

Community perspective on the effectiveness of the criminal justice system against illicit drugs in South Africa

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Abstract : Little is known regarding the performance of the criminal justice system (CJS) in South Africa to adequately respond to, the demand and supply of illicit drugs in South Africa. The research question that guided this study is: What are the views of the people on effectiveness of the CJS to reduce the demand and supply of illicit drugs in South Africa? In pursuit of the objectives of the study, the research paradigm was rooted in positivism. Consequently, a quantitative approach was adopted and a cross-sectional design was employed. Through convenience sampling, 130 respondents were recruited at taxi ranks in the Gauteng Province. The findings demonstrate that among others, community were of the view that some of the South African Police Service (SAPS) officials are involved in the trafficking of illicit drugs in their respective communities. Furthermore, the respondents consider the SAPS officials collude with drug dealers, thus overlook criminality perpetuated in their communities. The findings of this study identified probable better approaches to reduce production, distribution and sale of illicit drug if more coordinated and annually planned actions by the CJS stakeholders in South Africa.

Keywords: Community perceptive, criminal justice system, illicit drugs, South Africa

Introduction

In nearly every country the market for illicit drugs remains pervasive, despite long running attempts to restrict such activities (Shikwambana & Mofokeng, 2016). The extent and forms of illicit drug abuse among people may considerably differ across nations and over time, depending on a combination of factors, including socioeconomic circumstances, government policies, criminal justice system (CJS), and systems for the reduction and prevention of negative effects (Lee, Lee, Lee, Lee, & Kang, 2021). Since 1994, South Africa has seen an increase in the market for illicit drugs. The CJS in South Africa is comprised of the South African Police Service (SAPS), the Department of Justice and Constitutional Development (DoJ & CD), and the Department of Correctional Services (DCS), which work together to combat crime in the country (Statistics South Africa, 2015). The country's permeable borders, particularly with neighbouring countries, comparatively high levels of income, as well as long-standing and worsening income disparities, have all contributed to make South Africa attractive to both local and international drug trafficking syndicates. Compared to other countries in sub-Saharan Africa, South Africa represents the largest market in illicit drugs (Makgoke & Mofokeng, 2020). In a national cross-sectional [5], conducted a survey in 2017, amongst 39 210 persons 15 years and older (Median = 34 years) responded to a questionnaire on substance and health variables. The prevalence of hazardous, harmful or dependent alcohol use and drug (HHDA) use was 10.3% and past 3-month drug use 8.6%. Women of middle age (25–34 year old) and mixed race, residing on rural farms and urban areas, with drug use and psychological distress were positively associated and older age (55 years and older) and Indians or Asians were negatively associated with HHDA. In adjusted logistic regression analysis, men, having Grade 8–11 education, mixed race, being unemployed, and the HHDA used were positively associated and middle and older age (25 years and older) and being a student or learner were negatively associated with past 3-month any drug use. Women, who were mixed race, Indians or Asians, with the HHDA use were positively associated and older age (45 years and older) were negatively associated with the past 3-month drug use (Pengpid, Peltzer & Ramlagan, 2021).

Thus, the effectiveness of policing methods as well the response by the wider criminal justice system (CJS) in dealing with and response to illicit drug abuse by communities in South Africa can never be left solely to the police and other law enforcement agencies. The growing presence of illicit drugs in South Africa is indirectly as a result of movement of large numbers of legal and illegal people across the borders, poorly monitored and maintained borders (Shikwambana & Mofokeng, 2016), and ill-equipped law enforcement agencies and a corrupt CJS (Mofokeng, 2016). Many drug kingpins bribed police officers to avoid prosecutions, not just in South Africa but across the world (Lee, 2021). The dynamics of illegal markets, the activities of criminal enterprises, and the reach of criminal networks all militate in favour of multilateral responses. So too does the lack of capacity of the SAPS to respond adequately, the challenges brought by instability within the SAPS due to lack of resources and unwillingness of corrupt police officials to take decisive action against indigenous criminal organisations, makes South Africa a haven for criminals (Shikwambana & Mofokeng, 2016).

