Promoting Partnerships for Crime Prevention on Southern Africa

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Final Technical Report

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1 Synthesis

This is the final technical report on the Private Security Industry Regulatory Authority (PSIRA) project entitled ‘Promoting Partnerships for Crime prevention between the State and Private Security Providers in Southern Africa.’ This project sought to explore crime prevention partnerships between the state and the private security sector in selected Southern African countries (Botswana, Namibia, South Africa and Swaziland) with a view of influencing policy-processes aimed at improving crime prevention initiatives. The main research question for the project was as follows: - Based on the role played by private security companies (PSCs), in the Southern African states security architecture, to what extent can crime prevention partnerships between the state and the private security sector effectively prevent crime in Botswana, Namibia, South Africa and Swaziland?

Informed by the research question, the specific objectives of the project were as follows:- to enhance the understanding of the role, trends and extent of the public police and non-state actors in the private security sector in the prevention of crime in Botswana, Namibia, South Africa and Swaziland; to provide an analysis of the legitimacy, accountability and oversight of the various security actors involved in crime prevention in these countries, that is, the state security agents, the private security sector, and community police; to critically examine the extent to which Botswana, Namibia, South Africa and Swaziland have realised and appreciated the role played by the private security sector (as non-state actors) and thus established and/or nurtured partnerships between the state institutions and private security companies, in their crime prevention strategies; to examine the extent to which gender has been incorporated in crime prevention partnerships between the state and non-state actors in Botswana, Namibia, South Africa and Swaziland; to identify entry points for the establishment and strengthening of crime prevention strategies/policies/initiatives (including their reform) in order to ensure the security of citizens in the selected countries.

This research project had a lifespan of three years commencing from 6 November 2012 to 6 October 2015. This final report covers the period between November 2012 to September 2015. It marks the end of the project’s lifespan.

2 Research Problem

The private security sector is in the contemporary context increasingly performing duties and activities, which were previously assumed to be the traditional purview of public security agents, as a result several developments have been observed.

Firstly, there is the erosion of the state monopoly on the use of force.¹ This shift of power from public to private actors raises the question of how governments can effectively protect and defend state

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¹ Max Weber sees the use of force as the main defining element of a state, i.e. ‘a state is a human community that (successfully) claims the monopoly of legitimate use of physical force within a given territory’. Max Weber, Politik als Beruf – Vortrag, 1919, available at: http://www.textlog.de/2282.html (Accessed 1 April 2011).
interests, and ensure the safety of its citizens, when such a core element of statehood is performed by non-state actors. While private security actors may bring a degree of stability and effectively fight crime, in the long run, some governments may see reliance on private security actors as an unwanted compromise of the state’s monopoly on the use of force. It must be noted that sometimes these private security actors include those who have engaged in violations of human rights, owing to their access to capabilities for the use of violence.

Secondly, the use of private security actors results in democratic and accountability deficits, otherwise known as the twin deficits. The privatisation of security may lead to the lack of quality information and transparency regarding the nature and scope of private security personnel, practices and applicable laws and regulations. This leads to the lack of democratic accountability in the provision of private security. As private security companies are only accountable to their respective management, company boards, shareholders, and clients they are not directly accountable to the public in general. Hence, both corporate and individual accountability is generally lacking in so far as the private security actors are concerned.

Thirdly, due to the fact that private security companies are not accountable to the public, there is always a risk that they will violate human rights. Indeed criminal liability issues are a major cause for concern for the utilisation of PSCs, which have become major players in the security arena. There is also the issue of states contracting private security (and military) companies at the international levels, whose desirability is not yet settled. It has been argued, for instance, that states should not be allowed to ‘contract out of international legal obligations’ through the use of non-state actors. According to the draft African Union Policy Framework on Security Sector Reform (PFSSR), the African Union deplores the use of private military companies (PMCs) in security sector reform in Africa either by the [Regional Economic Communities] RECs, Member States or their international partners. Where any of the above parties engages the services of private security companies (PSCs), such parties will conform to relevant international, regional and national frameworks regulating the activities of PSCs.

Fourth, proliferation of the private security industry results in the weakening of national security. Remuneration by private security companies is sometimes significantly higher than national security forces; this has led to a considerable number of police and soldiers leaving the public security sector in favour of better paying jobs in the private security sector and providing much of the private security. S

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4 08 August 2011.
5 Clause 20 of the draft African Union Policy Framework on Security Sector Reform. The PFSSR recognizes non-state actors security bodies such as PSCs, informal, traditional and customary authorities and other, as may be decided by each Member State as part of the security sector. See clause 4(f) of the PFSSR.
6 For Instance, see Lindy Heinecken and Michon Motzouris, ‘The Effect of Private Security on National Armed Forces’ capacity and Capabilities’ ISS Monograph No. 176, January 2011.
security sector’s workforce. No doubt this has left the remaining police and military forces strained, as they are required to work more shifts. National military and police colleges are seemingly training recruits whose skills are ultimately diverted to the private security sector; this results in a considerable ‘brain drain’ within the national forces and services.

Fifth, there is a lack of consistent or coherent private security industry standards. This is due to the fact that these companies are dynamic (both locally and internationally) in their activities and they still do not have a universally accepted definition. The terms ‘private security companies’ and ‘private military companies’ are often used interchangeably in the press and academic literature and there is much debate as to what collection of duties each label refers. It is for this reason that the word private military and security companies (PMSCs) are used to cover both. This however does not help in the development of legal instruments to optimally regulate this sector.

Given the above-mentioned observations, establishing crime prevention partnerships to include the private security industry must be subjected to a high level of circumspection. For instance, the question could be posed on why a non-state actor, which arguably seeks to challenge the notion of state monopoly on the use of force, should be considered important in crime prevention initiatives. The other issue that must be addressed is whether the private security sector should be included in crime prevention partnerships, despite the fact that their clientele is largely affluent, while public and community policing is mainly focused on communities that cannot afford to pay for security services. The need to undertake a study on crime prevention partnerships in the Southern African region will provide policy-makers with the necessary information and required analysis in establishing and/or reforming crime prevention strategies in their respective countries.

