME, THEY HIT ME, THEY SPRAY ME WITH A SPRAY GUN. THEN THEY ASK ME WHERE IS THE MONEY? AND THEY HIT ME ALL OVER MY BREASTS. THEN THEY FIND MY MONEY AND TAKE MY MONEY...

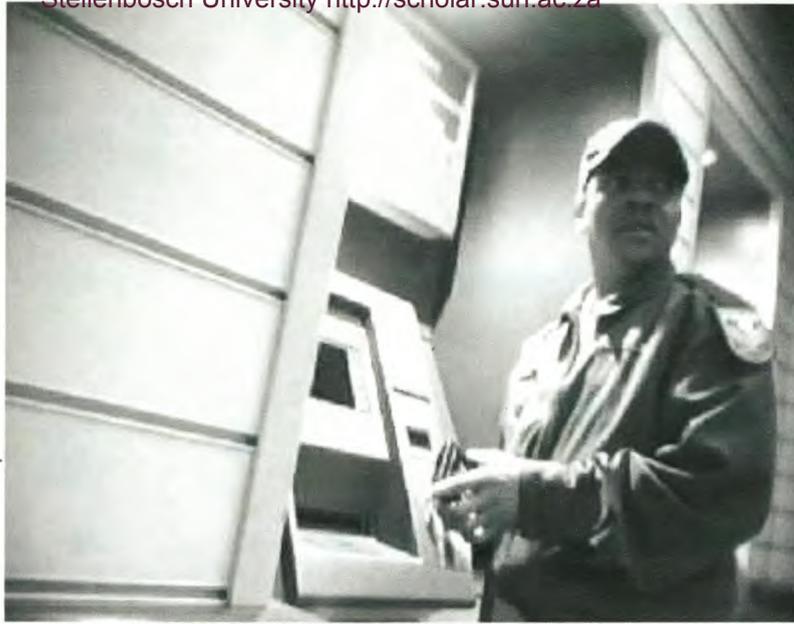
IF YOU GO TO A COP STATION AND ESPECIALLY BEING A PROSTITUTE AND YOU LAY A CHARGE AGAINST 6 COPS AND THOSE COPS SAY YOU ARE TALKING CRAP, WHO DO YOU THINK THEY WILL BELIEVE? OBVIOUSLY THEY WILL BELIEVE THE COP...

BRAMLEY POLICE STATION, THEY ARE DOING BAD THINGS. THEY ARE DOING CRIMINAL THINGS...

[TITLE] BAD GIRLS

BAD COPS

report by JessicaPitchford



Johannesburg's Oxford Road runs from Killarney to Sandton, through affluent suburbs like Houghton, Rosebank and Illovo.

Over the past few years, sex workers who used to frequent only the streets of Hillbrow and the inner city, have made their way north - to where the money is.

There are women, or men dressed as women, on almost every street corner.

Some residents are appalled, and restaurant owners say it negatively affects their business.

IT'S ACTUALLY BROUGHT THE BARON&FIDDLER DOWN, IT'S ACTUALLY BROUGHT THE SHOP DOWN. IT USED TO BE BUSY, IT USED TO BE VIBRANT OUTSIDE ON THE BALCONY. PEOPLE USED TO SIT UNTIL SILLY HOURS. NOW WE'VE GOT ALL THESE PROSTITUTES HANGING ON THE CORNER, WHISTLING, SHOUTING, POSING, GESTURING TO CUSTOMERS AS THEY'RE LEAVING OUR VENUE

I WORRY ABOUT THE PEOPLE WHO COME IN WITH SMALL CHILDREN AND HAVE TO SEE IT. CHILDREN ASK MUMMY - WHO ARE THOSE GIRLS? VERY OFTEN THEY FLASH, THEY DON'T STAND STILL AND DO THEIR BUSINESS. THEY ARE RATHER LOUD, ALWAYS WAVE AT THE MOTORISTS, SO FROM THAT POINT OF VIEW, IT'S A NEGATIVE...

But there's clearly a market here.

Luxury cars pull up and pick up sex workers from eight until late.

THE VEHICLES THAT ARE PULLING IN THERE - THE BMW'S, THE MERCS...

THEY MOVE IN WHERE THE MONEY IS, THEY MOVE IN WHERE THE SECURITY IS, WHERE THEY FEEL MORE SECURE AND WHERE THEY CAN MAKE MORE MONEY

A lot of the women live in Hillbrow, but do their business in the north.

Some of them, like Tsidi, who works on this corner, are independent.

But others, like Elinah, Nunu and Thembi, say they are dropped off every night by a Nigerian pimp.

He supplies them with accommodation, food and crack.

They give him the money they earn.

HE DROPS US, HE PICKS US UP, ASKS HOW MUCH MONEY WE HAVE....DID YOU WORK? WHY DIDN'T YOU WORK – WHAT HAPPENED TO YOUR MONEY?

[MINI-DV – SEARCHING HANDBAG]

As if their lives aren't hard enough, the girls allege they have to put up with constant harassment by the police.

If they are found on street corners, they are searched often dropped off miles away.

Patrol vans drive up and down all night, often demanding money or free sex.

THEY ARE DOING IT EACH AND EVERY DAY, EACH AND EVERY DAY THEY ARE DOING IT.

[INTO BACK OF VAN – MINI DV]

They say if they don't oblige, they are arrested.

YES IF THEY TAKE ME ALONE AND MAYBE THERE ARE 3 OR 4 OF THEM IN THE VAN, I HAVE TO HAVE SEX WITH THEM. I HAVE TO HAVE SEX WITH THEM BECAUSE I AM SCARED TO SLEEP IN THE CELLS. IT'S NOT NICE.

YOU'RE WALKING DOWN THE STREET, YOU'VE JUST JUMPED OUT OF A CLIENT'S CAR, THERE WILL BE A GUY TRYING TO MUG YOU, THE POLICE VAN WILL PASS YOU BY, THEY WILL DO SHIT ABOUT IT. BUT IF IT'S A CLIENT, THEY WILL BE THERE LIKE NOBODY'S BUSINESS, DEMANDING MONEY. THEY ARE USELESS! THEY CAN'T DO THEIR WORK – EISH!!

Tsidi lives in Hillbrow and has been working in Sandton since November last year.

She says most sex workers are treated like dirt by the police.

She's had several bad experiences.

THE POLICE FROM ROSEBANK PICKED ME UP, LIKE HE WAS ARRESTING ME. I THOUGHT HE WAS ARRESTING ME. THERE WERE FOUR OF US AND HE TOOK ME TO THE JOHANNESBURG ZOO AND THEN HE CALLED ME AND SAID WHAT DO YOU THINK? LET'S GO AROUND THAT HOUSE AND FUCK. I REFUSED.

THE SECOND TIME HE CAME AGAIN, HE PICKED ME UP AND SAID HE IS GIVING ME A LIFT HOME. HE WENT TO THE SAME PLACE. I SAID NO, I DON'T WANT TO FUCK YOU. IF YOU WANT TO FUCK ME, PAY ME. HE SAID WHY MUST I PAY YOU, I AM A POLICEMAN, I WILL HELP YOU SOME OTHER TIME AND ALL THIS STUFF. I JUST THINK WHAT'S THE USE OF FUCKING A POLICE, BECAUSE IF YOU FUCK ONE, THEY WILL COME ALL OF THEM.