These are common concerns of many people in South Africa and globally have lost faith in the CJS that is supposed to uphold and enforce the law to protect them from criminality. For the police to be able to take responsibility for actions and wrongdoings, they need to receive proper direction. They also need to be well-prepared and equipped to carry out their functions in a professional way, and need to be assured of proper working conditions (United Nations, 2011). A survey conducted by Statistics South Africa during 2010–2013/14, assessed public perceptions about crime prevention and the CJS. The study found that the majority of households in South Africa rated courts and police positively, while slightly more than half of households held a negative perception about Correctional Services. Factors such as decreasing crime trends, police visibility, and prompt police response evoked satisfaction with the work done by the police. Matters such as sentencing imposed by courts and the perception that the sentences passed were too lenient on offenders tended to tarnish the image of the courts. More than three-quarters of households held the opinion that many people who are guilty were not sent to prison. One in six households did not have confidence in the ability of Correctional Services to rehabilitate offenders” (Statistics South Africa, 2015). In support to the above, (Schoeman, 2016) posits that South Africa has a dichotomous judicial system with strong punitive elements, as principally seen in the extent of criminal law, but also culturally engrained restorative elements found in restorative and traditional justice practices. As a country with a high crime rate South African citizens are, if not directly, indirectly affected by crime. South Africa's predominant retributive justice system is characterised by a general exclusion of the people who are the primary and secondary victims of crime. This exclusion is also evident in research where emphasis tends to focus on the perceptions of justice from the perspective of criminal justice practitioners. In contrast, limited research has been done to explore public perspectives about justice and the understanding thereof. In addition, limited studies have been done to determine if, and to what extent, members from society are: firstly, open to a more restorative approach in adjudication; and secondly, whether they are willing to become involved in the judicial process. To address this gap, this study examined the community perspective on effectiveness of the CJS against illicit drugs in South Africa.

Materials and Methods

The research question that guided this study is: What are the views of the people on effectiveness of the CJS to reduce the demand and supply of illicit drugs in South Africa? In pursuit of the research question, the research paradigm was rooted in positivism. Consequently, a quantitative approach was adopted and a cross-sectional design was employed. The data-gathering instrument was a paper-based, self-administered structured questionnaire, which included a standardised measuring instrument using a five-point Likert scale. Three fieldworkers together with the first author, through convenience sampling, distributed 355 questionnaires, which yielded 130 usable questionnaires for analysis. Questionnaires were distributed at all major taxi ranks, such as Springs Taxi Rank in Johannesburg, Bosman Train and Bus station in Pretoria and Kempton Park taxi rank all in Gauteng Province. These taxi ranks have commuters who travel to different provinces within South Africa. Marabastad Taxi Rank has public transport which also travels to foreign countries such as Mozambique, Zimbabwe, Lesotho, etc.

Commuters travelling within the South African Provinces were also targeted. Hence, this study opted for convenience sampling, which is a non-probability sampling design. The result of this choice was that the first author had to sacrifice the generalisability of the results. Convenience sampling, which is also known as haphazard or accidental sampling, is used to sample the population according to practical criteria such as their availability at a given time, accessibility, geographic location, and willingness to participate in a study (Elfil & Negida, 2017), (Etikan, Musa & Alkassim, 2016). More specifically, a cross-sectional survey was deemed the most appropriate design. Surveys that are cross-sectional allow the researcher to describe a single entity in its entirety within a specific time frame (Dantzker & Hunter, 2012). A cross-sectional survey design was countenanced because it is less demanding in its design requirements and consequently provided the researcher with some flexibility to conduct the

research effectively. Furthermore, the design is well-known for easing the analysis process (Leedy & Ormrod, 2015). A cross-sectional survey is also a fast and inexpensive method to reach a relatively large sample of respondents (Leedy & Ormrod, 2015), (Wang & Cheng, 2020). Respondents in the survey were asked to state their level of agreement with those given statements, as discussed below from strongly agree to strongly disagree. The data collected was analysed by coding and was computerised. Answers within the questionnaire were assigned numerical codes and entered into Microsoft Excel. The codes from Excel were subsequently transported into the Statistical Programme for Social Sciences (SPSS) (Field, 2013), (IBM, 2021) for coding and further analysis (McCormick, Salcedo & Poh, 2015). The quality of the data was ensured through demonstrating validity and reliability. Ethical considerations are an important aspect of any research, especially research that deals with human participants. Hence, all research requires ethical clearance and approval in order to be conducted. For the purposes of this study, ethical clearance was granted by the university, initially on the condition that the respondents approved the request to conduct research.

