

Law and Order Setback: Usage of Police to Eliminate School-based Violence in South Africa

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ABSTRACT This paper is based on a qualitative national study conducted in South African schools to obtain insight and understanding of the reasons for the prevalence of violence in schools and how this can be eliminated. Data were collected by means of semi-structured interviews, focus group interviews and observations with teachers, learners, principals, support staff and School Governing Bodies. The study also employed a quantitative research approach; therefore questionnaires were administered across six provinces in South Africa. Some of the findings suggest that the role of the police in assisting with violence in schools can be perceived as positive although it is also haphazard and inconsistent and in some cases non-existent. There is a need for the Department of Basic Education to develop new guidelines on the implementation of violence reduction strategies to consider the disruption that the random search and seizures may cause to teaching and learning processes. New strategies that are less disruptive should be developed.

INTRODUCTION

The scourge of violence in South African schools is a cause for concern; daily reports appear in print and electronic media about the high levels of physical violence, sexual abuse and gang related activities in South African schools. Carrying knives, guns and other weapons has become part of daily school life. These incidents underline the extent of violence and crime that is experienced in communities. This impacts negatively on education in general and in what happens in the school in particular. Learning environments have become territories for crime and violence, which is a threat to the achievement of educational goals. Schools should form a safe environment that encourages effective teaching and learning. School violence is defined:

as lethal and non-lethal acts of aggression that take place in a school building or on school property, at after-hours school sponsored activities, or to a student or faculty member coming to or going to school (Daniels and Haist 2012 : 335-336).

Violence persists in different forms including bullying in schools. Police are also reported as part of the bullying that takes place in schools (Cooper 2015; Shaw 2012). Bullying is a form of violence in schools that may have its origins outside the school perimeters. It occurs when

individuals socialise in their families and communities and also takes place within schools. However, bullying can be reproduced when individuals start schooling and by omission when they are ignored or even passively condoned. Bullying can take many forms such as physical violence, threats, name-calling, sarcasm, spreading rumours, persistent teasing, exclusion from a group, tormenting, ridicule, humiliation and abusive comments. The definition of bullying by Volk et al. (2014) is founded on three features which are: goal-directed behaviour, a power imbalance, and victim harm. Volk et al. (2014) also mention that bullying is distinguished from common aggression and can be measured and studied. Bullying can be direct or indirect. Direct bullying involves physical contact or verbal abuse whereas indirect bullying involves subtle social manipulations such as gossip, spreading of rumours and exclusion (Eslea 2010; Guerra et al. 2011; Blain-Arcaro et al. 2012).

Violence can be viewed through Bandura's (1973) theory of social learning of modeling and reinforcement. Bandura identifies three conditions that influence the likelihood of modeling. Children are more likely to imitate a model when the model is a powerful figure; when the model is rewarded rather than punished for the behavior; and when the model shares similar characteristics with the child.

Role modelling is one of the social theories which explains the causes of violent behaviour regarding socialisation which are relevant in reproducing and perpetrating violence. Thus, if those adults who young people are expected to admire, respect and imitate in society are consistently authoritarian to them, they may come to accept this as the normal way of relating to others; giving or taking orders. Similarly, if those in authority are physically violent and abusive towards the young people, then this becomes normal and they will reproduce this violence. They become socialised through imitation into authoritarianism, repression and violent means to achieve ends (Miller 1987). This paper argues that it will remain difficult to curb violence as long as police that are supposed to help reduce violence do not respect the law themselves. This also calls for a change of safety strategies. This paper aims to contribute towards national and international debates on violence in schools. The study on which this paper was generated from is different from most of the studies conducted in this area since a range of stakeholders of the school community such as learners, parents, teachers, School Governing Body members were used to garner information on issues of violence across six different provinces in South Africa. The study is also high on validity and reliability since it utilises a variety of data collection instruments, namely interviews, observations and questionnaires. It is also hoped that it may contribute to developing theories on school violence by looking beyond incidents and types of violence to try to understand further why school violence escalates despite efforts to curb it. While the paper recognises the impact of violence in the wider society on schools, it is the beliefs, practices and behaviours within schools that either endorse violence directly or do nothing that is the real significance of this study.