In pursuing the research project objectives, PSIRA aims to achieving the following outcomes: first, generate new knowledge on crime prevention partnerships between the state and the private security sector; second, engage with key public officials involved in crime prevention to discern their perspective on how partnerships between the state and non-state actors, particularly the private security industry can be improved in the selected Southern African States; third, host workshops, seminars and conferences that will help to raise awareness among key stakeholders on how to address the complexities that may arise out of the crime prevention partnerships between the state and non-state actors; fourth, improve access to information on the subject of crime prevention and the notion of privatisation of security as an aspect of crime prevention; and fifth, building a lasting legacy of collaboration and scholarship on the subject of crime prevention and the privatisation of security.

3 Research Findings

Since the inception of the research project, the following research outputs have been developed:

1) Literature Review on Crime Prevention Partnerships between the State and Non-State Actors

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2) Literature Review Validation & Methodology Report
3) Validation Workshop Report for Botswana
4) Validation Workshop Report for Namibia
5) Validation Workshop Report for South Africa
6) Validation Workshop Report for Swaziland

This is the fourth report and focuses on the more recent research outputs that have been developed, in the form of country case studies for each of the countries under review. These are as follows:

1) Case study Botswana
2) Case study Namibia
3) Case study South Africa
4) Case study Swaziland

As per the project proposal, all of the country case studies (including the literature review) have been published in a monograph attached hereto and marked “Annexure 1”.

Based on the literature review and the country case studies, there are a number of research findings worthy of mentioning.

3.1 Literature review

1. On the basis of the reviewed literature, it has been established that there has always been a reliance on public-private partnerships. In academic literature the notion of ‘policing’ has therefore been broadened to include non-state/private actors. Non-state policing is a broad category of private service that covers anything from commercial security firms, semi-official community guards and formal and informal vigilante groups.

2. The reviewed literature uncovers the changing trends in terminologies of public-private partnerships in the crime prevention initiatives including the following: partnership policing; plural policing; networked policing; collaborative security; polycentric security; multi-nodal security governance; and multi-level governance.

3. The reviewed literature also highlights the features of “partnerships” as follows: proactive/reactive; ad hoc/sustained; task-focused (joint operations); spatial-focussed (neighbourhood watches, CIDs); crime-specific (tracking device companies); communication-focused (Crime Prevention Forums) etc.

4. The reviewed literature points to the fact that infusing the prowess of public and private security agents into a viable partnership would allow resources to be used optimally and enhance crime prevention capacities. After all, as the literature maintains, crime is too complex to be dealt with solely by the police.

5. The reviewed literature states that the gap filled by private security sector with regards to security provision, would be further reinforced through a formal partnership for enhanced crime prevention with the public police. Such a gap could be filled through the outsourcing of security services to the private security sector or through other formal or informal
partnerships. It is conceded that due to the sophisticated electronic security equipment operated by private security providers, the police are more likely to obtain valuable information for purposes of investigating crime through these partnerships.

6. The reviewed literature, particularly the United Nations Office on Drug and Crime ‘Handbook on Crime Prevention Guidelines: Making it Work (2010),’ underscores the importance of a shared responsibility for the general safety and security of any society. The Handbook also identifies the challenges related to a multidisciplinary approach to working in partnerships to address crime prevention. Chief among these challenges is the unwillingness to share areas of work that were previously under the exclusive jurisdiction of each respective security agency.

7. The reviewed literature emphasises the need to formalise structures and guidelines for cooperative policing in order to address issues related to accountability, monitoring and civil liberties, which would ultimately enhance information sharing and crime prevention.

8. The reviewed literature underscores the so-called “force-multiplying effect” which the private security industry has fostered in so far as the prevention of crime is concerned. It also maintains that the private security industry is no longer viewed as potentially political subversive, but rather as an essential factor in maintaining law and order.

9. The reviewed literature recommends that new approaches must be sought in order to improve crime prevention including the shift in the logic of policing, that is, from one that conceives of it as remedying past wrongs to one that seeks to promote security. Thus, accepting that pluralizing the sources of policing enhances not only quantity, but also quality of policing.

10. The reviewed literature encourages information sharing and the utilization of resources and technology between the different security agencies (both public and private) for purposes of enhancing crime prevention.

From the above findings stemming from the literature review, it is clear that the complementary role played by the private security providers should indeed engender a robust debate, followed by a commitment to cultivating and promoting new measures and partnerships for crime prevention in the countries subject to the study. The points enumerated above provided a solid base for undertaking field research in the selected countries.

3.2 Field research

As a result of the field research undertaken in Botswana, Namibia, South Africa and Swaziland, the following research findings (now published) were uncovered:

3.2.1 Country Study: Botswana

1) There are 2,377 registered companies in Botswana with about 70 companies visible in the market and registered with the Security Association of Botswana (SAB) which is a voluntary association of companies;

2) The private security industry in Botswana is legally reserved for citizens only as foreign ownership is partly prohibited and partly considered a national security threat;
3) Successful private security companies in Botswana are allegedly owned by retired security personnel, such as former police officers and soldiers;

4) The Botswana private security industry is governed by the Control of Security Services Act 28 of 1984, which was promulgated to provide for the proper and effective control and regulation of concerns engaged in the business of providing security guards and matters connected therewith;

5) Resulting from the shortcomings of this Act, Botswana has since drafted the Regulation of Private Security Bill of 1998, which is still being considered by Parliament to date;

6) Botswana lacks any legislation or policy formalising the interaction between the public and private security sectors, it further lacks a regulatory authority that could help grow the private security industry, to impose some discipline, to introduce standards and to protect the industry and clients from fly-by-night companies;

7) An interesting dynamic found in Botswana is the involvement of the private security sector providing in-house security for the mining sector. The mining companies have established security personnel that are integrated into its workforce and the embedded security is usually assisted by public security actors, such as the police, intelligence and army; and

8) The public security sector views private security companies as part of the Botswana security threat, with the potential to employ a large army of foreign criminals and thus expose property to risk, with the potential to allow foreign security companies that could endanger the security of the state.