Results

Perspectives by the community members regarding the effectiveness of the CJS to reduce the demand and supply of illicit drugs are crucial for the people to have confidence in the CJS. For the purpose of this paper, the below statements were formulated with the intention to solicit public or community members' perception regarding the effectiveness of the CJS to reduce the demand and supply of illicit drugs are crucial for the people to have confidence in the CJS. Statements 1 to 12 of the questionnaire provided valuable information about the views of community members. The following discussion focuses on how each of these statements is understood by the public and raises key questions about the effectiveness of the CJS.

Statement 1: Common serious crimes committed in South Africa

Table 1 indicates that (n=47.69%) of respondents pointed out that drug-related crime is common in their provinces. N=27.69% pointed out robbery by drug addicts as the most common crime committed in their locality while (n=24.62%) pointed out theft.

Table 1: Respondent's knowledge of the most common crime committed in South Africa

Province	Drugs trade and abuse	Theft and Burglary	Robbery	Total
Eastern Cape	8 (40.00)	6 (30.00)	6 (30.00)	20 (100.00)
Free state	1 (50.00)	1 (50.00)	0 (0.00)	2 (100.00)
Gauteng	9 (42.86)	8 (38.10)	4 (19.05)	21 (100.00)
KwaZulu-Natal	14 (58.33)	3 (12.50)	7 (29.17)	24 (100.00)
Limpopo	8 (53.33)	2 (13.33)	5 (33.33)	15 (100.00)
Mpumalanga	3 (33.33)	3 (33.33)	3 (33.33)	9 (100.00)
North West	9 (45.00)	7 (35.00)	4 (20.00)	20 (100.00)
Western Cape	10 (52.63)	2 (10.53)	7 (36.84)	19 (100.00)
Total	62 (47.69)	32 (24.62)	36 (27.69)	130 (100.00)

Statement 2: South African community identification of people who are involved in illicit drug dealings

Table 2 illustrates that 71.17% of South African respondents pointed out that they know the community members who are involved in drug dealing. About 63.16% of foreign nationals were also aware of people who are involved in drug dealings. Amazingly 36.84% of foreign nationals were uncertain while 28.83% of South Africans were uncertain. It seems like respondents who are foreign nationals were protective of the drug dealers.

Nationality	Yes	Uncertain	Total
South Africans	79 (71.17)	32 (28.83)	111 (100.00)
Foreign nationals	12 (63.16)	7 (36.84)	19 (100.00)
Total	91 (70.00)	39 (30.00)	130 (100.00)

Table 2: Respondents' knowledge of community members who are involved in drug dealing in their locality

Furthermore, Table 3 illustrates that a higher percentage of African respondents and Coloureds experience more drug-related crime than Indian and White people. African and Coloured people are also vulnerable to robbery and theft crimes in their localities. Most of the African respondents reside in townships, rural or semi-urban areas where drug abuse is more common than in urban areas.

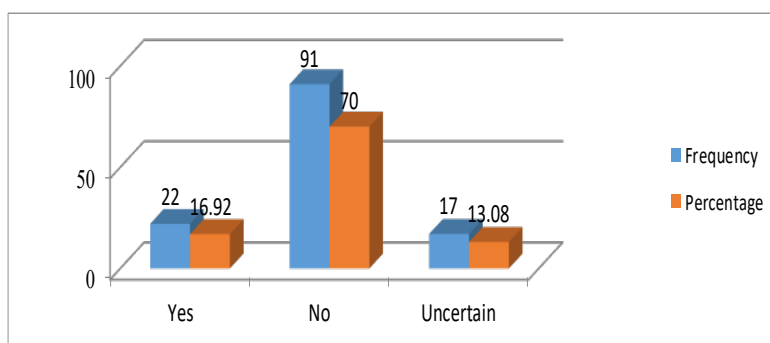
Table 3: The common race involved in drug related crime

Race	Drugs	Theft	Robbery	Total
Black	39 (50.65)	19 (24.68)	19 (24.68)	77 (100.00)
Indian	6 (33.33)	6 (22.22)	8 (44.44)	18 (100.00)
White	5 (35.71)	5 (35.71)	4 (28.57)	14 (100.00)
Coloured	12 (57.14)	4 (19.05)	5 (23.81)	21 (100.00)
Total	62 (47.69)	32 (24.62)	36 (27.69)	130 (100.00)

Statement 3: The community responses regarding the role of South African Police Service (SAPS) in responding to the use, possession and trade in illicit drugs

Figure 1 illustrates that a large percentage (70%) of respondents disagreed that the South African Police Service (SAPS) arrest drug dealers in their locality. Only 16% agreed while 13% were uncertain. The reason for this might be that the police are visible on the roads. Drug dealers are back on the street within a few days after they get arrested.