I DON'T THINK THEY SEE IT AS A JOB, THEY THINK THAT WHEN YOU ARE THERE, YOU JUST WANT TO FUCK AND THAT'S ALL. THEY DON'T KNOW THAT YOU ARE LOOKING FOR MONEY AND IF IT WASN'T FOR MONEY, YOU WOULDN'T BE STANDING THERE. IT'S COLD, IT'S DANGEROUS, IT'S DARK...

Most of the girls find it easier just to pay the police R50 to leave them alone.

IT HAPPENS EVERY DAY...

Health worker and researcher Tiisetso Motloung knows many of the women and believes they are among the most victimised in society.

THEY BECOME VULNERABLE TO ANY KIND OF ABUSE. IT COULD BE IN THE BROTHELS WHERE THEY STAY, IT COULD BE BY THE POLICE, IT COULD BE BY THEIR CLIENTS, YOU KNOW. BECAUSE EACH TIME THEY REPORT THE CASES, THEY KNOW THE LAW IS AGAINST THEM, SO IT BECOMES VERY DIFFICULT FOR THEM TO REPORT ANY CASES

[SET UP – HELENE]

Legal researcher Helene Combrinck agrees.

THE DIFFICULTY IS WHERE SEX WORK IS CRIMINALIZED, SEX WORKERS ARE ESSENTIALLY HELPLESS TO GO AND LAY COMPLAINTS ABOUT POLICE ABUSE AND POLICE HARASSMENT

The situation seems to be no different in other parts of Johannesburg and surrounding areas.

Sex workers in Hillbrow, Rosettenville and Krugersdorp say the police always seem to be on the take.

Some even demand bigger bribes if white clients are found with black women.

THE COPS EVERY DAY, SPECIAL WEEKENDS, STARTING WEDNESDAY TO SUNDAY, ASK ME MONEY, FINE THE CUSTOMER AND ASK HIM FOR MONEY TO PAY A CHARGE FOR FINDING HIM WITH A BLACK GIRL, WHY IS HE WITH A BLACK GIRL? THEY SAY OK, BECAUSE I FOUND YOU WITH A BLACK GIRL, I'LL FINE YOU SO MUCH. GUYS GO TO THE BANK AND PAY THE COPS BECAUSE THEY DON'T WANT TO GET INTO TROUBLE. I'M SURE THEY ARE MARRIED GUYS.

A police spokesperson says sex workers must complain to the right channels.

THEY CAN ACTUALLY PHONE OUR TOLL FREE NUMBER – THEY CAN STAY ANONYMOUS AS LONG AS THEY GIVE US ENOUGH INFORMATION, WE WILL DEFINITELY WORK ON ANY INFORMATION BROUGHT TO OUR ATTENTION IN THIS REGARD...

[AD BREAK] After the break, we catch the police red-handed...

PART 2

Sharon lives with her cat and a Nigerian drug dealer in Rosettenville, south of Johannesburg.

She's 24 and has been doing sex work for about a year, mainly to pay for her drug habit

There are more than 30 crack houses in the area.

But she alleges that police from the Booyens station are more concerned about prostitution and how much money they can make from sex workers.

[PUTTING ON CD – SOUND UP: MUSIC]

She says they often just burst in and steal her electrical appliances.

KNOCK ON THE DOOR, IF YOU DON'T OPEN THE DOOR, THEY BREAK IT DOWN. YOU CAN SEE THE BEDROOM DOOR IS STUFFED. IF YOU CAN'T PRODUCE TV LICENCES OR PAPERS, THEY JUST TAKE IT. THEY DON'T REGISTER AT THE POLICE STATION LIKE THEY SAY THEY WILL. YOU ARE SUPPOSED TO REGISTER IT THERE AND YOU TAKE PROOF OF PURCHASE AND THEY ARE SUPPOSED TO GIVE IT BACK. IT NEVER GETS REGISTERED AT THE POLICE STATION. IT'S HAPPENED. I'VE HAD 4 TV'S STOLEN LIKE THAT.

[TAPE4 – FRIDGE]

Two weeks ago, they tried to take her fridge.

She resisted and they got violent.

IF YOU RETALIATE, THEY BEAT YOU, THEY HIT YOU. THE BRUISE ON MY LEG IS FROM RETALIATING WHEN THEY TRIED TO TAKE MY FRIDGE, SO THAT'S WHY YOU DON'T.

COPS THAT AREN'T ON DUTY WILL COME THROUGH ANYWAY TO TRY TO COLLECT MONEY. TODAY THERE WAS A COP HERE LOOKING FOR SOMETHING. HE WAS TELLING US HE'S BATTLING. HE TRIED TO GET INTO THE ROOM TO TRY AND TAKE THE TV AND RADIO AND STUFF

HE'S OFF DUTY – ON HOLIDAY FOR TWO WEEKS

[COP CAR – TAPE8]

She says if the police can't get money out of the women, they go for the clients.

I WAS ONCE WITH A CLIENT, I CAN'T REMEMBER HIS NAME, GEORGE, I THINK. THE COPS CAME, HE'D HAD QUITE A BIT TO DRINK. THEY PULLED US OUT OF THE CAR, THEY COULD SEE HE'D BEEN DRINKING, THEY STARTED THREATENING HIM WITH HIS WIFE AND HIS WORK, TAKING HIS REGISTRATION NUMBER, CALLING IN THE NUMBER TO SEE WHERE HE STAYED AND THREATENING HIM LIKE THAT, LETTING HIM THINK THEY WERE REALLY BEING SERIOUS ABOUT IT AND THE CLIENT WAS PETRIFIED. HE WAS LITERALLY SHAKING. HE BASICALLY CRAPPED HIMSELF. HE GAVE THEM R760.

STANDUPPER:

Sharon had agreed to help us lay a trap for the police.

But a few days after doing an interview with us, she was apparently thrown from a moving car by a client.

Her Nigerian house-mate says she'll be in hospital for the next two months.

So we laid our own trap back on Oxford Road.

We got Special Assignment investigator Alex Stellanos and team member Dima Raphoto to drive down Oxford Road, rigged with a spy camera.

It wasn't long before they were stopped by a patrol car from the Rosebank police station.

A policeman, who wasn't wearing a name badge, made out they were committing a grave offence.

[SPY CAM] PLEASE COME OUT OF THE VEHICLE! WHO IS SHE?

I DON'T KNOW, I JUST GAVE HER A LIFT.

YOU HAVE A BIG PROBLEM SIR.

WHY?

THIS IS NOT ALLOWED, SHE IS A PROSTITUTE.

THIS ISN'T FAIR – I DIDN'T TALK BUSINESS WITH THE GIRL.

One of the policemen then got into the passenger seat of our vehicle and told our investigator, Alex, to drive on.

BOTH OF YOU ARE UNDER ARREST.

BOTH OF US?

BOTH YOU AND HER.

PROSTITUTION IS NOT ALLOWED AND TOMORROW YOU WILL APPEAR WITH HER IN COURT.

DO YOU KNOW HOW MUCH THE FINE IS? IT'S R800 MY FRIEND.

HUH?

R800!

THEN I MUST GO TO THE ATM. I DON'T HAVE R800 ON ME.

Instead of taking Alex straight to the police station, they stopped at a bank.