The questions that arise from this enquiry are “How does the police action influence violence in South African schools?” “What can be done to encourage police to be a positive force to reduce violence in schools?”. The sections that follow will focus on the literature review, methodology, findings, conclusion and discussion.

Literature Review

A literature review will highlight issues of police and violence in schools as well as the

South African context of police violence. In the quest to eliminate violence, and as one of the strategies to eliminate violence, it is crucial to examine how police work in the reduction of school violence. This may assist the government to find ways of empowering police so that they can be a positive force in reducing school violence. Moreover, Burger (2011) expressed his views on how South Africans are losing trust in the police force. Burger (2011: 13) says that “*South Africa appears to be in a situation where public trust in the police is declining, while fear and mistrust of the police is on the increase.*”

Police and Violence in Schools

The phenomenon of police brutality is international in its scope. Cases of police shootings and killing of civilians in the US have been documented (Cooper 2015; Shaw 2012; Williams 2015). Police brutality is also rife in Brazil (Costa 2011). In the same vein, Willis (2015) has written about the lawlessness and the involvement of police in organised crime in Brazil. Ghana’s brutality and corruption is unsettling the Ghanaian citizens (Tankebe 2010; Boateng 2013). Police in India are also known for abuse and ruthless killings (Epp 2012). Furthermore, according to Gall (2015) police violence has been reported in Tunisia.

Globally, police are used to eliminate violence in schools, for example in the United States of America (USA) (Bracy 2010a; Bracy 2010b; Na and Gottfredson 2013), and in the United Kingdom (UK) (McCahill and Finn 2010). It is therefore crucial to investigate how police are helping to eliminate school violence.

Dealing with violence in schools has become a priority in South Africa as well. The report by the Human Rights Commission of South Africa (2008) points out to the use of the South African Police Service (SAPS) to reduce school violence. The report states that the SAPS has programmes geared towards the prevention of crimes against children and increasing school safety. Some of the programmes employed by the SAPS include Captain Crime Stop, Adopt-a-Cop, Youth against Crime Club and Child Protection Week. Other programmes include open day visits to police stations, sports days for schools organised by the SAPS and awareness presentations by police experts. Additionally, the SAPS makes an effort to maintain their presence at the schools

by providing monitors during break time and by speaking out against bullying and violence during school assembly sessions. However, it has been noted during the hearing that these programmes do not work as effectively as anticipated. To demonstrate their seriousness about the safety of learners in schools, the South African government passed an amendment Act (Education Laws Amendment Act 31 of 2007) which is intended to, *inter alia*; provide guidance for drug testing, random search and seizure at schools. Section 8A of this section prohibits any person to bring to the school any dangerous objects and illegal drugs unless the principal has granted permission to such a person. Thus, schools have to call the police to conduct random searches if they are suspicious that learners could be carrying weapons and/or drugs. In addition, schools are advised to build a partnership with local law enforcement agencies. Police officers in a South African context can be adopted through the Adopt-A-Cop programme for the school and will assist in dealing with crime and violent incidents. Accurate reporting of criminal behaviours to the police by the school may send a clear message that illegal acts will not be tolerated.

The South African Context of Police Violence

South Africa is no exception. Police in South Africa work within the legislative framework and several policies direct their functioning. They are expected to adhere to policies and the regulatory framework. There are several regulations for the South African SAPS that relate to duties, injuries, leave taking, training and discipline. The police therefore need to adhere to these regulations. For example, regulations for the SAPS relating to inquiries in terms of section 34 (1) (l) of the South African Police Service Act, Government Gazette Notice R.900, 4 July 1997; Regulations for the Independent Complaints Directorate, Government Gazette Notice R.912, 4 July 1997; Regulations for the South African Police Service relating to the Code of Conduct for Members of the Service, Government Gazette Notice R.1237, 19 September 1997; South African Police Service Employment Regulations, Government Gazette Notice R.389, 14 April 2000; and the South African Police Services Act, 68 of 1995 which provide for the establishment, organisation, regulation and control of the SAPS and detail the

duties and functions of key role players within the SAPS.