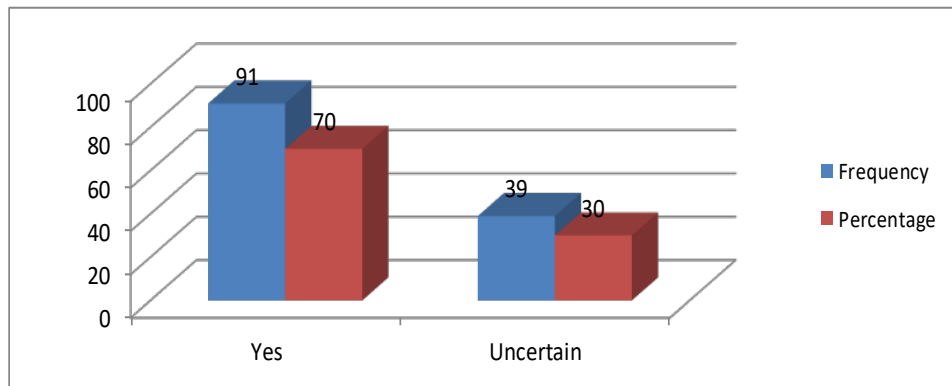
Figure 1: Respondent's knowledge of whether the police arrest drug dealers



Statement 4: The South African Police Service (SAPS) involvement in drug dealing

Figure 2 illustrates that a large percentage (70%), of respondents indicated that the police are involved in the trafficking of illicit drugs in their respective communities, while 30% were not sure of whether the police are involved in drug trafficking or not. The reason for this might be that most drug dealers are known to the community and even to members of the Community Police Forum (CPF). These dealers are not arrested.

Figure 2: Respondent’s knowledge of whether the police are involved in drug dealing



Statement 5: Courts success rate to convict drug dealers in South Africa

Figure 3 indicates that 69.23% of all respondents pointed out that the drug dealers do not get convicted. Only 10.77% of respondents agreed that the drug dealers get convicted, whereas 20% of respondents disagreed. The South African community perceives that the police, prosecutors and judges are corrupt. They get bribed by drug dealers to avoid convictions.

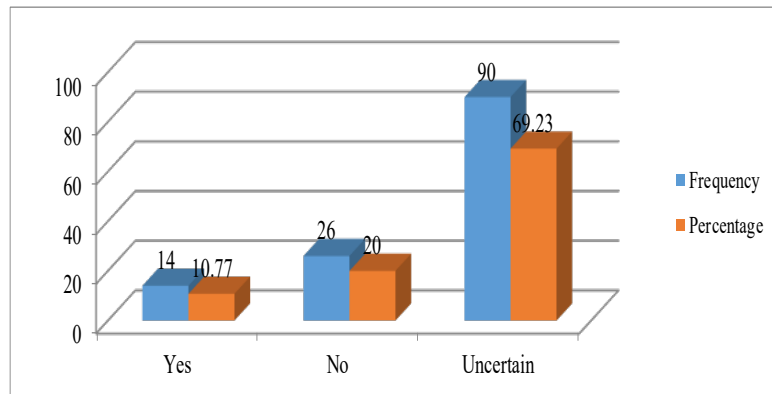


Figure 3: Respondent's knowledge of whether the accused got convicted for drug dealing

Statement 6: Rate of dismissed drug-related court cases

Table 4 indicates that 11.11% of respondents who work in the public sector agreed that drug cases get dismissed from South African courts. Another 29.41% of respondents, who are employed in the private sector, also agreed. Only 18.37% of respondents who are self-employed and 10.87% of the unemployed respondents also disagreed. Only 10.77% of respondents disagreed that the cases get dismissed from court. The rest (73.08%) were uncertain of what happens to cases in court. These claims are confirmed by the case study below.