Dima, in the meantime, had been thrown into the back of the van and was following behind with the other policeman.

THEY TOOK ME OUT OF THE CAR, HAULED ME INTO THE POLICE VAN AND AFTER THAT THEY SAID WE MUST PAY AN ON SPOT FINE AS THEY CALL IT. AND WE DROVE OFF AND THE NEXT THING I SAW WE WERE AT AN ATM.

The policeman accompanied Alex and pretended to draw money too, so as not to raise the suspicions of the banks security guards.

[SOUND UP] R600?

SSSH! I DON'T WANT THESE PEOPLE TO HEAR ME!

[DIMA RAPHOTO] AND WE DROVE TO SOME DARK CORNER WHERE THEY EXCHANGED THE MONEY.

[SPYCAM – MONEY EXCHANGE – KEEP LONGER FOR NEXT LINE]

Alex was offered a receipt by the policeman.

[SOUND UP] SO YOU DON'T WANT A RECEIPT

NO, I JUST WANT TO TAKE THE GIRL!

INTERPRETED AS PAYING AN AMOUNT OF MONEY ON THE SPOT, WHICH IS NOT ALLOWED IN TERMS OF THE CRIMINAL PROCEDURE ACT AND WHAT IT BASICALLY IS, IS A BRIBE FOR THE POLICE TO RELEASE THEM...

[PAUSE]

We repeated the exercise the following week, again with the spy camera.

This time our team members were stopped by different policemen, also from the Rosebank station.

Dima was told that she was a well-known prostitute.

SOUND UP: THIS LADY SHE IS IN BUSINESS. SHE IS A PROSTITUTE.

I CAN PROVE THAT IN COURT

THEY WILL TELL YOU STRAIGHT THAT YOU ARE AMAGOSHA. WE KNOW YOU, WE HAVE SEEN YOU – YOU ARE SO YOUNG, IT'S SUCH A WASTE... THEY WILL CALL YOU ALL THESE DREADFUL NAMES. THEY ARE VERY RUDE, VERY ROUGH...

[SPY CAM] COME OUT OF THERE AND GET INTO THE VAN!

AND ONE OF THE POLICE MEMBERS WAS A FEMALE WHO ACCUSED ME OF BEING A PROSTITUTE, THAT SHE HAS SEEN ME ON THIS CORNER AND SHE KNOWS WHO I AM. AFTER STOPPING US, THEY TOOK ME OUT OF THE CAR, SAME PROCEDURE, THREW ME IN THE BACK OF THE VAN, DROVE OFF

[SOUND UP: SPY CAM] HOW MUCH IS THE ADMISSION OF GUILT?

IT'S A R1000

[HANDOVER]

Alex managed to beat him down to R600.

[WOMEN IN STREET]

Real sex workers confirm that this is the modus operandi.

[NUNU – TAPE 7] THEY MAKE THE CLIENT PAY ANY AMOUNT, YOU DON'T KNOW HOW MUCH THEY WANT AND NEXT THING THEY WILL STILL WANT SOME MONEY FROM YOU

I WILL JUMP INSIDE THE VAN AND ANOTHER COP WILL JUMP INSIDE THE CLIENT CAR AND INSIDE THERE THEY WILL TALK – YOU ARE ARRESTED AND THAT GUY WILL BE SCARED. YOU HAVE TO KEEP MONEY. IF HE DOESN'T HAVE MONEY, YOU GO TO THE ATM.

The police always inquire about the alleged client's marital status.

[SPYCAM2 – SOUND UP] WHY ARE YOU DOING THESE WRONG THINGS?

LIKE WHAT?

AREN'T YOU A MARRIED MAN?

I AM, JA.

AND DO YOU THINK YOUR WIFE IS GOING TO LIKE IT WHEN WE TELL HER WHAT YOU ARE DOING?

THEY CAME TO A POINT WHERE THEY THREATENED MY COLLEAGUE AND SAID WE ARE GOING TO TELL YOUR WIFE ON WHAT YOU DO AFTER HOURS WITH THE PROSTITUTES AND IF YOU ARE A CLIENT AND YOU ARE MARRIED, YOU WILL FREAK OUT AND YOU WILL PAY WHATEVER AMOUNT THEY WANT.

None of the crooked cops wore identification badges.

THEY NEVER WEAR THEIR NAME TAGS, SO YOU CAN NEVER SAY THIS IS YOUR NAME, THIS IS SO AND SO...

[STREET]

Many of the sex workers allow themselves to be intimidated because they are unfamiliar with the law as the police appear to be.

THEY CAN'T ARREST ME FOR WALKING OR CLIMBING IN THE CAR. IT'S NOT ILLEGAL. BUT MOST OF THE GIRLS DON'T KNOW THAT. THEY KNOW THAT THE WORK THEY'RE DOING IS ILLEGAL, SO THEY AUTOMATICALLY ASSUME THAT THEY CAN ARREST THEM BECAUSE THEY KNOW WHAT WORK THEY DO. IT'S NOT ILLEGAL TO GET INTO A CAR OR TO WALK IN THE STREET...

IT'S NOT ENOUGH TO KNOW THAT SOMEBODY IS A SEX WORKER. THE POLICE OR THE STATE WOULD HAVE TO PROVE THAT ON A PARTICULAR OCCASION, SHE HAD SEX WITH A PARTICULAR PERSON FOR REWARD.

[PAUSE]

Britta Rotmann works as a lawyer for SWEAT, the sex worker education and advocacy task force.

One of the reasons the organization wants sex work decriminalised is to prevent unfair treatment by the police.

Currently, the Sexual Offences Act criminalises all aspects of the sex industry except buying sex. But that doesn't stop men facing arrest.

THE SEXUAL OFFENCES ACT DOESN'T PROVIDE FOR A CRIME OF BUYING SEX, BUT THEORETICALLY A CLIENT COULD BE CHARGED UNDER AIDING OR ABETTING A CRIME OR BEING AN ACCESSORY TO A CRIME OR THINGS LIKE THAT

Sex workers are often arrested under municipal by laws.

SOME OF THOSE BY-LAWS ARE VALID BUT NOT ENFORCED IN THE SAME MANNER

PEOPLE CAN LITERALLY BE ARRESTED FOR STANDING ON STREET CORNERS, WHICH OBVIOUSLY IS FAR LESS LABOUR INTENSIVE THAN TRYING TO ARREST AND PROSECUTE UNDER THE SEXUAL OFFENCES ACT.

STANDUPPER:

Sex workers say they and their clients are often threatened with arrest before doing a thing, simply because police recognize them.

One night our spy cameraman picked up a sex worker and merely drove with her

along camera roll.

Police recognized the woman and stopped them.

Cameraman Byron Taylor was nearby, filming with a broadcast camera.

Our spy cameraman pretended to be alarmed when he saw us.

[SOUND UP: ALEX] I DON'T WANT THIS DRAMA NOW

THEN GET INTO THE CAR, LET'S GO!

We had earlier been stopped by the two policemen and told them we were doing a documentary on night life.

The policemen, this time from the Bramley station, seemed to have a routine worked out.

They would wait in a nearby side street while Alex withdrew the money.

Shortly before doing so, he sent us a text message, telling us where he was going.

The policemen were unconcerned when we arrived at the scene of the cash handover.

[IT'S SABC – THEY ARE DOING A PROGRAM ON NIGHT LIFE]

This time they wanted R500.