3.2.2 Country Case Study: Namibia

1) Namibia is ranked among the few countries in the world that have consistently enjoyed peace and stability with virtually no civil strife resulting in political turmoil. Despite the absence of crime statistics in Namibia the Namibian police are entrusted with the responsibility of preventing crime among other things;

2) The research indicated three disputed figures of the amount of security guards in the private security industry; the first figure alleges that there are 14,000 security guards while another report shows that there are 17,000 guards, then there is another that states that there are between 17,000 and 20,000 guards. There are more than two disputed figures;

3) There are rival industry associations in the country, namely; the Security Association of Namibia (SAN) and the Namibia Federation of Security Employers. The former played a crucial role in the setting up of the now defunct police security forum otherwise known as POLSEC, the drafting of the regulations for the industry and strongly endorsed the minimum wage for the private security sector;

4) The operation of a security company is subject to the requirements of the Security Enterprises and Security Officers Act of 1998. This Act also establishes the Security Enterprises and Security Officers Regulation Board (SESORB) which among other things is empowered to grant licenses and to register private security companies and security officers. However, the SESORB is not yet in operation;

5) The growth of the private security industry could be attributed to the demobilisation of ex-combatants at the end of the armed liberation struggle, coupled with the rapid migration
patterns of people moving into urban areas in search of better opportunities. The fear of crime has also fuelled and continues to fuel the booming private security industry, particularly in the middle class suburbs across the country. These crimes include; armed robbery, murder, house breaking and rape among other things;

6) Whilst the relationship between the Namibian police and the private security industry can best be described as cordial there is currently no official forum for sharing information, experiences, resources and expertise between them. Collaboration only happens on an ad hoc basis, this is due to the fact that the industry is not regarded as professional particularly because there are no training requirements to be met before an individual may become a private security guard;

7) There is a general consensus that the private security industry in Namibia an indispensible component of peace and stability in the country, particularly because of the inability of state police to effectively prevent crime in the country. The industry is seen to be better resourced to contribute towards crime prevention in the country; and

8) The research showed that security guards are increasingly getting involved in criminal activities, which arguably discredits the possibility of a crime prevention partnership;

3.2.3 Country Case Study: South Africa

1) The private security sector in South Africa is relatively well regulated. Currently the relevant legislation is the Private Security Industry Regulation Act (PSIRA) No. 56 of 2001, which is supplemented by the Code of Conduct for Security Service Providers of 2003. The Act will soon be replaced by the Private Security Industry Regulation Amendment Bill. While this Bill had initially introduced a provision aimed at promoting crime prevention partnerships between, the private security industry and organs of state. The approved version by Parliament excluded the provision but did not necessarily prohibit such partnerships between private security providers and the state;

2) The private security industry in South Africa is regulated by the Private Security Industry Regulatory Authority (PSIRA) which has an inspectorate aimed at ensuring compliance throughout the country. PSIRA inspectors have Peace Officer powers and use these to enforce adherence to the Act. There is endemic non-compliance with the Act and the Code of Conduct for private security providers, which constantly act as an anti-thesis to the establishment of a partnership between the private security industry and the state security actors;

3) One of the driving forces behind the growth of the private security industry is the withdrawal of the South African police from conventional policing functions, particularly in the late 1970s, which saw the concentration of the South African police in suppressing liberation movements and consolidating political control;

4) As part of the transition from the apartheid system to democratic rule South Africa developed the 1998 White Paper on Safety and Security which underscored the role of the private security industry in providing security and emphasised the fact that the industry should be one of partnership with the state. In May 2013 a Green Paper on Police was presented to Cabinet and approved for public consultation, according to that Green Paper it was stated that the issue of partnerships between private security actors and public policing agencies had been debated
since 1980, but there was no clear blueprint that existed internationally regarding the proper regulation of such partnerships. The partnerships since the 1990s between the police and the private security providers had been sporadic and there has been little documentation and review on its benefits and pitfalls. The Green Paper called upon the development of clear guidelines based on research conducted to guide relations between the police and the private security providers;

5) The skewed ratio of public police per head also plays a role in the security developments in the country. The SAPS recorded 155,531 police officers in the service, excluding civilians in April 2013. As of April 2013, the police-population ratio stood at 1 police officer for every 335 citizens (1:336). Currently there are over 270,000 armed statutory forces, comprising the SAPS and the South African National Defence Force (SANDF), compared to over 445,407 registered private security officers, almost double the number of statutory forces combined;

6) Partnerships between private security providers and members of the South African Police Service (SAPS) currently exist in an ad hoc format. One of the examples of such ad hoc working relationships is the crime prevention partnership coordinated through the Honeydew Police Precinct in association with Business Against Crime (BAC), initiated in 2008. In terms of this arrangement the SAPS Honeydew was responsible for selecting the senior supervisors from accredited private security companies to undergo special training, who would then train the reaction officers to be deployed in the area specific to the agreement;

7) There have been joint operations conducted comprising of private security companies and the SAPS, where the private security providers would collect evidence and pass it over to the police for further investigation. One example resulted from a contract to take over VIP protection of delegates at the World Bankers Association Forum. Another example included operations in Kwa-Zulu Natal which involved efforts by both entities to apprehend members of a syndicate selling copper to scrap dealers;

8) Due to the growth of the private security industry City Improvement Districts (CIDs) have emerged, in various suburbs in South Africa wherein security schemes are established with public endorsement and private interests, and are responsible for ensuring improved security, among other things;

9) The former Minister of Police endorsed partnerships between the police and private security companies in order to enhance the fight against crime, affirming that the private security industry could complement the police’s efforts in ensuring safety and security in South Africa. The official opposition party, Democratic Alliance, has also underscored such partnerships arguing that the SAPS would double the number available in the fight against crime; and

10) The South Africa suburbs are increasingly using boom-gates for crime prevention, which are controlled by private security providers. According to the South African Human Rights Commission these road closures have been found to be in violation of ordinary citizens’ human rights, due to the fact that they effectively deny access based on race. Domestic workers are required to produce their identity documents, in order to gain access to these areas.