Table 4: Respondent's knowledge of whether the case got dismissed from court

Occupation	Yes	No	Unsure	Total
Government official	2 (11.11)	2 (11.11)	14 (77.78)	18 (100.00)
Private sector	5 (29.41)	1 (5.88)	11 (64.71)	17 (100.00)
Self employed	9 (18.37)	7 (14.29)	33 (67.35)	49 (100.00)
Unemployed	5 (10.87)	4 (8.70)	37 (80.43)	46 (100.00)
Total	21 (16.15)	14 (10.77)	95 (73.08)	130 (100.00)

Statement 7: Appropriateness of sentencing

Table 5 indicates that 11.11% of respondents who work in the public sector felt that the sentences imposed on drug dealers were not suitable as punishment. Another 5.88% of respondents who are employed in the private sector also disagreed. Amazingly, 14.29% of respondents who are self-employed were also not satisfied with the sentences imposed on drug dealers. Respondents who are unemployed at 10.77% also felt that South African courts are lenient to drug dealers when imposing sentences. The rest of respondents were uncertain. The reason might be that most drug dealers are able to pay fines or bail imposed due to the big amounts of money they make in selling illicit drugs.

Table 5: Respondents' knowledge of whether the sentence was suitable for the offence committed

Occupation	No	Unsure	Total
Government official	2 (11.11)	16 (88.89)	18 (100.00)
Private sector	1 (5.88)	16 (94.12)	17 (100.00)
Self employed	7 (14.29)	42 (85.71)	49 (100.00)
Unemployed	4 (8.70)	42 (91.30)	46 (100.00)
Total	14 (10.77)	116 (89.23)	130 (100.00)

Statement 8: Granting of bail to drug dealers

Table 6 indicates that 8.46% of all respondents pointed out that most drug dealers are granted bail by South African courts. Only 0.77% of respondents pointed out that the drug dealers are not granted bail easily. The rest (90.77%) of the respondents were uncertain. The study revealed that most of the respondents do not follow court proceedings, especially South Africans in earlier responses. Respondents are therefore uncertain of the outcome of court proceedings. According to Joubert (2015), police officials are also entitled to use their discretion for the release of offenders by the granting of bail.

Table 6: Respondents' knowledge of whether the illicit drug accused are granted bail

Occupation	Yes	No	Unsure	Total
Government official	2 (11.11)	0 (0.00)	16 (88.89)	18 (100.00)
Private sector	0 (0.00)	0 (0.00)	17 (100.00)	17 (100.00)
Self-employed	5 (10.20)	1 (2.04)	43 (87.86)	49 (100.00)
Unemployed	4 (8.70)	0 (0.00)	42 (91.30)	46 (100.00)
Total	11 (8.46)	1 (0.77)	118 (90.77)	130 (100.00)

Statement 9: Prosecutors' leniency when dealing with drug cases

Furthermore, table 7 indicates that 16.67% of respondents who are members of Community Police Forums (CPF) are of the perception that public prosecutors are lenient when dealing with drug-related cases. Another 9.09% of respondents who participate in local churches are also of the opinion that prosecutors are lenient when dealing with drug-related cases. Amazingly, none of NGO members were sure or not whether prosecutors are lenient when dealing with drug-related cases. The 3.77% of those who are ordinary members are also of the opinion that prosecutors are lenient when dealing with drug-related cases. The rest of the respondents were uncertain.

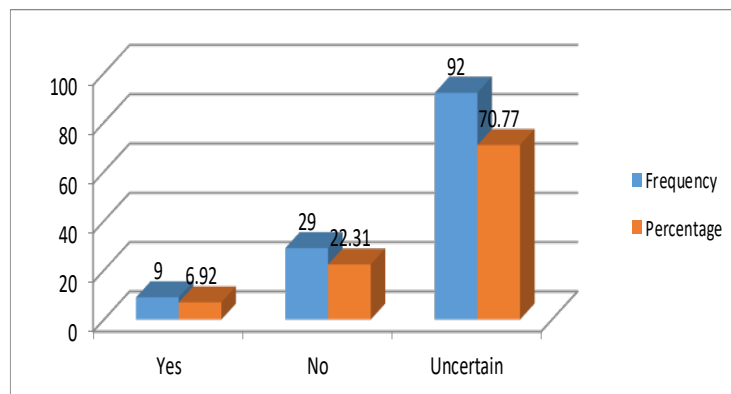
Table 7: Respondents' knowledge of whether public prosecutors are lenient when dealing with drug cases

Role within community	Yes	No	Unsure	Total
CPF members	2 (16.67)	2 (16.67)	8 (66.67)	12 (100.00)
NGO members	0 (0.00)	3 (30.00)	7 (70.00)	10 (100.00)
Church members	5 (9.09)	10 (18.18)	40 (72.73)	55 (100.00)
None	2 (3.77)	14 (26.42)	37 (70.77)	53 (100.00)
Total	9 (6.92)	29 (22.31)	92 (70.77)	130 (100.00)

Statement 10: Presiding officers rule in favour of drug dealers

Figure 4 below indicates that only 6.92% of respondents pointed out that the presiding officers rule in favour of drug dealers during court proceedings. Only 22.31% of respondents disagreed that the presiding officers rule in favour of drug dealers. The rest (70.77%) of the respondents were uncertain. The reason for this might be that most of the drug dealers return to their drug business within a short period after they are released from police custody.