After taking the money, they casually warned him to be more discreet next time he picked up a sex worker, or he could risk being captured on an SABC camera.

[SOUND UP]

The sex worker, Queen, wasn't surprised at all by the acceptance of the bribe.

THIS IS NORMAL? JA – THEY DO IT ALL THE TIME.

STANDUPPER:

As if we didn't have enough proof of police corruption, we tried one more time, just to make sure. Alex, our spy cameraman picked up a sex worker who said she wanted a lift home. This time the policeman hovered near the ATM while the money was being withdrawn.

He'd asked for a thousand rands.

[SOUND UP: SPYCAM2] I CAN DRAW R600.

THAT'S MY LIMIT.

After conferring with his partner, a policewoman who'd been present on earlier bribes, the money was handed over back in our vehicle.

All in all we'd managed to bribe seven policemen and had spent two thousand four hundred rands.

It's said that they can make up to 30-thousand rands a month with the money they get from sex workers, pimps and drug dealers.

I WOULD SAY THEY ARE NOT GETTING LESS THAN R600 EACH A NIGHT – EASY!

AND THEN THE NIGERIANS PAY THEM BETWEEN R50 AND R100.

IF THEY FIND A GIRL WITH A PIPE ON HER, THEN THE CHARGE IS R200. THEY'VE GOT A PRICE LIST THAT GOES WITH IT!

[COPS]

When questioned, a spokesperson for the police seemed unaware that corruption was so commonplace.

THAT IS NOT NORMAL POLICE PRACTICE. THAT IS NOT POLICE POLICY AND I WOULD HOPE THAT THAT PERSON WENT AND LAID A COMPLAINT SO THAT THAT CAN BE INVESTIGATED. THAT IS NOT THE IDEA OF POLICING CRIMES IN THIS COUNTRY.

[AD BREAK] After the break – what's the solution?

PART3

Health issues are a major concern to sex workers.

Often they are more aware than many about sexually transmitted diseases.

SOUND UP: TISETSO MOTLOUNG/REPRODUCTIVE HEALTH RESEARCH UNIT- BUT THESE WOMEN, THE SEX WORKERS, THEY CAN IDENTIFY A SICK MAN. THEY SAY I HAD A VERY SICK MAN I TOLD HIS GUY HE MUST GO TO THE HOSPITAL. BECAUSE WE GIVE THEM HEALTH EDUCATION, THEY KNOW THE DIFFERENT KINDS OF STI'S

[COPCAR]

Sometimes they are more aware than the police.

MOST POLICE THEY DON'T USE THE CONDOM. THAT'S A PROBLEM, THEY ARE THE ONES GIVING ME A PROBLEM. THE CUSTOMERS DON'T GIVE ME A PROBLEM. THE POLICE DON'T WANT TO USE A CONDOM. THEY SAY WHY DON'T YOU TRUST ME, I'M WORKING FOR GOVERNMENT, BLAH-BLAH-BLAH...

[BRITTA AND TISETSO HANDING OUT PAMPHLETS]

Organizations like SWEAT say if prostitution was decriminalized, there'd be more awareness, less corruption and police could perhaps make better use of their time and resources.

BRITTA ROTMANN/SWEAT - WE WOULD MUCH PREFER A SITUATION WHERE WE CAN TALK TO THE POLICE AND SIT DOWN WITH THEM AND HAVE A MEETING BETWEEN SEX WORKERS AND THE POLICE AND DISCUSS THE ISSUES THE POLICE HAVE AND THE ISSUES THAT SEX WORKERS HAVE. WHERE THERE ARE VALID COMPLAINTS BY COMMUNITIES AND THE POLICE, THEN THOSE SHOULD BE ADDRESSED

In 2002, the Pretoria High court found that sections of the Sexual Offences Act outlawing sex for reward were unconstitutional. But the Constitutional Court didn't agree and ruled that a decision regarding sex work should be made by the legislature.

Parliament is awaiting recommendations from the SA Law Commission.

So for now, the official police line is that sex workers must be arrested.

MARY MARTINS-ENGELBRECHT – IF PEOPLE ARE ARRESTED FOR PROSTITUTION OR UNDER THE SEXUAL OFFENCES ACT... THESE PEOPLE ARE ARRESTED ACCORDING TO THE LAW AND TAKEN AND CHARGED TO THE POLICE STATION

HELENE COMBRINCK - IT IS NOT A CONSTRUCTIVE WAY OF DEALING WITH THE PROBLEM OF OUTDOOR SEX WORK AND UNFORTUNATELY WE SEE THAT MANY OF THE HUMAN RIGHTS ABUSES AGAINST SEX WORKERS COME FROM THIS POLICY OF RANDOM ARRESTING

However, in the south of Johannesburg, we found a police reservist with an open attitude.

Captain Cathy Newcombe knows most of the sex workers in Rosettenville.

Although she'd like to get them off the streets, she's able to see the futility of arrests.

SOUND UP - THE MAIN REASON WHY WE CAME HERE IS BECAUSE RESIDENTS WERE COMPLAINING ABOUT PROSTITUTION IN THE AREA. THEY COULDN'T LET THEIR CHILDREN PLAY OUTSIDE BECAUSE OF CONDOMS AND HYPODERMIC NEEDLES.

IN THE BEGINNING WE TRIED TO DISCOURAGE THEM FROM WORKING IN THE STREETS AND THEN AFTERWARDS SOMETIMES THEY WOULD COME TO US FOR HELP AND ADVICE AND WE WOULD HELP THEM WHERE WE COULD

[TAKING PHOTO]

She has a collection of photographs of 134 sex workers in Rosettenville.

THEY KNOW THAT THE PHOTOS WILL BE USED FOR MY RECORDS ONLY, NOT FOR ANYTHING ELSE, JUST FOR ME SO THAT I REMEMBER WHO I AM SPEAKING TO, IF ANYONE GOES MISSING, I HAVE SOMEWHERE TO START... I TRY TO FIND OUT HOW LONG THEY HAVE BEEN IN THE STREETS, WHAT HAS DRIVEN THEM INTO THE STREETS

She says some of the women are earning up to 20-thousand rands a month, so it's unrealistic to expect them to stop the work unless there's an alternative.

All she can do is try to keep them safe.

I CAN OFFER THEM HELP IF THEY ARE IN TROUBLE, SOME OF THEM DO GET INTO TROUBLE WITH THEIR PIMPS, MAYBE THEY WANT TO LEAVE OR MOVE SOMEWHERE ELSE AND THE PIMP WON'T ALLOW THEM TO, SO THEY COME TO US AND WE HELP THEM TO REMOVE THEIR PROPERTY AND WE ESCORT THEM AWAY...

WIDE SHOT WITH NUNU, THEMBI & QUEEN

Three of the girls who helped us with our story - Nunu, Thembi and Queen told us they were desperate to get away from their Nigerian pimp.

[HILLBROW FLAT]

They lived with him in this block of flats in Hillbrow.

We took them to the Sexual Offences Unit, where they laid charges of rape and sexual exploitation.

[HILLBROW FLAT AGAIN]

But the police apparently didn't follow up on the case and last we heard the girls were back with the man, back in the flat and back on the streets.

And like all the other women who helped us – they're also still at the mercy of the police.

Unless of course, their tales of abuse and our evidence of corruption are taken seriously.

