Understanding Policing of Human Trafficking in Gauteng Province, South Africa: The Phenomena, Challenges and Effective Responses

Morero Motseki[*]

Vaal University of Technology, Private Bag X021, Vanderbijlpark, 1900, South Africa

Abstract: Human trafficking is one of the most heinous crimes perceived to be a serious and growing problem worldwide. Human trafficking is a depressing phenomenon that affects many people across the globe. This study attempts to determine the phenomena of human trafficking, and identify the existing challenges of policing this scourge and suggest possible effective responses. This study was carried out utilising a qualitative approach. Forty interviews were carried out among officials deployed in the Directorate for Priority Crime Investigation (DPCI), the South African Police Service (SAPS), the Department of Home Affairs (DHA), the Department of Social Development (DSD), the Gauteng Provincial Office, as well as with the victims regarding their views and experiences on the stakeholder's involvement in combating and investigating human trafficking.

The key findings indicated that the challenges are corruption, lack of motivation and commitment to combat human trafficking, lack of limited awareness and information about the human trafficking scourge in South Africa, the findings also indicated a lack of clear strategy and response by stakeholders to successfully investigate, prosecute and incarcerate the perpetrators of human trafficking and the findings further indicated lack of capacity, resources and training to deal with human trafficking. Based on the findings, the author provided, possible recommendations such as; the utilisation of advanced technology and use of intelligence-led policing to strengthen the work of stakeholders, advanced training and better education including improved awareness strategies; and the utilisation of social media as a tool to deal with human trafficking and strengthening of enforcement responses and reporting techniques.

Keywords: Human trafficking, Criminal Justice System, Policing, South Africa.

INTRODUCTION

Human trafficking is a global phenomenon that disproportionately affects women and children (Anderson, 2015:54). Human trafficking has been on the rise globally, and Africa has been an integral part of the worldwide market in human beings (Motseki, 2018; and Mofokeng and Olutola, 2014). Human trafficking and counter-trafficking in South Africa remain under-studied from all perspectives. The problem is real, hidden in plain sight and tearing at the social fabric of the nation as the demand for cheap labour, and sexual services keep growing (Motseki, 2018). In-depth knowledge and understanding of the phenomenon, as well as the efficacy and impact of responses, are required to formulate effective policies and strategies (Emser, 2013:3). Human trafficking is generally understood to refer to the process through which individuals are placed or maintained in an exploitative situation for economic gain (United Nations Human Rights, 2018).

The first-ever agreed definition of trafficking was incorporated into the 2000 Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime (Trafficking Protocol). The international definition of human trafficking shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, using the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or a position of vulnerability or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for exploitation(United Nations Human Rights, 2018; Dess, 2013; and Mofokeng & Olutola, 2014). Policing human trafficking is a complex and difficult task, requiring co-operation and good communication across all sectors (Dess, 2013). This article aimed to determine the phenomena of human trafficking, and identify the existing challenges of policing this scourge and suggest possible effective responses for stakeholders and the criminal justice system (CJS).

PROBLEM FORMULATION

South Africa as a country is affected by crime, and the country's safety and security are being threatened by crime activities across and this further threatens the country's peace and stability. Human trafficking is no exception to the crimes that are harming South African communities. Concerning the consulted literature, it was noted that a limited number of research studies

*Address correspondence to this author at the Vaal University of Technology, Private Bag X021, Vanderbijlpark, 1900, South Africa;
E-mail: morerom@vut.ac.za

had been conducted on human trafficking in South Africa which makes it difficult to major the extent and nature of this scourge. Motseki (2018) concurred that despite increased media coverage regarding the prevalence of trafficking in humans and the means and methods used by organised criminal groups, the evidence base remains underdeveloped. He further highlighted that the glaring knowledge gaps confronting the policymakers as well as law enforcement agencies, amongst others, are the lack of empirical studies and research into the extent of the challenge.

