



CHANGING PATTERN OF CRIMINAL ACTIVITIES IN SOUTH AFRICA

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Abstract

South Africa is among the most crime-ridden and crime-concerned countries in the world as stated in the report of United Nations '2002 Report of Drug and Crimes' (UN-ODC). Report also mentioned that the Cape Town has one of the highest rates of violent, property and commercial crime in South Africa. However, the South African Government has introduced well respected policies to address crime and violence. These include the National Crime Prevention Strategy of 1996 and the White Paper on Safety and Security. Strategies have also been formulated and to some extent implemented to integrate the Criminal Justice System. In this research paper, researcher has tried to explore the situation of victims of violence, perpetrators of violence and law enforcement, on crime and criminal investigational environment in South Africa. It also explores the realities of changing pattern of crime and criminal activities in South Africa. The nature of crime and criminal activities which are changing with the development of the technologies and other modern sophisticated arms, are given the glimpse of modern crimes which are taking place in South Africa. Researcher believes that South Africa is not unique in terms of crime and criminal activities in comparison to the other developed as well as developing countries. In the last, the paper suggest some long as well as short term efforts which are needed to eradicate such modern crimes with empower the citizen to become the part of the solution.

Introduction

South Africa is an important link in this international network. Today, the country is fully engaged in the activities of the region and the African continent, indeed, in the activities of the world. As a result, twenty years after its new democracy, burst onto to the global state, South Africa finds itself with a significant drug and crime challenge, as do many other nations. Crime is among the most pressing and visible social problems facing South Africa. It has been referred to by the Government as a high priority issue. Crime also features prominently in the public's concern along with issues of poverty, job creation and HIV/AIDS. In South Africa's case, however, it finds itself having to confront the additional burden of serving as the regional hub for these illicit and dangerous activities. As with any nation, this in turn makes it more difficult for South Africa to pursue its goals of empowering its citizens and improving their lives. It also inhibits the attainment of broader goals, such as those of the New Economic Partnership for Africa's Development (NEPAD), as the effort of countering drugs and crime must compete for limited resources and energy that also are needed for such challenges as creating employment opportunities and stopping the devastating spread of HIV/AIDS. The good news is that although South Africa is facing this increasingly difficult challenge, it has recognized the need to meet it, and positive steps have been taken to meet it. Overall level of crime began to increase in the mid-1980s and continued throughout 1990s. There are some indications, however, that the steep increase in crime has been abated in the last year or two; nevertheless, South Africa remains among the most crime-ridden and crime-concerned societies in the world. Also, organized crime, with clear international and regional links, has increased. Recently, the government has increased its criminal justice budget considerably.

South African Police Service displayed the crime statistics and provides an overview of key crime trends for the period of April 1, 2013 to March 31, 2014. For the first time in 20 years the number of murders and the murder rate has increased for a second consecutive year. Murder is an important crime to monitor because unlike other crimes, the number of reported murders is likely to be very close to the actual number of murders committed. The murder rate is regarded as one indicator of a country's stability- the higher it is, the less stable a country is regarded to be.

Crime in South Africa does not affect all people uniformly, although, for instance, the risk of victimization of violent property crimes, such as robbery and car hijacking, is fairly evenly spread throughout the population. However, the likelihood of a person falling victim of crime is strongly influenced by, among other things, gender, age, income, place of residence and race. Race is still one of the interpretative keys of the victimization pattern in South Africa. As in other countries, socio-economic factors and living circumstances are key determinants of who is victimized by what type of crime. Given that apartheid policies in South Africa ensured that the race of any individual determined that person's socio-economic standing, race itself was (and to some extent still remains) one of the key determinants of the country's victimization patterns. From an international comparative perspective, South Africa has a high overall level of crime, whether measured by police-recorded crimes or based on citizens' victimization experience. By any global standard, South Africa has high levels of violent crime (e.g., murder, robbery, rape), while with respect to property-related crimes its international standing is more favourable.



The nature of the 1994 transition, particularly the opening of the borders, led to an increase in organized crime. Since the definitions and criteria for identification of organized crime varied considerably over the past few years, the number of organized crime groups (termed 'syndicates' by the South African Police Service) varied too. Still, there appears to be a consensus that they are numerous and that there was a major increase in their numbers during the past five years. Local organized crime is generally less tightly knit and well-structured than the sophisticated foreign mafias. Crime syndicates in South Africa are regarded to be more loosely structured and dynamic, effectively constituting a network of individuals engaged in illicit activities, posing serious challenges for the law enforcement. Some of the local organized crime groups have international links with Chinese Triads, Russian criminal organizations, the Italian Mafia, and West African organized crime groups.

Traditional Crimes in South Africa

The issue of crime in South Africa is a complex one. Most contact crimes (defined by the police as murder, attempted murder, rape, assault with intent to do serious bodily harm, common assault, indecent assault, aggravated robbery, street muggings, car hijackings, house break-ins, bank robberies, and common robbery) in South Africa take place between people who know each other according to the South African Police Services recent annual report.