Figure 4: Respondents' knowledge of whether most presiding officers' rule in favour of drug dealers during court proceedings



Statement 11: Corruption by judges

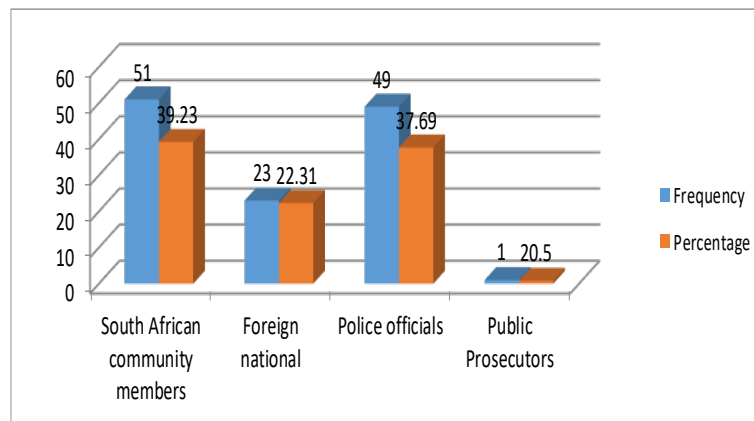
Furthermore, table 8 indicates that 46.67% of respondents who are members of Community Police Forums are of the opinion that the presiding officers are corrupt. Another 38.18% of respondents who participate in local churches were of a perception that the presiding officers (magistrates) are corrupt. Amazingly, 30.00% of NGO members also thought that the presiding officers are corrupt and 42.31% of those who are ordinary members of the community shared the same opinion. The rest of the respondents were either uncertain or disagreed.

Table 8: Respondents' knowledge of whether most presiding officers are corrupt or not

Role within community	Yes	No	Unsure	Total
CPF members	5 (41.67)	3 (25.00)	4 (33.33)	12 (100.00)
NGO members	3 (30.00)	2 (20.00)	5 (50.00)	10 (100.00)
Church members	21 (38.18)	15 (27.27)	19 (34.55)	55 (100.00)
None	22 (42.31)	09 (17.31)	21 (40.38)	52 (100.00)
Total	51 (39.53)	29 (22.48)	49 (37.98)	129 (100.00)

Statement 12: Population groups involved regarding the possession of or trade in illegal drugs in the respective residential areas

Figure 5 below indicates that 39.23% of respondents pointed out that it is mostly ordinary South African community members that are involved in drug dealing. Moreover, 37.69% of respondents pointed to police officials as being the drug peddlers. Some 22.31% of respondents pointed to foreign nationals as being drug peddlers. Only 20.5% of respondents pointed out public prosecutors as being involved in drug dealing. This suggests that corruption occurs at all levels within the criminal justice system.