In addition, the SAPS have implemented various policies that have had a fundamental effect on its mandate, organisation and priorities as elaborated by Banchani and van der Spuy (2016). These policies include community policing policy which is indicated in Chapter 14 of the Interim Constitution, 200 of 1993 and Chapter 7 of the South African Police Services Act, 68 of 1995. The policy enforces the principle of a community-police partnership in which crime, service delivery and community-police relations can be jointly addressed. From this policy, community police forums have been created. The White Paper on Safety and Security of 1998 and the National Crime Prevention Strategy (NCPS) of 1995 are the main policies that steer the creation of the community safety forums. The primary aim of the safety forums is to create the means for an inter-disciplinary, information-sharing, co-ordinated criminal justice approach to crime prevention.

Research has revealed that police in South Africa are involved in corruption, the abuse of power and in the use of violence, force and brutality (Burger 2011; Bradford et al. 2014; Hornberger 2013; Report on Policing to Protect Human Rights: A Survey on Police Practice in Countries of the Southern African Development Community 2002).

While conducting his study in 2002, Hornberger (2013) found that community policing in South Africa promoted violence rather than reduce it. During the raids at night, police would intimidate, beat and arrest people just as a punishment and not to be charged (Hornberger 2013).

This clearly indicates that the SAPS is rife with violence. There is a huge possibility of transferring this kind of behaviour to schools as police are expected to work in schools to reduce violence. It may be difficult to reduce violence if police themselves are violent.

It appears that police do not interpret police violence in the same way as social violence. Moreover violent incidents committed by police are portrayed "as isolated incidents" (Burger 2011: 13). In agreement Jensen (2014: 469) states that this kind of portrayal "suggests either absolute impunity or a belief on the part of the police officers that their actions were somehow legitimate."

METHODOLOGY

This is a primarily qualitative case study that also employed some “quantitative” research in order to get at the lived reality of violence in schools. Researchers conducted semi-structured interviews with teachers, principals, members of the non-teaching staff and members of School Governing Bodies. In addition, they used focus group interviews with learners and observations. Four Secondary schools were selected from each of the six provinces for the purpose of carrying out interviews. The criteria used for selection were based on anecdotal evidence of incidences and this evidence was garnered from media reports and conversations with “critical friends”; teachers, principals, ward managers, and school governors. The schools were selected based on the perception as per discussion with the critical friends mentioned above and the four most convenient schools in respect of access and proximity to the researchers were finally selected.

Semi-structured interviews were conducted to examine the dynamics of violence in schools and the measures used to prevent it. Brinkmann (2014: 287) suggests that semi-structured interviews are a way of letting the participants give descriptions of how they “experience the world, its episodes and events, rather than speculations about why they have certain experiences”. A purposive sample for this study comprised 14 year-old learners, who were divided into two groups. One group of learners consisted of learners who had been affected by violence. The other group consisted of learners who perpetrated violence, two teachers, the school principal and the Life Orientation teacher for Grade 9, two representatives of SGBs, the chair of governors and the chair of the school’s discipline, safety and security committee and two support staff; a general assistant and a security guard in the school, in each school in each province.

In addition, a questionnaire was used in order to generate quantitative data on the incidence of violence and to reach a wider audience for issues of generalizability. The rationale for this was that learners are the ones who are affected by violence in schools and they are in the majority compared to the stakeholders of a school. A questionnaire was distributed to learners who were in Grade nine and were 14 years-old in 2011.

Two schools were randomly selected in each province and 100 questionnaires were self-administered in each school; thus, a total of 200 questionnaires in each province. In total 1 200 questionnaires were administered in all of the six provinces as indicated in the Table 1.

Table 1: No. of questionnaires administered in all of the six provinces

<i>Province</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>	<i>E</i>	<i>F</i>	<i>Total</i>
	200	200	200	200	200	200	1200

Qualitative data were analysed through thematic analysis. Interviews were conducted in the learners’ home language. These interviews were transcribed from the tape recorders and later translated into English. To ensure the validity and reliability of the data collected, researchers checked the accuracy of the transcribed and translated data. The interviews were analysed according to the phenomenological steps of the analytical frameworks of Giorgi et al. (1975). This means that after transcribing and translating, data responses were arranged according to each question asked and for each category of participants.