Violent crimes, such as attempted murder, aggravated robbery, serious and common assault, and in particular violence against women and children (including rape of children), has shown a general increase since 1994 with a slight down turn in 2001-2002. Reported rates of rape are at the most serious levels in the world, and there is much concern about the increase in violence against women and in particular against children. Murder rates, by contrast, have been declining since 1994, by almost 30%. Much of the violence is attributed to the proliferation of firearms, both as a cross-border organized crime trafficking problem and as they are illegally appropriated for domestic criminal purposes.

Organized crime in its many manifestations is highly present in South Africa and comprises a range of criminal activities from trafficking in drugs, firearms, persons and stolen vehicles, to smuggling of precious materials and endangered species, involving local, transnational and foreign organized crime groups. Recently instituted organized crime countermeasures, including a new strategy, laws, asset forfeiture operations, and investigative and prosecutorial structures, have made considerable achievements in dismantling certain organized crime groups and monitoring trends in syndicate activities and targets.

High-tech Crimes in South Africa

Online misdemeanour or commonly referred to as Cyber Crime is a new type of criminal activity which started showing its ugly head in the early 90s, as the internet became a common place for online users worldwide. The question then usually arises as to what types of criminal offense may be committed online, and what laws one must apply to charge an offender to successfully get a prosecution.

The speed of technological change is leaving gaping holes in highly sensitive company information technology (IT) infrastructure. These vulnerabilities are being targeted by cybercriminals at an increasing rate and South Africa is starting to feel the heat from attackers across the globe. A report published in South Africa stated that the country had most cyber attacks of any country on the African continent. In 2014, losses reached an estimated R5 billion (in Rand= South African currency) annually through cyber crime. The year before, the Norton Report rated South Africa third on the list of the number of cyber victims in the world. Russia and China topped the list. It is difficult to objectively determine the level of cyber crime in South Africa as there is currently no legal requirement to report cyber-related crimes. But there is general acceptance that the country faces a major challenge. South Africa's laws have been improved to deal with emerging threats in cyber space. This was underscored by the recent tabling of the Cybercrime and Cybersecurity Bill. The number of data protection laws in Africa has also increased. But only after they have been implemented can further studies be done to check how successful they have been.

In South Africa, most of the cyber crime provisions in the Electronic Communications and Transactions Act (ECT) are not able endeavours; however, their enforceability is still to be tested in our South African Courts, Given the borderless nature of the internet and the challenges it poses in terms of jurisdiction questions, international cooperation and uniformity it is of utmost importance that states learn from each other efforts to deal with cyber crime and create an international cyber crime code to be applied universally. If any, significant success is to be achieved in the combat against cyber crime.

Changing Patter of Criminal Activities

Cyber criminals' business models are maturing very fast in South Africa. High-tech Criminals are using increasingly novel



and creative methods to victimise the citizens. It was estimated that there are more than a million new malicious programmes such as viruses, worms, and Trojans were created in last few years. They have also widened the latitude in terms of the technologies they can perpetrate. South Africa facing the challenges of recent attacks on Twitter, Facebook, and MySpace, Cybercriminals are exploiting the viral nature. Cyber crime is spreading rapidly through social networking sites. Cyber criminals persuade potential victims with emotional appeals such as excitement or fear or establishing interpersonal relationships or create a feeling of trust and commitment.

Conclusion

Generally speaking, the whole of the criminal justice system has undergone substantive transformation and reorganization in the post-apartheid South Africa. This is particularly the case with the police and prosecution services. South Africa has adopted important new legislation and strategies in crime prevention and control not only in order to face the challenges of an increased crime threat and the fear of crime and insecurity, but also to build up the citizens' confidence in criminal justice system, which for a long time was a visible symbol of the repressive apartheid regime. It appears that these efforts are paying off in terms of halting a post-1994 trend of increasing crime (at least for those crimes that are considered the priority crimes) and increasing the public confidence in criminal justice. There is a general view that much work is still needed in the areas of crime prevention, reporting, detection and processing of cases. There are still considerable problems in processing crimes and offenders through the criminal justice system, and there are serious problems with prison overcrowding.

Crime Prevention- Fear of crime has resulted in an enormous growth in the private security industry and in reforms within the police force. The police are introducing new approaches to policing ("crackdown police areas" and "sector" policing), as well as the creation of metropolitan police services and the promotion of more police involvement with the local communities. There are some indications of increasing citizen confidence in the police, which over the past few years has been reflected in the increased reporting of crimes to the police.

Criminal Justice Reform- The entire criminal justice system has undergone substantial and substantive transformation and reorganization in the post-apartheid era. While much improvement has been achieved, there are still considerable problems in processing crimes and offenders through the criminal justice system, with particularly acute blockages at the judicial and correctional levels.

Public Private Model- Voluntary, non-profit and non-government organizations define the parameters of acceptable behaviour of various actors in reference to fight against cybercrimes. Some organizations such as WiredSafety are providing help and safety online. The benefits and necessity for public-private partnerships to succeed in addressing the high tech crimes in South Africa cannot be stressed enough. High tech crime, however, remains under-reported and this must also be seen in light of the balance between reporting of crime and reputational damage to the public.

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