Figure 5: Respondents knowledge of population group involved in drug dealing

Discussion

Research has shown that drug addicts tend to commit crimes to get money to buy drugs. The Anti-Drug Alliance Annual Survey and report conducted in 2012 (Field, 2013), reveals that 80% of South African citizens believe that South Africa as a whole has a drug problem. This report further revealed that respondents believe that the government is not doing enough to combat illicit drugs. This conclusively shows that South Africans are fed up with the way the criminal justice system is handling drugs in South Africa (Anti-drug Alliance South Africa, 2012) as cited in (Mayoyo, 2009). Anti-drug Alliance South Africa (2012) as cited in (Mayoyo, 2009), posits that the fear of crime is one of the more adverse social and psychological consequences of crime, leading to anxiety, mistrust in the criminal justice system (police, courts and corrections), social disruption and the deterioration of the quality of community and social life in general. The SAPS has a very important role to play in fighting crime across the country in order to lessen the fear of crime and victimisation. The SAPS is a main stakeholder as far as the prevention of crime is concerned Mayoyo, Potgieter and Ras (2011), Hope (2015), (Walby, Towers and Francis (2015), South African Police Service (2019). The SAPS Annual Crime Report reflects that during the 2017/2018 financial year, increases in the number of cases of drug-related crime were recorded in all the provinces, continuing the trend already observed in 2016/2017. The highest increases were recorded in Limpopo (36.1% or 5 199 cases), North West (15.5% or 1 853 cases) and Mpumalanga (13.1% or 1 507 cases). Most cases of drug-related crime were still recorded in the Western Cape, Gauteng and KwaZulu-Natal. The latter three provinces combined also contributed 64.1% to the increase in cases recorded during 2017/2018 (Green, 1998). Elsewhere, as in the case of the South African context, the lack of organisation, capacity or legitimacy of the authorities gives civil society and citizen-based groups rather than the police the major role in delivering community crime prevention, especially at the local level. Research indicates that it is important that the mode of governance in civil society is indirect and diffused, as holders of power (including government) have to govern local communities 'at a distance', influencing and shaping the background environment and utilising a range of essentially non-coercive measures in order to engage private citizens in crime prevention (Green, 1998).

Studies reveal that many foreign nationals, especially Nigerians, are involved in drug dealing. Most drug dealers protect each other to keep the network going. Similarly, in Europe, (Kandall, 1998) posits that there is a tradition in Europe of describing drug traffickers in terms of foreign nationals and, in particular, to adequate organised trafficking and other criminality with nationalities outside the European Union. This was made explicit by the Secretary General of INTERPOL who, when addressing a conference of British chief police officers claimed, most of the better established criminal organisations in Europe and elsewhere have very pronounced ethnic characteristics. The common identity of language and history, combined with political frustration, can bring together groups of individuals who may seek to commit criminal acts to further their goals Kandall (1998) as cited in (Green, 1998). Nigerians have assumed a perhaps surprisingly significant role in the international illicit drugs trade, emerging in the 1980s as an important transit country Nadleman (1998) as cited in (Green, 1998). Apart from a small amount of cannabis cultivated domestically, Nigeria is not a producer of opium or cocaine. Yet Nigerians are over-represented in arrest and prison statistics in countries throughout the world (Green, 1998). A study by Rajin (2017) reveals that the offenders are arrested so many times and that they are well-known in the community and among the police. Their friendships oblige the police to take money and/or some kind of gift to release them when

they have committed a crime. The police official performing crime prevention duties find the offenders committing a crime, but their friendship influences the police to take the money offered, leading and contributing to corruption. Rajin (2017) posits that the drug dealers, the housebreakers and many other offenders live within the community and these offenders have no intention of going to prison, therefore they feel that because the police are paid low salaries, they are easily bribed. The findings by Nadleman (1998) reveals that offenders give money to the police in order for the police to go away and leave offenders to continue with their devious actions. Police officials specifically choose to patrol in areas of drug dealing and in these drug trade areas they stop their police vehicle and the drug dealers approach and give them money. Moreover, the study of Machethe and Mofokeng (2022:354) revealed that the South African community believes that the police are involved in the trafficking of illicit drugs in their respective communities. The community believes that the police do not arrest drug dealers in their communities. The Crime Intelligence Division lacks dedicated police officers to fight illicit drugs. Most police officers are reluctant to work on weekends or after hours because no overtime is paid for these shifts.

Furthermore, Rajin (2017) asserts that in some communities it is even an accepted practice to bribe a police official in return for being released from detention. Police officials thrive on the offers and their desire for money. They are enticed with money given in abundance by the offenders. Money is readily available to the police official in return for the release of the offender. Police officials take advantage of the situation and prospects of money being readily available by the offenders. Money and property are freely available to the police from offenders, the community and undocumented immigrants. Offenders refuse to accept liability for money found in their possession, making it easier for police to steal the recovered money. The South African Police Service (2019) annual crime report confirms that an analysis conducted in Mpumalanga found that three-fifths (61.5% or 1 750 cases) of drug seizures in a sample of 2 844 cases occurred on public streets, a quarter (25.5% or 726 cases), at residential places and 5.2% (148 cases) at places of entertainment. The remaining seizures occurred at other venues, such as formal and informal outdoor commercial premises, shopping centres, taxi ranks, border posts, the open veldt and educational premises, with the latter accounting for 0.7% (five cases). In a further analysis of 1 467 drug-related crimes in Gauteng, it was established that drugs were most frequently seized in formal urban residential areas (72.0% or 1 056 cases), informal urban residential areas (12.7% or 186 cases) and the inner city (CBD) areas (8.2% or 120 cases). The places where drugs were most frequently found in 1 402 cases analysed in the province, were on public streets (79.3% or 1 112 cases), at residential places (12.3% or 172 cases), at taxi ranks (1.9% or 27 cases) and in the open veldt (1.2% or 17 cases) (SAPS, 2019).