3.2.4 Country Case Study: Swaziland
1) One of the major factors of the private security industry is the escalation of crime, which makes individual homeowners and individual business owners very insecure. These crimes include; housebreaking, theft, drug abuse, stock theft, car hijacking, armed robbery, murder and culpable homicide;

2) In 2013, Swaziland had over 70 private security companies. Over and above the provision of traditional private security services the industry has diversified to provide surveillance, intelligence, undercover activities, preventative activities, investigation and detection;

3) The private security industry is divided into three categories; one being companies providing mechanical items such as, security locks, safes, strongrooms, grills, shutters, security glass, anti-bandit screens, vehicle security, etching and cash bags. The second category comprises of manufactures and installers of electronic devices, such as intruder detection, alarms, control panels, signalling apparatus, access control systems, security cameras and cash handling aids. The third category is private security companies that provide manned and womanned services, which include static or patrol guarding services, cash transportation, key holding and responding to alarms and alarm monitoring, CCTV, audio surveillance and remote monitoring;

4) The four most private security companies operating in Swaziland are Guard Alert, VIP Protection services and Buffalo Soldiers, which employ an estimated figure of 10,000 workers;

5) There are no specific regulations for private security companies in Swaziland and like all other legal entities, they come into existence in term of the Companies Act and obtain trading licenses in terms of the Trading licenses order No. 20 of 1975. The only relevant legislation that exists is the Occupational and Health Act of 2001, the Employment Act of 1980, the Wages Act of 1964 and the Workman’s Compensation Act of 1983;

6) Swaziland has developed the National Standard for Private Security Services - Requirements, which provide the minimum requirement for the provision of private security services in the country;

7) There is still a gap in the construction of partnerships for crime prevention in Swaziland. The general understanding is that state police should be in partnership with private security providers in order to prevent crime, however this remains informal and not enshrined in robust legal or formalised agreements; and

8) The crime prevention strategic plan which was developed by the police does not in any way expressly include the private security providers, yet they are involved in crime prevention activities.

### 3.2.5 Gender Dynamics

The field research from Botswana, Swaziland, and South Africa unearthed interesting gender dynamics as follows:-

**Botswana**
- Security companies are open to the idea of gender equality, and they have made some efforts to employ women in the industry that is still predominantly male. The woman workforce are said to be more stable and the majority do not drink.

- Women allegedly pose challenges for security companies as they request for leave days too many times in an industry in which physical presence counts for more. As a result, women do not quite fit the industry.

**South Africa**

- Regarding the role women play in the private security industry, it was found that the main issue or hindrance for women in the private security industry was the type of site that was guarded and the clients’ preference.

- The main hindrance for women in the private security industry was that clients would specifically request to have only male security officers; some even went to the extent of requesting security officers from specific racial groups to work on their sites.

- The private security industry was a dangerous environment for female officers who only constituted 5% of the workforce in his PSC. The female officers are viewed as easy targets if they were to guard a site, because indeed danger is associated with site protection and management.

**Swaziland**

- There were numerous reports of sexual harassment within the security industry on women by male supervisors that have gone unpunished. Some supervisors dangle contracts to hire females on condition that they have sex with them. Where an employee agrees she will be subjected to the very ill-treatment of having to have sex with the manager before the contract can be renewed.

- The research did not indicate that PSCs in Swaziland impact negatively upon women and children. It appears that the companies play no defined role, affecting women and children, except in those instances where individuals have committed some crime in the sphere of operation of private security companies.

- PSCs employ both men and women and the duties they carry are largely the same. However, women constitute only about 15% of the total workforce of the companies. It is presently not clear if women are treated equally with men in the workplaces of private security companies. There have been no incidences of abuse of female employees that has come out to the public domain.

4 Project Implementation and Management

The initial phase of the project enabled us to develop an abstract, concise problem statement and working definitions of crime prevention, partnerships, privatisation of security, state, and non-state
actors. During the mid-term phase involved undertaking field work and generating findings. During this process a key finding has revealed that a regulatory framework is essential for effective regulation of the private security industries operating in all the four case studies. South Africa has shown an exemplary character through its long established regulatory legislation, the dynamism of the private security industry requires responsive legislation and reforms which have been realized in the South African case. A recurring fault line is visible in the regulation (or lack thereof) of the private security industries in Botswana, Namibia and to a larger extent Swaziland. The former, despite establishing a meagre legal environment to regulate private security services have faltered largely due to implementation and buy-in from the state and the private security industry. In the case of Swaziland, despite state law enforcement pronouncements of a cordial working relationship with the private security industry, regulation and/ or a crime prevention partnership remain a moot point.

Initial project phase brief overview:

During the initial stages of the project, we developed a concept note for the study, which was compressed into a Fact Sheet for information purposes only. The concept note was discussed within the Research and Development Unit, PSIRA.

Development of a Literature Review

During the period, we developed a literature review. The literature review was critiqued by Ms Julie Berg, a Senior Lecturer in the Public Law Department at the University of Cape Town. Ms Berg is also associated with the National Research Foundation-African Security and Justice Programme at the Centre of Criminology at the University of Cape Town. Ms Berg also participated in the Literature Validation and Methodology workshop presenting perspectives on Researching Plural Policing: Noted Networks and Regulation. The literature review has now been published in the monograph titled, *Promoting Partnerships for Crime Prevention between State and Private Security Providers in Southern Africa*.

Development of a Research Questionnaire

A research questionnaire was developed and discussed during the Literature Validation and Methodology Workshop. This questionnaire was aimed at providing a guide to field researchers in carrying out their field research in the selected countries. To a large extent, this questionnaire was followed by the researcher during the field research phase.

Recruitment of Researcher

A Researcher, Ms Margaret Gichanga, was employed after a vigorous recruitment exercise. Briefly, Ms Gichanga holds a Masters of Arts Degree in International Relations from the University of the Witwatersrand, which is known for its research and academic excellence. She previously conducted research on private military and security companies and their involvement in peacekeeping and humanitarian assistance operations in Africa and published an article titled ‘Fusing the privatisation
of security with peace and security initiatives in Africa’. The involvement of a female researcher in the research project goes a long way in addressing some of the stereotypes that the subject matter (private security) can only be of interest to male researchers. It must be noted that Ms Gichanga undertook the field research in South Africa.