[VISUALS OVER DIMA'S POEM]

We pray to thee to suppress

All those trying to depress our gains in the name of the law

What law is this that abuses, harasses and confuses.

Amazing enough it's a law that's useless

Sisters out to get paid

Brothers in blue out to inflict pain

Every night we try and gain something for our reign

But they keep coming to prey on our state

CREDITS:

CAMERA & SOUND: BYRON TAYLOR

SPY CAMERA & RESEARCH: ALEX STELLIANO

WRITTEN, PRODUCED AND DIRECTED BY JESSICA PITCHFORD

Find out more this Tuesday at 21h30 on SABC3.

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[SABC 3 at 21h30 on Sept 28, 2004](#)

"Bad girls, Bad cops"

Press release

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INTRO:

Tonight on Special Assignment we expose criminal activity rife in the sex industry.

Except it's not prostitutes and their clients guilty of bribery and corruption, but those meant to be responsible for upholding law and order.

We'll show you how the police make easy money, preying on some of society's most vulnerable...

[SEX WORKERS]

I DON'T THINK I WILL RESPECT A COP BECAUSE I KNOW ALL THEY WANT IS MONEY...

IF I SEE THE POLICE ON THE STREET, I DON'T FEEL SAFE

THEY CATCH ME, THEY HIT ME, THEY SPRAY ME WITH A SPRAY GUN. THEN THEY ASK ME WHERE IS THE MONEY? AND THEY HIT ME ALL OVER MY BREASTS. THEN THEY FIND MY MONEY AND TAKE MY MONEY...

IF YOU GO TO A COP STATION AND ESPECIALLY BEING A PROSTITUTE AND YOU LAY A CHARGE AGAINST 6 COPS AND THOSE COPS SAY YOU ARE TALKING CRAP, WHO DO YOU THINK THEY WILL BELIEVE? OBVIOUSLY THEY WILL BELIEVE THE COP...

BRAMLEY POLICE STATION, THEY ARE DOING BAD THINGS. THEY ARE DOING CRIMINAL THINGS...

[TITLE] BAD GIRLS

BAD COPS

report by JessicaPitchford



Johannesburg's Oxford Road runs from Killarney to Sandton, through affluent suburbs like Houghton, Rosebank and Illovo.

Over the past few years, sex workers who used to frequent only the streets of Hillbrow and the inner city, have made their way north - to where the money is.

There are women, or men dressed as women, on almost every street corner.

Some residents are appalled, and restaurant owners say it negatively affects their business.

IT'S ACTUALLY BROUGHT THE BARON&FIDDLER DOWN, IT'S ACTUALLY BROUGHT THE SHOP DOWN. IT USED TO BE BUSY, IT USED TO BE VIBRANT OUTSIDE ON THE BALCONY. PEOPLE USED TO SIT UNTIL SILLY HOURS. NOW WE'VE GOT ALL THESE PROSTITUTES HANGING ON THE CORNER, WHISTLING, SHOUTING, POSING, GESTURING TO CUSTOMERS AS THEY'RE LEAVING OUR VENUE

I WORRY ABOUT THE PEOPLE WHO COME IN WITH SMALL CHILDREN AND HAVE TO SEE IT. CHILDREN ASK MUMMY – WHO ARE THOSE GIRLS? VERY OFTEN THEY FLASH, THEY DON'T STAND STILL AND DO THEIR BUSINESS. THEY ARE RATHER LOUD, ALWAYS WAVE AT THE MOTORISTS, SO FROM THAT POINT OF VIEW, IT'S A NEGATIVE...

But there's clearly a market here.

Luxury cars pull up and pick up sex workers from eight until late.

THE VEHICLES THAT ARE PULLING IN THERE – THE BMW'S, THE MERCS...

THEY MOVE IN WHERE THE MONEY IS, THEY MOVE IN WHERE THE SECURITY IS, WHERE THEY FEEL MORE SECURE AND WHERE THEY CAN MAKE MORE MONEY

A lot of the women live in Hillbrow, but do their business in the north.

Some of them, like Tsidi, who works on this corner, are independent.

But others, like Elinah, Nunu and Thembi, say they are dropped off every night by a Nigerian pimp.

He supplies them with accommodation, food and crack.

They give him the money they earn.

HE DROPS US, HE PICKS US UP, ASKS HOW MUCH MONEY WE HAVE....DID YOU WORK? WHY DIDN'T YOU WORK – WHAT HAPPENED TO YOUR MONEY?

[MINI-DV – SEARCHING HANDBAG]

As if their lives aren't hard enough, the girls allege they have to put up with constant harassment by the police.

If they are found on street corners, they are searched often dropped off miles away.

Patrol vans drive up and down all night, often demanding money or free sex.

THEY ARE DOING IT EACH AND EVERY DAY, EACH AND EVERY DAY THEY ARE DOING IT.

[INTO BACK OF VAN – MINI DV]

They say if they don't oblige, they are arrested.

YES IF THEY TAKE ME ALONE AND MAYBE THERE ARE 3 OR 4 OF THEM IN THE VAN, I HAVE TO HAVE SEX WITH THEM. I HAVE TO HAVE SEX WITH THEM BECAUSE I AM SCARED TO SLEEP IN THE CELLS. IT'S NOT NICE.

YOU'RE WALKING DOWN THE STREET, YOU'VE JUST JUMPED OUT OF A CLIENT'S CAR, THERE WILL BE A GUY TRYING TO MUG YOU, THE POLICE VAN WILL PASS YOU BY, THEY WILL DO SHIT ABOUT IT. BUT IF IT'S A CLIENT, THEY WILL BE THERE LIKE NOBODY'S BUSINESS, DEMANDING MONEY. THEY ARE USELESS! THEY CAN'T DO THEIR WORK – EISH!!

Tsidi lives in Hillbrow and has been working in Sandton since November last year.

She says most sex workers are treated like dirt by the police.

She's had several bad experiences.

THE POLICE FROM ROSEBANK PICKED ME UP, LIKE HE WAS ARRESTING ME. I THOUGHT HE WAS ARRESTING ME. THERE WERE FOUR OF US AND HE TOOK ME TO THE JOHANNESBURG ZOO AND THEN HE CALLED ME AND SAID WHAT DO YOU THINK? LET'S GO AROUND THAT HOUSE AND FUCK. I REFUSED.

THE SECOND TIME HE CAME AGAIN, HE PICKED ME UP AND SAID HE IS GIVING ME A LIFT HOME. HE WENT TO THE SAME PLACE. I SAID NO, I DON'T WANT TO FUCK YOU. IF YOU WANT TO FUCK ME, PAY ME. HE SAID WHY MUST I PAY YOU, I AM A POLICEMAN, I WILL HELP YOU SOME OTHER TIME AND ALL THIS STUFF. I JUST THINK WHAT'S THE USE OF FUCKING A POLICE, BECAUSE IF YOU FUCK ONE, THEY WILL COME ALL OF THEM.

I DON'T THINK THEY SEE IT AS A JOB, THEY THINK THAT WHEN YOU ARE THERE, YOU JUST WANT TO FUCK AND THAT'S ALL. THEY DON'T KNOW THAT YOU ARE LOOKING FOR MONEY AND IF IT WASN'T FOR MONEY, YOU WOULDN'T BE STANDING THERE. IT'S COLD, IT'S DANGEROUS, IT'S DARK...