Corruption persists even among high ranking officials. According to Basson (2021) as cited by Budhram & Geldenhuys, (2018), a former National Police Commissioner of the SAPS in 2010, Jackie Selebi, was convicted of corruption after having accepted bribes from drug dealer Glenn Agliotti in exchange for, inter alia, providing him with top secret police reports. Crank and Caldero, (2010) found that the investigating officers are in cahoots with the prosecutors to close criminal dockets as being withdrawn. In some instances, when the docket with sufficient evidence to prosecute fails to be brought to the court, the case docket is struck off the roll and the offender is released with the given reason, 'case withdrawn'. After the case is closed, the police share the money with the prosecutor, meaning that there is collusion in the act of corruption between the police and the prosecutors. Research indicates that prosecutors provide one of the primary leads for the police, but the prosecutors themselves are often committed to the 'noble' cause of corruption, and unfortunately they can strike 'foul blows' as well as hard ones (Crank & Caldero, 2010). The 'noble' cause refers to the corruption of prosecutors as it does for the police and is strongest in the most serious cases. The 'noble' cause of corruption occurs when police are tempted to use illegal means to obtain justice, such as pressurising a suspect to confess to a crime, or the planting of evidence on the suspect (Prenzler, (2009).

Conclusion

The research question that guided this study is: What are the views of the people on effectiveness of the CJS to reduce the demand and supply of illicit drugs in South Africa? The findings painted a dim picture as the responses highlighted that respondents have lost faith in the effectiveness of the CJS to reduce the demand and supply of illicit drugs in South Africa. Furthermore, the responses revealed that corruption that occurs between the police, prosecutors and judges exacerbate the availability of illicit drugs in South Africa. Drug dealers easily escape the might of the law and the community suffers the consequences. The responses above highlight the need for a transparent CJS where the active participation of the police, prosecutors and magistrates from the investigation of illicit drugs investigation, until the proceedings, in the courts in order to improve the level of trust by the public, resulting in positive convictions. More convictions of drug kingpins, with lengthy sentences will restore trust in the CJS. This will go a long ensuring that the the public will be encouraged to report illegal activities to the local police.

There is great potential among the community-based organisations to get drug abusers off drugs, but this cannot be achieved because of the lack of adequate resources and capacity building (Machethe, Obioha & Mofokeng, 2022). To our knowledge, this is the first study to examine community perspective regarding the effectiveness of the CJS to reduce demand and supply of illicit drugs in South Africa. In this study, under-reporting was also common until a relationship of trust was established between the doctor and patient. The CJS should pay more attention toward the performance of the CJS through convictions of drug kingpins, as well as the immediate disciplinary and punitive measures of all corrupt CJS officials. According to Machethe and Zenzile (2022:15) information can be obtained through sources, 10111 centres, Crime Stop hotlines, social media platforms, public complaints, police stations, etc. Once an information note or statement is obtained, an enquiry file can be opened by the investigating officer and registered, or, in extreme cases, an existing docket can be used to further an investigation. If the suspect's details are available, a criminal background check must be conducted. It is therefore, essential that collection of information about illicit drug use at the first visit interview, and repeated questioning on drug use during follow-up would help identify more drug users. The findings of this study, indicate that further studies on the prevalence of illicit drug abuse and the response by the CJS, based on mixed methods across the nine provinces, based on more accurate measurements are urgently needed. The findings of this study, also underscore the need for further research on the relationship between illicit drug use and its link with terminal ill respondents. More statistics, regarding the conviction rates, coupled with education programmes on the challenges of prospects by the CJS, as awareness among the public and places of learning, are also needed. The findings of this study correlate with those conducted earlier by Machethe & Obioha (2018) in one of the local communities where the findings have shown that drug awareness campaigns conducted in Ga-Rankuwa are conducted after a long period, where awareness is not effectively enhanced.

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