Quantitative data from the questionnaire were analysed using descriptive statistics and a Statistical Package for the Social Sciences (SPSS) tool was used. Researchers captured 1 050 questionnaires, which is the data they later gave to the statistician for analysis.

In conducting this research, researchers respected confidentiality, anonymity and privacy of participants. Information sheets were provided on the research aims, process and use of data. Consent forms were provided and completed by the schools and parents. Permission from educational authorities was sought where applicable.

FINDINGS AND DISCUSSION

The Police Dealing with Violence

One way in which schools deal with violence is to call in the police to intervene. The data gathered during interviews with learners, educators, principals and school governing body (SGB) members were varied. On the one hand, while police are expected to respond quickly if they are called to help and conduct searches in

schools, the participants said that police actually did not respond at all. Such practice was regarded as both unprofessional and an encouragement to school violence. This is what the participants had to say:

Police, they don't come to search in my school.

Police don't come to my school. (Learner, Gauteng)

We have made several requests to the police to come and search in my school but in vain." (Principal, Mpumalanga)

Police has never come to search in the school. (Teacher, Mpumalanga)

Even when called they at times do not show up. (Principal, Gauteng)

There is a police attached to my school, he has never come to search the school for illegal drugs, and other staff.

Educators, learners and parents are supposed to rely on police to reduce violence but police seem not to be doing what is expected of them. The point here is that the players expected to reduce school violence do not do their job of protecting the school community. It is not surprising that the police do not respond as according to literature, police are found not to be performing (Leggett 2016; Bruce 2016; Mafanya and Matsiliza 2016), and they are involved in corruption and violence. Some participants expressed the view that police went to schools when they were called.

Police do come unannounced but not very often.

They only come when called. (Principal, Mpumalanga)

Police do come at any time and learners are aware of this. (SGB, Mpumalanga)

Police do come at any time and learners are aware of this. (Teacher Mpumalanga)

There are the CPFs (Community Policing Forums)... They take rounds here at school. (Principal, Gauteng)

They call the CPFs... They call them so that they can break [the fight] off then take you to the office to the principal.... (Learner, Gauteng)

Police and Community Policing Forum (CPF) are some of the structures that assist schools. In addition, some schools even go to the extent of paying private security companies to help them deal with violence. One of the principals had this to say:

... we have also engaged the services of the security company CHUBB and put in an alarm system here so that should anything beyond our control happen we've got access to the security company... (Principal, KZN)

One school had a standing agreement with the local police station that from time to time during the course of the day police would patrol around the school area and also conduct searches and seizure in the school:

We always conduct search and seizures anytime, we have a community forum they call cluster committee. In this committee there is a police officer who is the commander of the cluster committee. So about two times in a month I call him and to request his visibility. And they will bring all the forces that they have like the sniffer dogs and everything. Then they will say we are here for about seven days and they will ask which classes are problematic. Then they will send them to those classes and then they will go and conduct searches in those classes. Through this we are sending a message to the learners that carrying of weapons and drugs in our school premises will not be tolerated. (Principal, Western Cape)

Clearly, what emerges from the discussion above is that the experiences of getting the police into schools to help seem variable and in some cases unreliable. While police can help to reduce violence, they can also help to reproduce violence if they do not show respect for human dignity and if they do not act professionally. Experiences by learners and educators in this study give rise to an interesting and critical question as to what role model the police display for learners. More so, police themselves have been accused of a lack of accountability and using excessive force and violence (Bruce 2016; Coudert et al. 2015; Southey 2012).

Other responses suggest that using the police to prevent or solve crime in schools might have its own problems. One participant said:

Police are at times part of the problem as they are friends with some of the most violent kids. (Principal, Gauteng)

If police are friends to those violent kids how will they discipline them? The key issue here is that police who are supposed to help bring law and order in the society help perpetuate violence by befriending the learners who are perpetrators of violence. This emphasises the role modelling highlighted in the literature review

where learners indirectly get the message that there is no law and order and they can continue with their unacceptable acts because nothing will be done to them. Such behaviour by police makes it difficult for violence to be reduced in schools as learners are more likely to interpret their behaviour as lawful and continue with their violent acts.