Most of the girls find it easier just to pay the police R50 to leave them alone.

IT HAPPENS EVERY DAY...

Health worker and researcher Tiisetso Motloung knows many of the women and believes they are among the most victimised in society.

THEY BECOME VULNERABLE TO ANY KIND OF ABUSE. IT COULD BE IN THE BROTHELS WHERE THEY STAY, IT COULD BE BY THE POLICE, IT COULD BE BY THEIR CLIENTS, YOU KNOW. BECAUSE EACH TIME THEY REPORT THE CASES, THEY KNOW THE LAW IS AGAINST THEM, SO IT BECOMES VERY DIFFICULT FOR THEM TO REPORT ANY CASES

[SET UP – HELENE]

Legal researcher Helene Combrinck agrees.

THE DIFFICULTY IS WHERE SEX WORK IS CRIMINALIZED, SEX WORKERS ARE ESSENTIALLY HELPLESS TO GO AND LAY COMPLAINTS ABOUT POLICE ABUSE AND POLICE HARASSMENT

The situation seems to be no different in other parts of Johannesburg and surrounding areas.

Sex workers in Hillbrow, Rosettenville and Krugersdorp say the police always seem to be on the take.

Some even demand bigger bribes if white clients are found with black women.

THE COPS EVERY DAY, SPECIAL WEEKENDS, STARTING WEDNESDAY TO SUNDAY, ASK ME MONEY, FINE THE CUSTOMER AND ASK HIM FOR MONEY TO PAY A CHARGE FOR FINDING HIM WITH A BLACK GIRL, WHY IS HE WITH A BLACK GIRL? THEY SAY OK, BECAUSE I FOUND YOU WITH A BLACK GIRL, I'LL FINE YOU SO MUCH. GUYS GO TO THE BANK AND PAY THE COPS BECAUSE THEY DON'T WANT TO GET INTO TROUBLE. I'M SURE THEY ARE MARRIED GUYS.

A police spokesperson says sex workers must complain to the right channels.

THEY CAN ACTUALLY PHONE OUR TOLL FREE NUMBER – THEY CAN STAY ANONYMOUS AS LONG AS THEY GIVE US ENOUGH INFORMATION, WE WILL DEFINITELY WORK ON ANY INFORMATION BROUGHT TO OUR ATTENTION IN THIS REGARD...

[AD BREAK] After the break, we catch the police red-handed...

PART 2

Sharon lives with her cat and a Nigerian drug dealer in Rosettenville, south of Johannesburg.

She's 24 and has been doing sex work for about a year, mainly to pay for her drug habit

There are more than 30 crack houses in the area.

But she alleges that police from the Booyens station are more concerned about prostitution and how much money they can make from sex workers.

[PUTTING ON CD – SOUND UP: MUSIC]

She says they often just burst in and steal her electrical appliances.

KNOCK ON THE DOOR, IF YOU DON'T OPEN THE DOOR, THEY BREAK IT DOWN. YOU CAN SEE THE BEDROOM DOOR IS STUFFED. IF YOU CAN'T PRODUCE TV LICENCES OR PAPERS, THEY JUST TAKE IT. THEY DON'T REGISTER AT THE POLICE STATION LIKE THEY SAY THEY WILL. YOU ARE SUPPOSED TO REGISTER IT THERE AND YOU TAKE PROOF OF PURCHASE AND THEY ARE SUPPOSED TO GIVE IT BACK. IT NEVER GETS REGISTERED AT THE POLICE STATION. IT'S HAPPENED. I'VE HAD 4 TV'S STOLEN LIKE THAT.

[TAPE4 – FRIDGE]

Two weeks ago, they tried to take her fridge.

She resisted and they got violent.

IF YOU RETALIATE, THEY BEAT YOU, THEY HIT YOU. THE BRUISE ON MY LEG IS FROM RETALIATING WHEN THEY TRIED TO TAKE MY FRIDGE, SO THAT'S WHY YOU DON'T.

COPS THAT AREN'T ON DUTY WILL COME THROUGH ANYWAY TO TRY TO COLLECT MONEY. TODAY THERE WAS A COP HERE LOOKING FOR SOMETHING. HE WAS TELLING US HE'S BATTLING. HE TRIED TO GET INTO THE ROOM TO TRY AND TAKE THE TV AND RADIO AND STUFF

HE'S OFF DUTY – ON HOLIDAY FOR TWO WEEKS

[COP CAR – TAPE8]

She says if the police can't get money out of the women, they go for the clients.

I WAS ONCE WITH A CLIENT, I CAN'T REMEMBER HIS NAME, GEORGE, I THINK. THE COPS CAME, HE'D HAD QUITE A BIT TO DRINK. THEY PULLED US OUT OF THE CAR, THEY COULD SEE HE'D BEEN DRINKING, THEY STARTED THREATENING HIM WITH HIS WIFE AND HIS WORK, TAKING HIS REGISTRATION NUMBER, CALLING IN THE NUMBER TO SEE WHERE HE STAYED AND THREATENING HIM LIKE THAT, LETTING HIM THINK THEY WERE REALLY BEING SERIOUS ABOUT IT AND THE CLIENT WAS PETRIFIED. HE WAS LITERALLY SHAKING. HE BASICALLY CRAPPED HIMSELF. HE GAVE THEM R760.

STANDUPPER:

Sharon had agreed to help us lay a trap for the police.

But a few days after doing an interview with us, she was apparently thrown from a moving car by a client.

Her Nigerian house-mate says she'll be in hospital for the next two months.

So we laid our own trap back on Oxford Road.

We got Special Assignment investigator Alex Stellianos and team member Dima Raphoto to drive down Oxford Road, rigged with a spy camera.

It wasn't long before they were stopped by a patrol car from the Rosebank police station.

A policeman, who wasn't wearing a name badge, made out they were committing a grave offence.

[SPY CAM] PLEASE COME OUT OF THE VEHICLE! WHO IS SHE?

I DON'T KNOW, I JUST GAVE HER A LIFT.

YOU HAVE A BIG PROBLEM SIR.

WHY?

THIS IS NOT ALLOWED, SHE IS A PROSTITUTE.

THIS ISN'T FAIR – I DIDN'T TALK BUSINESS WITH THE GIRL.

One of the policemen then got into the passenger seat of our vehicle and told our investigator, Alex, to drive on.

BOTH OF YOU ARE UNDER ARREST.

BOTH OF US?

BOTH YOU AND HER.

PROSTITUTION IS NOT ALLOWED AND TOMORROW YOU WILL APPEAR WITH HER IN COURT.

DO YOU KNOW HOW MUCH THE FINE IS? IT'S R800 MY FRIEND.

HUH?

R800!

THEN I MUST GO TO THE ATM. I DON'T HAVE R800 ON ME.

Instead of taking Alex straight to the police station, they stopped at a bank.

Dima, in the meantime, had been thrown into the back of the van and was following behind with the other policeman.

THEY TOOK ME OUT OF THE CAR, HAULED ME INTO THE POLICE VAN AND AFTER THAT THEY SAID WE MUST PAY AN ON SPOT FINE AS THEY CALL IT. AND WE DROVE OFF AND THE NEXT THING I SAW WE WERE AT AN ATM.

The policeman accompanied Alex and pretended to draw money too, so as not to raise the suspicions of the banks security guards.