Recruitment of Field Researchers

As per the recommendation of the IDRC, two field researchers were appointed for purposes of undertaking field research in each respective country, namely Botswana and Swaziland, with the exception of Namibia where a third researcher was included during the mid-term visits. The field researchers comprised a formidable team of both experienced and junior researchers. The following field researchers were recruited:

Botswana

Professor Mpho Molomo: He is the Director of the Centre for Strategic Studies, housed in the Department of Political and Administrative Studies of the University of Botswana. He holds a BA from the University of Botswana, an MA and MAIA from Ohio University in the United States, and a PhD from Boston University in the United States. He previously served as head of the Department of Political and Administrative Studies, director of the Democracy Research Project, and acting dean of the Faculty of Social Sciences at the University of Botswana. He has also been a visiting scholar at various universities outside Botswana. His research interests include state and land development and tenure; Southern African politics; democratisation in southern Africa; security sector governance and democracy; political parties and electoral systems; and ethnicity and politics. He has published extensively in all these areas. He has served on observer missions for various elections in the region. He is an external examiner for various SADC institutions, and conducts training course for defence and security sector practitioners, civil society groups, government officials, and members of parliament in Botswana.

Professor Zibani Maundeni: He is a full professor who teaches Political Science at the University of Botswana, with specialization in developmental state theories, civil society, politics of poverty, regional integration, state capacity and human rights. He is an institutional and cultural expert. Professor Maundeni read Political Science at the University of Botswana where he was selected as a Staff Development Fellow and subsequently pursued a Masters degree in the Political Philosophy of human rights at the University of Edinburgh and a PhD in institutional capacity of the state at York University in the UK. He taught at the University of Botswana from 1993 and became the Coordinator of the Democracy Research Project (DRP) from 2000 until 2007. He has coordinated a number of consultancies among which are: ‘The National Integrity System in Botswana’ (analyzing institutional structures and processes) for Transparency International which was launched in Harare on the 9th November 2007; ‘Consolidating Democracy in Southern Africa’ (analyzing political parties and civil society organizations as institutions) for Electoral Institute for Southern Africa which was published in March 2007, ‘Electoral integration in SADC’ (analyzing regional elections institutions) for BIDPA which was published in a book in 2008; ‘Voter Apathy in Botswana’ for the IEC which
published the report in 2002. Professor Maundeni has published 4 books, three of which he was editor. He has published over two dozen articles in international journals. Professor Maundeni just finished a project on political violence in Kenya. He has participated in election observation in several countries as part of the AU teams.

Namibia

Mr John Nakuta: He is the Director of Human Rights and Documentation Centre (HRDC). He also heads the Department of Public Law and Jurisprudence, teaches and writes in the areas of administrative law, criminal and human rights, particularly, economic, social and cultural rights. Mr. Nakuta received a LLM (cum laude) from the Utrecht University in the Netherlands, an LLB from the University of South Africa. He also holds professional qualifications in education. He is currently reading his Ph.D. in economic, social and cultural rights through the University of Maastricht in the Netherlands. Immediately prior to joining academia he worked for the Legal Assistance Centre (LAC), the only public interest law firm, in Namibia. Mr. Nakuta also provides consultancy services on human rights and labour related issues to amongst others the LAC, the Labour Resource and Research Centre (LaRRi), trade unions and other governmental and non-governmental organisations. Mr. Nakuta joined the Faculty of Law in 2007.

Ms Nicole Duminy: She is currently an LLB student at the Universit of Namibia. She is working under the supervision of Mr Nakutta, an academic of note based at the University of Namibia.

Mr Brian Simamuna: Worked as a tutor in the Department of Public Law and Jurisprudence, Faculty of Law, University of Namibia. Furthermore, he was involved in a number of academic activities mostly run by the Human Rights Documentation Centre (HRDC) in Namibia. He since completed his LLB degree at the University of Namibia. He is also in possession of a Baccalaureus Juris (B'Juris) Law Degree from the University of Namibia, Diploma in Law, Certificate in law and a Certificate in Human Rights Law from the National Institute of Public Administration (NIPA) in Lusaka, Zambia. He further holds a Certificate in Psycho-Social Counselling awarded by Chainama College for Health Sciences in Lusaka, Zambia. Brian has developed an interest in research, and excellent public speaking skills.

Swaziland

Professor Hamilton Simelane: He is a full Professor of History and Head of Department at the University of Zululand. He holds a PhD from the University of Toronto in Canada. He specializes in African and Latin American economic history with a keen interest in African economic development issues, especially the role of the state and institutions in economic growth/ development. His other academic interest are security issues in Southern Africa, particularly as they relate to economic security and development. He commands wide academic and research experience spanning over several years in Swaziland and South Africa. Such experience has culminated in over eighty (80) publications. He combines academic experience with consultancy experience which he gained when he was the director of a consultancy unit at the University of Swaziland between 2002 and 2006.
Presently he is engaged in research on the reconceptualization of rural development in KwaZulu-Natal where he is the lead researcher for the Ingonyama Rural Development Forum (IRDF). He is passionate about interdisciplinary result.

**Mr Wonderboy Maziya:** He works at the Central Bank of Swaziland as a Security Manager. Before joining the Bank he had worked as a Police for 10 years. During his tenure as Security Manager he made a proposal to SWASA, a standard setting board to consider establishing some standards for the security industry in the country. He was then appointed to head the technical committee, which made valuable input towards the promulgation of the first of its kind SZNS 024:2012 Swaziland National Standard Private Security Services - Requirements. Mr Maziya holds a Master of Business Leadership (MBL) degree from the University of South Africa Graduate School for Business Leadership (UNISASBL), Bachelor of Laws Degree and Bachelor of Arts (Law) from the University of Swaziland, and has attended many security related short courses and workshops. He has just completed a Management Development Program with the Stellenbosch University. In order to fulfill the requirements of the MBL, he submitted a thesis and research article titled “The design and evaluation of a measure of entrepreneurial climate for use by state owned enterprises in Southern Africa.”