The multiple approaches to combating human trafficking in persons are relatively new to the CJS. Bello (2015) concurred that the South African CJS has not made any headway in the fight against this heinous crime. The rate of arrest, conviction, and incarceration of traffickers in South Africa is staggeringly low. Consequently, the law enforcement response to human trafficking in persons is slow, and place more emphasis on punishing its culprits than on protecting its victims (Motseki, 2018). In some instances, this has led to the mishandling of trafficking cases, with the victims of the crime being arrested and treated as criminals. The victims of human trafficking are not given the necessary support by law enforcement and the stakeholders involved in combating human trafficking. South Africa is still lacking interpreters in terms of accommodating the victims of human trafficking who don't understand English as well as the other South African official languages. The victims of human trafficking are being treated as criminals and are being arrested for using drugs when they are forced to use drugs by their traffickers.

The impact of human trafficking is that families living in extreme poverty or families in situations of desperation are more likely to accept risky job offers (Motseki and Mofokeng, 2020). When girls are not allowed to learn, parents are more likely to sell their daughters to men for marriage. Ultimately, harmful social norms and systemic inequity fuel trafficking because traffickers target vulnerability. Traffickers look for people living in poverty, those who are desperate, those without legitimate job options, those without educational opportunities, and those looking for a way to escape violence (Gould, Richter & Palmery, 2010; Naramore, Bright, Epps & Hardt, 2017; International Labor Office (ILO), 2014; Kimberly, Finkelhor & Wolak, 2010). Mofokeng and Olutola (2014) point out that human trafficking is not a crime nowadays only since, in ancient times, human trafficking was there in the different corners of the whole world. The first known

human trafficking incident is written in the Biblical Story of Joseph, when he was trafficked by his own brothers to some Midianite traders for only twenty pieces of silver (Genesis 37 verses 12-36 as cited in Mofokeng & Olutola, 2014:115).

It is important to conduct this study as it will contribute to a broader understanding of how to police human trafficking in South Africa and suggest approaches to improve the phenomena and challenges faced by CJS in combating human trafficking.

LITERATURE REVIEWS

Policing of Human Trafficing

The Constitution of South Africa 108 of 1996 endeavours to protect citizens from all injustices they may experience. This mainly involves the protection of human rights and elicits their responsibilities. However, regardless of the operational efforts by relevant structures to curtail human trafficking, it remains a noticeable shame that this problem is clearly becoming worse and seemingly impossible to curtail. This study attempts to determine the phenomena of human trafficking, and identify the existing challenges of policing this scourge and suggest possible effective responses. In South Africa, the SAPS is to maintain order by sustaining and administering the law, and how the police are to exercise authority to fulfill their duties is mandated in section 205 (3) of the Constitution (Joubert, 2013). Therefore, in exercising their power, the SAPS is expected to protect citizens against brutal activities, including human trafficking practices.

The police develop norms and routines to help guide the expectations and actions in different types of criminal investigations. Human trafficking cases are inherently difficult to identify and investigate. Human trafficking victimization commonly takes place out of sight of the police or other watchful guardians with incentives to report a crime. Victims sometimes denied their victimization because they were embarrassed about things they were forced to do. In some cases, trafficking victims were too fearful of law enforcement to report victimization.

Challenges of Policing Human Trafficking

Section 205(3) of the Constitution of the Republic of South Africa directs that the SAPS prevent, combat and investigate crime, maintain public order, protect and secure the inhabitants of the Republic and their property, and to uphold and enforce the law. SAPS is

mandated by the Constitution to prevent crime and the researcher submits that saps can't prevent crime. Burger (2007:42), concurs that as crime began reaching alarming levels, the "inability" of the police to act as preventers of crime, became exposed. He explained that many thinking people started to realize that it was not so much an inability of the police as an impossibility for them to prevent crime. Extensive research on crime and policing over the last decades, has shown that the SAPS cannot prevent crime.