What emerges here is that reliance on the usage of police to eliminate school violence creates two challenges. Firstly, the help that is expected from the police is minimal as they tend not to show up when called to schools. Secondly, if they show up they tend not to help reduce violence as they have close relationships with the perpetrators of violence.

Random Search and Seizure

Some emphasis is put on searching for drugs and weapons as a way of reducing violence in schools. The South African government passed an amendment Act (Education Laws Amendment Act 31 of 2007). This Act empowers any school principal, his or her delegate to search any learner, or the property of any learner, for any dangerous object, alcoholic liquor or illegal drugs. They do the searches if the principal reasonably suspects the presence of a dangerous object, alcoholic beverages or illegal drugs on the school premises or during school activity. Section 8A of this Act stipulates procedures that should be followed when searching learners and testing them (Republic of South Africa 2007). If there is reasonable and reliable evidence that a learner has concealed a dangerous object or illegal substance in their body, the principal may request a member of the SAPS to conduct a more extensive search of that learner's person, which may entail the removal of clothing.

Police are called at times to intervene in serious cases. (SGB, Mpumalanga)

...Sometimes sporadically we just invite the SAPS to come and do the search without informing them prior to the officers coming because we enjoy a very healthy relationship with police (Principal, KZN).

...when we invite people from outside like the CPF and they [learners] know these guys and they know how aggressive they can be...Now they toe the line. They change completely (Principal, KZN).

I got busted for weed three weeks back I think, the police found weed on me three weeks back. (Learner, NWP)

... if I suspect these learners may be having some things (weapons and drugs) in the school or those whom I know are always troublesome.....so we ask them (police) that they should come and visit here, maybe five of them just to get into our classes to see what is happening.

Interestingly, the study found that learners are commonly caught in possession of these objects and substances. This clearly indicates that surveillance strategies alone are not sufficient, more so when the school itself employs and models violent ways of dealing with problems. As a way of reducing violence, one school has a standing agreement with the local police station that from time to time during the course of the day police would patrol around the school area and also conduct search and seizure in the school.

While teachers welcome random search and seizure as a deterrent for school violence, learners view it differently. According to the learners, the random search and seizures rob them of valuable time for learning. They also think their rights are sometimes violated in the process. Moreover, losing learning time may lead to poor performance. The point here is, while traditional ways of reducing violence may be helpful, they may lose their effectiveness if respect for learners is overlooked. This is how learners expressed unhappiness about the treatment meted on them during search and seizure sessions:

Now on the point where the police is searching the learners, this is my personal opinion that is also stealing time off our education whether the search is for our safety but I personally think if they have searched for 3 to 4 hours how many hours are left on the clock for our learning. (Learner; Western Cape)

The police haven't done searches for this term, but last year they did it up to 4 times in a month and if they wanna come now they can and they don't tell us when they are coming and for me it's almost like they just come whenever they feel they want to come and they disturb us in our classes and also they are disrespecting the learners because when they talk to you they would use a filthy language. I mean it's not good for those who come from the environment that is not violent and now they have

to come and witness the violence by the police which is the people that should protect us and they are also disrespecting the learning during the session of the search. (Learner, Western Cape)

The concern is that the search for weapons and drugs is done in such a manner that learners feel disrespected. Disrespect by police is one form of violence that was mentioned by learners. Of course, in South Africa we emphasise respect for human dignity. However, as literature suggests, police see police violence as a necessary and legitimate form of action to defend law and order (Burger 2011: 13; Jensen 2014: 469). This could be the possible reason why police do not think it is not a problem to verbally harass the learners. However, such behaviour is counterproductive to the efforts of reducing violence in schools. As stated in the literature (Bandura 1973), children are more likely to imitate a powerful model. The implication is that if those in authority are physically violent and abusive towards them, they are more likely to reproduce this violence.