**South Africa**

**Ms Margaret Gichanga:** A researcher at PSIRA who is already undertaking field research in South Africa working under the direct supervision of the Project Leader, Dr Sabelo Gumedze. On the 3rd of March 2014 the Research and Development Unit was allocated an intern, Ms Sibongile Dlamini, who is paid by Safety and Security Sector Education and Training Authority (SASSETA), which is a state institution that promotes a culture of ongoing learning, and facilitates opportunities of skills transfer and development for all South African in the safety and security sector seeking recognised industry qualifications. As part of the internship ending the 3rd of March 2015 the intern will be involved in compiling background material for the monographs introductory chapter, developing the Research and Development website on the IDRC project, writing the IDRC’s workshop and conference reports, providing logistical support for the IDRC’s events, such as workshops and conferences and lastly providing administrative support for the Research and Development Unit.

**Mid-Term Visits**

Mid-term visits were also undertaken in the month of November 2013 by the Project Leader, accompanied by the IDRC Programme Specialist, Ms Njeri Karuru, wherein the field researchers were met for the purposes of monitoring progress on their field research. Undertaking the mid-term visits proved to be essential for purposes on ensuring the smooth running of the project.

**Payment Challenges**

As was reported in the previous technical report, the PSIRA made efforts to address these challenges regarding the payments for field researchers in terms of the consultancy contracts, due to the fact that
these were largely foreign payments. It was the first time that the PSIRA had to make payments of this nature as the Research and Development Unit was only established in September 2012 and no research grants had been received before. In terms of the South African laws, the Authority had to apply for authorization to make foreign payments from the South African Reserve Bank.

Payments were delayed in respect of discussants, who gave extensive comments on the various case studies during the validation workshops that took place in March 2014 in Botswana, Swaziland and Namibia. This was directly linked to the suspension of two PSIRA employees responsible for the issuing of such payments, due to financial irregularities related to PSIRA core business. It is not envisioned that this challenge will continue to be a problem, as new persons have already been appointed to replace the suspended employees. The financial irregularities have not in any way affected the IDRC project.

**PSIRA Management Changes**

The Deputy Director – Finance / Chief Financial Officer, Mr Nick Ligege resigned on 31 December 2012 and was replaced by Mr Peter Mongwenyana, who was appointed on 1 February 2013. Mr Mongwenyana resigned on 20 February 2014 and was succeeded by Ms Portia Mngomezulu. Ms Mngomezulu resigned in October 2014 and was replaced by Mr Raymond Kevan, who started in November 2014. PSIRA had initially appointed a dedicated accountant, Ms Thea Lensely within the Finance Unit to oversee IDRC financial related matters. Ms Lensely, who was reported to be suspended in the 3rd technical report, had her suspension lifted and continued to assist with the financial related matters relating to the project.

**Gender**

Security as a field of study attracts predominantly male researchers. In order to ensure gender balance, several female researchers from the countries to be studied were approached and invited to submit their expression of interest for the field research. Save from a post-graduate student from Namibia Ms Nicole Duminy, no expression of interest was received from female researchers. The appointment of the PSIRA researcher, Ms Gichanga and Ms Duminy as a field researcher, is in our view a step in the right direction in addressing these gender imbalances in so far as the research on the subject matter is concerned. The services of Ms Julie Berg in critiquing the literature review in the initial phase of the project, was another step in the right direction for addressing the gender imbalances in this subject-matter.

During the Literature Validation and Methodology, the programme director was Ms Mpho Mofikoe, the Deputy Director-Communications and Training. It must be noted that she is the only female member of the Authority’s executive committee. Her participation as a facilitator in this workshop was again a step in the right direction.
It must also be noted that during this workshop a session was devoted on how to infuse the gender perspective using the Social Relations Framework/Approach by Naila Kabeer. This presentation, together with all other presentations was uploaded on dropbox to be accessed by the field researchers.

**Events**

**a) Literature and Methodology Workshop**

The literature review and methodology workshop was held on 6 September 2013. The purpose of the workshop was three fold, namely, to validate the literature review on crime prevention partnership, to identify key issues which were looked at in more detail during a planned field research, and engender the discussion regarding methodology and research design for field researchers from Botswana, Namibia, South Africa and Swaziland. A comprehensive report of the workshop was written with the assistance of the Events and Comunications Unit of the Authority.

**c) Validation Workshops**

Four Validation Workshops were held in each respective country on the following dates:

1) **South Africa:** two workshops were held on the 13th and the 14th of February 2014 in Centurion Pretoria, the purpose of this was to validate the South African report. This was followed by a writer’s workshop to review each of the respective drafts, a language editor Ms Mindy Standford was invited to the writer’s workshop and all researchers were present, this allowed the language editor to make constructive comments towards each report. This was helpful in standardizing all the reports and thus the final monograph due for publication.

2) **Swaziland:** a validation workshop was held on the 17th of March 2014 in Mbabane, the aim was to enhance the arguments and findings through the attendance of relevant stakeholders including the state law enforcement agency, private security companies and scholars.

3) **Namibia:** a validation workshop was held on the 24th of March 2014 in Windhoek, the aim was to enhance the arguments and findings through the attendance of relevant stakeholders including the state law enforcement agency, private security companies and scholars.

4) **Botswana:** the final validation workshop was held on the 27th of March 2014 in Gaborone, the aim was to enhance the arguments and findings through the attendance of relevant stakeholders including the state law enforcement agency, private security companies and scholars.