[SOUND UP] R600?

SSSH! I DON'T WANT THESE PEOPLE TO HEAR ME!

[DIMA RAPHOTO] AND WE DROVE TO SOME DARK CORNER WHERE THEY EXCHANGED THE MONEY.

[SPYCAM – MONEY EXCHANGE – KEEP LONGER FOR NEXT LINE]

Alex was offered a receipt by the policeman.

[SOUND UP] SO YOU DON'T WANT A RECEIPT

NO, I JUST WANT TO TAKE THE GIRL!

INTERPRETED AS PAYING AN AMOUNT OF MONEY ON THE SPOT, WHICH IS NOT ALLOWED IN TERMS OF THE CRIMINAL PROCEDURE ACT AND WHAT IT BASICALLY IS, IS A BRIBE FOR THE POLICE TO RELEASE THEM...

[PAUSE]

We repeated the exercise the following week, again with the spy camera.

This time our team members were stopped by different policemen, also from the Rosebank station.

Dima was told that she was a well-known prostitute.

SOUND UP: THIS LADY SHE IS IN BUSINESS. SHE IS A PROSTITUTE.

I CAN PROVE THAT IN COURT

THEY WILL TELL YOU STRAIGHT THAT YOU ARE AMAGOSHA. WE KNOW YOU, WE HAVE SEEN YOU – YOU ARE SO YOUNG, IT'S SUCH A WASTE... THEY WILL CALL YOU ALL THESE DREADFUL NAMES. THEY ARE VERY RUDE, VERY ROUGH...

[SPY CAM] COME OUT OF THERE AND GET INTO THE VAN!

AND ONE OF THE POLICE MEMBERS WAS A FEMALE WHO ACCUSED ME OF BEING A PROSTITUTE, THAT SHE HAS SEEN ME ON THIS CORNER AND SHE KNOWS WHO I AM. AFTER STOPPING US, THEY TOOK ME OUT OF THE CAR, SAME PROCEDURE, THREW ME IN THE BACK OF THE VAN, DROVE OFF

[SOUND UP: SPY CAM] HOW MUCH IS THE ADMISSION OF GUILT?

IT'S A R1000

[HANDOVER]

Alex managed to beat him down to R600.

[WOMEN IN STREET]

Real sex workers confirm that this is the modus operandi.

[NUNU – TAPE 7] THEY MAKE THE CLIENT PAY ANY AMOUNT, YOU DON'T KNOW HOW MUCH THEY WANT AND NEXT THING THEY WILL STILL WANT SOME MONEY FROM YOU

I WILL JUMP INSIDE THE VAN AND ANOTHER COP WILL JUMP INSIDE THE CLIENT CAR AND INSIDE THERE THEY WILL TALK – YOU ARE ARRESTED AND THAT GUY WILL BE SCARED. YOU HAVE TO KEEP MONEY. IF HE DOESN'T HAVE MONEY, YOU GO TO THE ATM.

The police always inquire about the alleged client's marital status.

[SPYCAM2 – SOUND UP] WHY ARE YOU DOING THESE WRONG THINGS?

LIKE WHAT?

AREN'T YOU A MARRIED MAN?

I AM, JA.

AND DO YOU THINK YOUR WIFE IS GOING TO LIKE IT WHEN WE TELL HER WHAT YOU ARE DOING?

THEY CAME TO A POINT WHERE THEY THREATENED MY COLLEAGUE AND SAID WE ARE GOING TO TELL YOUR WIFE ON WHAT YOU DO AFTER HOURS WITH THE PROSTITUTES AND IF YOU ARE A CLIENT AND YOU ARE MARRIED, YOU WILL FREAK OUT AND YOU WILL PAY WHATEVER AMOUNT THEY WANT.

None of the crooked cops wore identification badges.

THEY NEVER WEAR THEIR NAME TAGS, SO YOU CAN NEVER SAY THIS IS YOUR NAME, THIS IS SO AND SO...

[STREET]

Many of the sex workers allow themselves to be intimidated because they are unfamiliar with the law as the police appear to be.

THEY CAN'T ARREST ME FOR WALKING OR CLIMBING IN THE CAR. IT'S NOT ILLEGAL. BUT MOST OF THE GIRLS DON'T KNOW THAT. THEY KNOW THAT THE WORK THEY'RE DOING IS ILLEGAL, SO THEY AUTOMATICALLY ASSUME THAT THEY CAN ARREST THEM BECAUSE THEY KNOW WHAT WORK THEY DO. IT'S NOT ILLEGAL TO GET INTO A CAR OR TO WALK IN THE STREET...

IT'S NOT ENOUGH TO KNOW THAT SOMEBODY IS A SEX WORKER. THE POLICE OR THE STATE WOULD HAVE TO PROVE THAT ON A PARTICULAR OCCASION, SHE HAD SEX WITH A PARTICULAR PERSON FOR REWARD.

[PAUSE]

Britta Rotmann works as a lawyer for SWEAT, the sex worker education and advocacy task force.

One of the reasons the organization wants sex work decriminalised is to prevent unfair treatment by the police.

Currently, the Sexual Offences Act criminalises all aspects of the sex industry except buying sex. But that doesn't stop men facing arrest.

THE SEXUAL OFFENCES ACT DOESN'T PROVIDE FOR A CRIME OF BUYING SEX, BUT THEORETICALLY A CLIENT COULD BE CHARGED UNDER AIDING OR ABETTING A CRIME OR BEING AN ACCESSORY TO A CRIME OR THINGS LIKE THAT

Sex workers are often arrested under municipal by laws.

SOME OF THOSE BY-LAWS ARE VALID BUT NOT ENFORCED IN THE SAME MANNER

PEOPLE CAN LITERALLY BE ARRESTED FOR STANDING ON STREET CORNERS, WHICH OBVIOUSLY IS FAR LESS LABOUR INTENSIVE THAN TRYING TO ARREST AND PROSECUTE UNDER THE SEXUAL OFFENCES ACT.

STANDUPPER:

Sex workers say they and their clients are often threatened with arrest before doing a thing, simply because police recognize them.

One night our spy cameraman picked up a sex worker and merely drove with her

money camera man.

Police recognized the woman and stopped them.

Cameraman Byron Taylor was nearby, filming with a broadcast camera.

Our spy cameraman pretended to be alarmed when he saw us.

[SOUND UP: ALEX] I DON'T WANT THIS DRAMA NOW

THEN GET INTO THE CAR, LET'S GO!

We had earlier been stopped by the two policemen and told them we were doing a documentary on night life.

The policemen, this time from the Bramley station, seemed to have a routine worked out.

They would wait in a nearby side street while Alex withdrew the money.

Shortly before doing so, he sent us a text message, telling us where he was going.

The policemen were unconcerned when we arrived at the scene of the cash handover.

[IT'S SABC – THEY ARE DOING A PROGRAM ON NIGHT LIFE]

This time they wanted R500.

After taking the money, they casually warned him to be more discreet next time he picked up a sex worker, or he could risk being captured on an SABC camera.

[SOUND UP]

The sex worker, Queen, wasn't surprised at all by the acceptance of the bribe.

THIS IS NORMAL? JA – THEY DO IT ALL THE TIME.