While teachers hail random searches and seizure as a deterrent for school violence, learners view it in a different light. According to the learners, the random search and seizures rob them of valuable time for learning and sometimes their rights are violated in the process:

Now on the point where the police are searching the learners, this is my personal opinion that is also stealing time off our education whether the search is for our safety but I personally think if they have searched for 3 to 4 hours how many hours are left on the clock for our learning. That is a point that I have to make so if it is possible for the department of education that they can provide the schools with metal detectors so as to save time. (Learner, Western Cape)

The teachers from schools in Limpopo and North West further indicated that:

One learner went to spy another learner who had dagga in his socks; so some teacher went to look for them and found them, but police didn't arrest them but drugs were handed to the police because police come several times in a year.

They (learners) like to fight in the school and others fight with their own fists physically but not with weapons, they are also using vulgar language and somewhere ... this year we

had a strike by learners who were toi-toing (protesting) they locked the gates took some of the furniture burned it and they were even threatening learners who were coming to school not to come. We called the police and fortunately it was resolved. So we were able to tackle it because we were not even reporting here, we were reporting at the APO. (Teacher, North West)

Interestingly, even though the teachers and learners are worried about police negative behaviour, they still believe that police can assist if they do their job in a proper manner. They trust that if one violent child gets disciplined for their action, then the rest of the violent perpetrators will know that they should not engage in violent acts. Thus, it is important for police to be helpful as the school community trusts them.

If we reported about sexual harassment they should be serious about it like they should call the police and make an example with one person and that will lead an example to others, I think so. (Learner, North West)

... Cases beyond our scope are reported to the nearest police station. (Principal, Mpumalanga)

Police are called at times to intervene in serious cases. (SGB member Mpumalanga)

At issue here is that literature suggests that police operate within a legislative framework and policies, which guide them on how to execute their duties. The police, instead of guiding and reprimanding the learners, befriend them to a point where they are unable to enforce the law when they have to. Also, police were found to be indirectly modeling violent behaviour to learners by disrespecting them and verbally abusing them. While police need not compromise when helping to reduce violence in schools, they also need to know that they have to do it responsibly by respecting human dignity. Despite the multiplicity of these policies and legislation, they are still found to be acting in a manner that does not help much to reduce violence and that encourages the escalation of violence as learners tend to imitate what they do and see.

CONCLUSION

The utterances of the participants suggest that the manner in which police deal with violence is problematic. This is because although their responsibility is to help reduce violence,

their actions can lead to the escalation of violence if they show disrespect for human dignity and if they do not act professionally. Moreover, they sometimes do not show up when needed at schools. In the event they arrived at schools, they tend to befriend the very same learners they were supposed to reprimand.

Findings also revealed that teachers and learners viewed random searches and seizure differently. Teachers considered it as a deterrent for school violence while learners, resented the disrespect, verbal and physical harassment committed by police and they viewed it as a form of violence. Such behaviour dilutes the efforts of reducing violence in schools. Furthermore, as purported by role modelling theory, children are more likely to imitate such kinds of acts because police are viewed as powerful figures and also because they seem to be sharing similar characteristics with them. Generally, findings suggest that the role of the police in helping with reducing violence in schools can be positive but is also haphazard and inconsistent while in some cases non-existent. These findings raise interesting questions of what role model some police provide when it comes to violence.

RECOMMENDATIONS

However, a key issue stemming from this study is that policy makers and educationalists in South Africa will have to consider what effective steps are in place to reduce violence in schools. They should ask whether they want to continue using the police without training them intensely on how to conduct the searches in a lawful manner. Learners must also be educated on how crucial and beneficial it is to implement such strategies so that they can be more receptive.

There is a need for police to be conscious of the difference between enforcing the law and harassing learners. There is also a need for the Department of Basic Education to develop guidelines for implementing violence reduction strategies. The intention should be aimed at considering the disruption that the random search and seizures may cause to teaching and learning and come up with strategies that are less disruptive.

It is very important to indicate that school-based interventions work best when programmes taking place in the schools are mirrored by com-

munity members. The community therefore needs to be part of the whole violence reduction initiative and some strategies, if possible. In this case, the SGB will have to determine strategies that may make parents aware, train them and the rest of the community.

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