**Variances**

The budget for hosting the Literature Validation and Methodology Workshop was ZAR 35 865.00. As a result of having two researchers from each country (Botswana, and Swaziland), and three researchers from Namibia the amount spent for this workshop exceeded the budgeted amount. This shortfall was then taken out of the Field Researchers budget. The exact variance was reflected in the second technical report.
A decision was taken to pay each field researcher with a minimum of a Master’s degree a total amount of ZAR 45,000.00 and with a minimum of a Bachelor’s degree a total amount of ZAR 15,000.00. Ms Nicole Duminy and Mr Brian Simamuna will be paid a total amount of ZAR 15,000.00 for the field research, upon the approval of the final draft. These amounts are reflected in the individual consultancy contracts of the field researchers. In so far as the data analysis is concerned a business analyst Mr Mazwi Mmgadi from the PSIRA Information Technology Unit, was assigned to analyze the data at no cost; this analysis will be reflected in the introductory chapter of the final draft. This essentially means the amount of ZAR 36,000.00 which was budgeted for will be reassigned to other budget lines with the approval of the IDRC.

c) Regional Conference & Policy Workshop

The Private Security Industry Regulatory Authority hosted a Conference and Policy Workshop on ‘Promoting Crime Prevention Partnerships between State and Private Security Providers in Southern Africa, between the 23rd and 24th of July 2015 at PSIRA’s head office in Centurion, Pretoria. The overarching objective of the Conference was to table the findings of the 3 year research project, which was a four-country case study that focused on Botswana, Namibia, South Africa and Swaziland. The research was commissioned under the auspices of the International Development Research Centre IDRC-PSIRA project on ‘Promoting Crime Prevention Partnerships between State and Private Security Providers in Southern Africa,’ managed by the Authority’s Research and Development Unit based in Pretoria, South Africa.

The Conference was held on the 23rd of July 2015, followed by the policy workshop on the 24th of July 2015. The former entailed the presentation of findings of the researchers from each respective state that formed part of the research project. Emphasis was placed on the discourse that needed to take place, to engage on the increasing role the private security played in security provision in the southern African region, parallel to that provided by the state. It was established that regulation of the private security industry was critical in view of the growth of the private security industry; this was underscored for Botswana, Namibia and Swaziland where no effective regulation of the private security industry occurred. Regulation was further linked to the need for improved governance for human security, particularly in terms of firearm management and employment and labour practices within the private security industry. The conference also served as an opportunity for industry experts, representatives of state law enforcement and government to share their experience regarding the feasibility of a crime prevention partnership. The findings highlighted the changes taking place in policing and security provision in southern African, spurred on by the proliferation of private security actors. The importance of establishing regulatory bodies and fortifying regulatory mechanisms already in place was emphasized, in the context of a proposed partnership between the police and private security actors in the respective countries.

The aim of the policy workshop was to begin the process of envisioning the content and structure of a policy guideline and to steer the discourse in terms of the role the private security industry could play in supplementing the crime prevention responsibilities of the police. It was asserted that the practice
of including private security actors in formal structures, endorsed in national policing planning was dependent on effective regulation of the private security industry, improved training standards and a reform of the norms and attitudes that underpin the approach to policing and security provision. The conference also marked the official launch of the first ever monograph published by the PSIRA.

Project Schedule

Outputs

The following outputs have been finalised but not yet published:-


The delay in the publication of these reports is as a result of the PSIRA procurement process.

Activities

A decision has also be taken to host a dissemination workshop in Swaziland, where there is no regulatory framework for the private security sector on 14 October, 2015. The workshop will be on The Regulation of the Private Security Industry in Swaziland. The costs for the workshop will be covered under the Workshop/Conference budget.

The dissemination of the research findings to the United Nations in New York will take place in January 2016. This delay is due to the fact that the US visa will only be obtained by the end of 2015. This will be at no cost as it will be piggy-bagged by the Senior Researcher when travelling to the USA in January 2005.

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Consideration of Draft country Reports

Validation / report back Workshops – Botswana, Namibia, South Africa, Swaziland

### Year 2 / Year 3 (2014/2015)

(Reflecting the delay)

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Despite the delay, the project will be completed as anticipated as the Year 3 activities will be compressed to short-circuit the delay.

5 Project Outputs and Dissemination

The following research outputs were finalised:

- Literature Review on Crime Prevention Partnerships between the State and Non-State Actors;
- Literature Validation & Methodology Workshop Report;
- Validation Workshop South Africa;
- Validation Workshop Swaziland
- Validation Workshop Namibia; and
- Validation Workshop Botswana.

Once the reports are published, they shall be disseminated to the public and posted on the PSIRA website which is currently being developed to have a dedicated page for the Research and Development Unit.

The envisaged research outputs that will result from the field research and research findings validation workshops (Botswana, Namibia, South Africa and Swaziland) are as follows:

1) Monograph on Crime Prevention Partnerships between the State and the Private Security Sector in Southern Africa:
   a. Botswana
   b. Namibia
   c. Swaziland
   d. South Africa

2) Research Findings Validation Workshop Reports:
6 Impact

In terms of the proposal (and as already stated above), the following research outcomes are envisaged:-

- Generate research on crime prevention partnerships between state and the private security sector;
  o Thus far, the project has been able to generate the required research knowledge in order to enable the appointed field researchers to undertake the field research in their respective countries.
  o Substantial findings have been uncovered, mainly reinforcing the need for a regulatory framework and its implementation for the effective regulation for private security services in the countries under review.
  o All the reports are currently being peer-reviewed in order to ensure a high quality output is produced that reflects African scholarship on a pertinent and relevant topic in the southern African region.
- Engaging with key public officials involved in crime prevention with a view of providing technical support on how partnerships between the state and non-state actors, particularly the private security industry can be improved in the selected Southern African States;
  o Thus far, the project has already identified some key public officials that have been engaged during the field work that has been undertaken.
- Hosting workshops, seminars and conferences that will help to raise awareness among key stakeholders on the complexities arising out of the crime prevention partnerships between the state and non-state actors, and how to address these;
  o These events have proved to be a crucial avenue to foster discourse on overcoming challenges associated with effective regulation of private security services. The validation workshops held have played a major role in ascertaining the credibility of the research findings.
- Improving access to information on the subject of crime prevention and the whole notion of privatisation of security as an aspect of crime prevention;
  o A literature review on the subject matter has already been completed and will also undergo a peer review process. This information will be distributed once the literature review is published.
- Building a lasting legacy of collaboration and scholarship on the subject of crime prevention and the privatisation of security. Thus far, the foundation is being laid in order to build the lasting legacy of collaboration and scholarship on the subject of crime prevention and
privatisation of security. During the period under review, the Project leader, Dr Sabelo Gumede was invited to participate and present at strategic events as follows:

- **American University Washington College of Law:** to participate at conference organized by the Center for Human Rights & Humanitarian Law’s Initiative for Human Rights in Business entitled, Montreux Plus Five: Assessing the current status of the development and implementation of international standards for the Private Military and Security Industry. The conference was held on Wednesday, 6 March 2013 at the American University Washington College of Law, in the USA. His intervention was on the extent to which South Africa had supported the Montreux process and recent activities undertaken in keeping with the letter and spirit of the Montreux Document.