STANDUPPER:

As if we didn't have enough proof of police corruption, we tried one more time, just to make sure. Alex, our spy cameraman picked up a sex worker who said she wanted a lift home. This time the policeman hovered near the ATM while the money was being withdrawn.

He'd asked for a thousand rands.

[SOUND UP: SPYCAM2] I CAN DRAW R600.

THAT'S MY LIMIT.

After conferring with his partner, a policewoman who'd been present on earlier bribes, the money was handed over back in our vehicle.

All in all we'd managed to bribe seven policemen and had spent two thousand four hundred rands.

It's said that they can make up to 30-thousand rands a month with the money they get from sex workers, pimps and drug dealers.

I WOULD SAY THEY ARE NOT GETTING LESS THAN R600 EACH A NIGHT – EASY!

AND THEN THE NIGERIANS PAY THEM BETWEEN R50 AND R100.

IF THEY FIND A GIRL WITH A PIPE ON HER, THEN THE CHARGE IS R200. THEY'VE GOT A PRICE LIST THAT GOES WITH IT!

[COPS]

When questioned, a spokesperson for the police seemed unaware that corruption was so commonplace.

THAT IS NOT NORMAL POLICE PRACTICE. THAT IS NOT POLICE POLICY AND I WOULD HOPE THAT THAT PERSON WENT AND LAID A COMPLAINT SO THAT THAT CAN BE INVESTIGATED. THAT IS NOT THE IDEA OF POLICING CRIMES IN THIS COUNTRY.

[AD BREAK] After the break – what's the solution?

PART3

Health issues are a major concern to sex workers.

Often they are more aware than many about sexually transmitted diseases.

SOUND UP: TISETSO MOTLOUNG/REPRODUCTIVE HEALTH RESEARCH UNIT- BUT THESE WOMEN, THE SEX WORKERS, THEY CAN IDENTIFY A SICK MAN. THEY SAY I HAD A VERY SICK MAN I TOLD HIS GUY HE MUST GO TO THE HOSPITAL. BECAUSE WE GIVE THEM HEALTH EDUCATION, THEY KNOW THE DIFFERENT KINDS OF STI'S

[COPCAR]

Sometimes they are more aware than the police.

MOST POLICE THEY DON'T USE THE CONDOM. THAT'S A PROBLEM, THEY ARE THE ONES GIVING ME A PROBLEM. THE CUSTOMERS DON'T GIVE ME A PROBLEM. THE POLICE DON'T WANT TO USE A CONDOM. THEY SAY WHY DON'T YOU TRUST ME, I'M WORKING FOR GOVERNMENT, BLAH-BLAH-BLAH...

[BRITTA AND TISETSO HANDING OUT PAMPHLETS]

Organizations like SWEAT say if prostitution was decriminalized, there'd be more awareness, less corruption and police could perhaps make better use of their time and resources.

BRITTA ROTMANN/SWEAT - WE WOULD MUCH PREFER A SITUATION WHERE WE CAN TALK TO THE POLICE AND SIT DOWN WITH THEM AND HAVE A MEETING BETWEEN SEX WORKERS AND THE POLICE AND DISCUSS THE ISSUES THE POLICE HAVE AND THE ISSUES THAT SEX WORKERS HAVE. WHERE THERE ARE VALID COMPLAINTS BY COMMUNITIES AND THE POLICE, THEN THOSE SHOULD BE ADDRESSED

In 2002, the Pretoria High court found that sections of the Sexual Offences Act outlawing sex for reward were unconstitutional. But the Constitutional Court didn't agree and ruled that a decision regarding sex work should be made by the legislature.

Parliament is awaiting recommendations from the SA Law Commission.

So for now, the official police line is that sex workers must be arrested.

MARY MARTINS-ENGELBRECHT – IF PEOPLE ARE ARRESTED FOR PROSTITUTION OR UNDER THE SEXUAL OFFENCES ACT... THESE PEOPLE ARE ARRESTED ACCORDING TO THE LAW AND TAKEN AND CHARGED TO THE POLICE STATION

HELENE COMBRINCK - IT IS NOT A CONSTRUCTIVE WAY OF DEALING WITH THE PROBLEM OF OUTDOOR SEX WORK AND UNFORTUNATELY WE SEE THAT MANY OF THE HUMAN RIGHTS ABUSES AGAINST SEX WORKERS COME FROM THIS POLICY OF RANDOM ARRESTING

However, in the south of Johannesburg, we found a police reservist with an open attitude.

Captain Cathy Newcombe knows most of the sex workers in Rosettenville.

Although she'd like to get them off the streets, she's able to see the futility of arrests.

SOUND UP - THE MAIN REASON WHY WE CAME HERE IS BECAUSE RESIDENTS WERE COMPLAINING ABOUT PROSTITUTION IN THE AREA. THEY COULDN'T LET THEIR CHILDREN PLAY OUTSIDE BECAUSE OF CONDOMS AND HYPODERMIC NEEDLES.

IN THE BEGINNING WE TRIED TO DISCOURAGE THEM FROM WORKING IN THE STREETS AND THEN AFTERWARDS SOMETIMES THEY WOULD COME TO US FOR HELP AND ADVICE AND WE WOULD HELP THEM WHERE WE COULD

[TAKING PHOTO]

She has a collection of photographs of 134 sex workers in Rosettenville.

THEY KNOW THAT THE PHOTOS WILL BE USED FOR MY RECORDS ONLY, NOT FOR ANYTHING ELSE, JUST FOR ME SO THAT I REMEMBER WHO I AM SPEAKING TO, IF ANYONE GOES MISSING, I HAVE SOMEWHERE TO START... I TRY TO FIND OUT HOW LONG THEY HAVE BEEN IN THE STREETS, WHAT HAS DRIVEN THEM INTO THE STREETS

She says some of the women are earning up to 20-thousand rands a month, so it's unrealistic to expect them to stop the work unless there's an alternative.

All she can do is try to keep them safe.

I CAN OFFER THEM HELP IF THEY ARE IN TROUBLE, SOME OF THEM DO GET INTO TROUBLE WITH THEIR PIMPS, MAYBE THEY WANT TO LEAVE OR MOVE SOMEWHERE ELSE AND THE PIMP WON'T ALLOW THEM TO, SO THEY COME TO US AND WE HELP THEM TO REMOVE THEIR PROPERTY AND WE ESCORT THEM AWAY...

WIDE SHOT WITH NUNU, THEMBI & QUEEN

Three of the girls who helped us with our story - Nunu, Thembi and Queen told us they were desperate to get away from their Nigerian pimp.

[HILLBROW FLAT]

They lived with him in this block of flats in Hillbrow.

We took them to the Sexual Offences Unit, where they laid charges of rape and sexual exploitation.

[HILLBROW FLAT AGAIN]

But the police apparently didn't follow up on the case and last we heard the girls were back with the man, back in the flat and back on the streets.

And like all the other women who helped us – they're also still at the mercy of the police.

Unless of course, their tales of abuse and our evidence of corruption are taken seriously.

[VISUALS OVER DIMA'S POEM]

We pray to thee to suppress

All those trying to depress our gains in the name of the law

What law is this that abuses, harasses and confuses.

Amazing enough it's a law that's useless

Sisters out to get paid

Brothers in blue out to inflict pain

Every night we try and gain something for our reign

But they keep coming to prey on our state

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Find out more this Tuesday at 21h30 on SABC3.

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