- **Global Resilience Innovation Platform Summit:** to participate in the first session on Reducing the Risk of Violence, which was designed to determine what we know with confidence about what works and what does not to reduce violence. The summit was held between 15-16 May 2013 organized by the IDRC and co-sponsored with the World Bank in collaboration with other donors including the UK’s Department for International Development and the African Development Bank. His intervention was approached from the private security angle.

- **United Nations – Session of the Working Group on the use of Mercenaries:** to participate in a panel event convened by United Nations Working Group on the use of mercenaries on the issue of the use of PMSCs by the UN. The event was held in New York, USA on 31 July 2013. His intervention was on the challenges associated with the use of PMSCs in peacekeeping operations and security sector reform focusing on the case of Libera.

- **Botswana Police College/University of Botswana:** to present on Public–Private partnerships: Interface Between the State and Private Security Companies at the Executive Police Leadership Course held at the Botswana Police College at Otse on 20 September 2013.

- **The Inter-Governmental Working Group on Private Military and Security Companies:** to present a paper on the distinction between activities of private military companies and private security companies at the Third Session of the United Nations Open Ended Inter-Governmental Working Group on Private Military and Security Companies, held between 21 to 26 July 2014 in Geneva, Switzerland.

- **The Swaziland Private Security Stakeholders Meeting:** to present a paper titled Options for Regulating the Private Security Industry at the invitation of the Swaziland private security stakeholders, held on 10 October 2014 in Manzini, Swaziland.

- **National University of Lesotho:** to present a guest lecture entitled: Privatisation of Security and International Law at the invitation of the Faculty of Law, National University of Lesotho, held in Maseru on 17 October 2014.

During the period under review the project leader and the researcher Ms Margaret Gichanga were invited to participate and present their papers at the following event:
International Symposium on Governance, Security and Peace, held between 28 and 30 April 2014 in Addis Ababa, Ethiopia. Dr Gumedze paper was titled ‘The Private Security Industry as a Perpetrator of Crime: the case of South Africa,’ Ms Gichanga’s paper was titled ‘Crime Prevention Partnerships between State and non-State actors in Southern Africa: the cases of Botswana, Namibia, South Africa and Swaziland.’ This symposium presented an excellent opportunity for the Research and Development Unit to share some of the research findings of the ongoing project.

PSIRA Projects Influenced by the IDRC-Funded Project:

a) The Involvement of the Private Security Industry in the Taxi Violence in Kwa-Zulu-Natal

As an important development, PSIRA initiated a research project in June 2014 on the Involvement of the Private Security Industry in the Taxi Violence in Kwa-Zulu-Natal. The research project seeks to explore in much detail the involvement of the private security sector in the taxi violence in KwaZulu-Natal, with much focus on Ntuzuma, Durban. The research will make recommendation on how the above-mentioned challenges resulting from the involvement of the industry can be effectively addressed by PSIRA. The research findings will further inform policy change within PSIRA, which will enable the regulator to be more effective in fulfilling its mandate of regulating and controlling the private security industry in South Africa. Some of the research findings gathered thus far are as follows:

- **Non-Compliance with the Firearms Control Act** - the contracted businesses are reported to use company firearms to perpetrate the taxi violence.
- **Non-Compliance with the Regulations made under the PSIRA Act** - the private security officers involved in the taxi industry are wearing uniforms that resemble those of the South African Police Service, which is in contravention with regulation 7(b) of the Private Security Industry Regulation, 2002
- **Non-Compliance with Code of Conduct for Security Service Providers** - there were guards who were not wearing any uniform in contravention with the Regulations and also carried guns in public including rifles such as 50 calibre (12,5 mm) AK-47 look-alike weapons in contravention with the Code of Conduct for Security Service Providers.

As a result of the IDRC project, particularly the information gathered thus far, a meaningful contribution as been made in so far as this research project on the Involvement of the Private Security Industry in the Taxi Violence in Kwa-Zulu-Natal is concerned. A Stakeholder workshop on Strengthening Partnerships between Communities and the Private Security Industry in the Fight Against Crime is planned by the South African Government for 2015.

b) Private Security Services Law

In collaboration with the Mandela Institute of the School of Law, University of the Witwatersrand, PSIRA will be offering a post-graduate certificare course on The Private Security Services Law from 2015. This course will be a semester-long course where participants will attend evening lectures from...
17:30 to 19:00 once a week during the period 16 February to 26 May 2015. The course aims to give the participants a sophisticated understanding of South African private security services law. It will also present the international developments within the privatisation of security services and their regulations. Some of the research findings of the IDRC-funded project will be shared within this course.

7 Recommendations

Thus far, it is not in doubt that the impact of the research project is huge. Ensuring effective regulation of the private security industry is seen as a key driver for ensuring safety and security in each respective case’s local context. An effectively regulated private security industry is viewed a key partner in the fight against crime. The private security industry plays a major role in security citizens’ properties and assets and without regulation can be exploited for criminal purposes. Hence, the importance of establishing and implementing a regulatory framework to regulate private security services in the cases under review is paramount. Such an undertaking would enjoy more legitimacy and success if the state was engaged and committed to developments in this regard. Once this has been achieved, discussion and debates about the usefulness of a partnership between state law enforcement agencies and private security companies can take root, and unpack issues such as overlap of duties and division of labour. It is emphasised that this must be a state driven process and have as its main goal the prevention of crime and ensuring safer and more secure communities. In so far as the project is concerned, the recommendation would be to appeal for further support from the IDRC, beyond the current project, to drive the process of assisting in the debates, discussions, engagements, research and trainings in order to enrich the promotion of partnerships for crime prevention in the Southern African region.