One question that comes to bear from the above exposition is: does it suggest that the police cannot combat (prevent or reduce) crime (in the context of this study – human trafficking)? From the researcher's perspective, it will be very challenging to exhaustively proffer an undisputable answer or solution to this question. Part of the reasons being that crime generally, and in particular human trafficking crime, which is a subset of cross-border crime, is not a one-off event, but a product of certain interlocking factors and processes. Most of these factors are embedded in the current socio-cultural, political, economic, and technological milieu of most countries of the world, especially the less-developed and developing nations, including the Republic of South Africa.

Further, the South African criminal justice system, like her counterparts in Africa cannot be criticised absolutely for not been effective in its current efforts at ensuring there is no haven for trafficking business in the Republic. Broadly speaking, investigating human trafficking crime or cases are often very complex, and difficult to detect and prosecute. Despite the numerous attempts by most States, grey areas posing as obstacles to their efforts largely revolve around the issue of ineffective investigation and weak enforcement. These are in addition to measurement, monitoring, prevention, and combating of human trafficking globally (Arsovska & Janssens, 2009:170). Reliable statistics are sketchy and sometimes lacking. Besides, there are scattered and often contradictory information on the phenomenon in countries, including South Africa. These factors make cooperation between the SAPS and other components of the criminal justice system very difficult, and the fight against the scourge a relatively futile exercise.

The collective response or efforts of the South African CJS, notwithstanding, are no substitutes for an enduring solution to this age-long social menace. Buttressing this position, Johannes Burger argued that crime combating is an impossible mandate of the police

(Burger, 2005). By implication, therefore, even though combating the crime of human trafficking in South Africa is officially part of the mandate of the SAPS, but then, in reality, it is an impossible task. According to Burger, the South African Police Service as currently structured cannot combat crime (human trafficking inclusive) in the country (Burger, 2005). Bayley (2000:3-4) buttressing this position argues:

> *The police do not prevent crime. This is one of the best-kept secrets of modern life. Experts know it, the police know it, but the public does not know it. Yet the police pretend that they are society's best defence against crime and continually argue that if they are given more resources, especially personnel, they will be able to protect communities against crime. This is a myth.*

The researcher intends to re-iterate based on the above exposition that crime prevention is a subset of crime combating. Hence, what Bayley implies in the above quotation is that the SAPS are fighting an 'impossible battle' (Bello, 2015). Put differently, the SAPS are invariably saddled with enormous responsibilities in which they do not have the prerequisite credentials and capacity to effectively discharge. By implication too, the war against the scourge of human trafficking in South Africa is beyond the mandate and efforts of the SAPS.

Effective Responses to Human Traficing

About human trafficking, South African CJS has made efforts at combating the waves of this illicit criminal venture by initiating several institutional frameworks and policies. Such initiatives are fundamental because they form part of the obligations of the Republic in ensuring its territory is secured. It is also in compliance with international binding agreements, especially the Palermo Protocol or UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, supplementing the UN Convention Against Transnational Organised Crime; which South Africa is a signatory.

South Africa signed this convention on the 14th December 2000 and ratified it on the 20th of February 2004. Part of State parties' obligation in compliance with the Palermo Protocol is to adopt a legal framework that will criminalise human trafficking, however with a victim-focused approach. As part of the institutional

mechanisms put in place by the South African criminal justice system, a Trafficking in-person task team was established in 2003 under the Sexual Offenses and Community Affairs (SOCA) unit of the NPA. This task team pulled members from various State departments, such as labour, home-affairs, NPA, justice and constitutional development, and the Organised crime unit of SAPS, international organisations NGOs like IOM, UNODC and local NGOs like Molo Songololo (UNESCO 2007:48)

In pursuance of national compliance with the Palermo protocol, the South African Government also set up the South African Law Reform Commission (SALRC) to supervise the drafting of an anti-trafficking Act. The Act was subsequently passed in the South African Parliament, and was assented to by the incumbent president (Jacob Zuma) in July 2013 – The Prevention and Combating of trafficking in Persons Prohibition Act (2013). Further, concerning the measures to combat human trafficking, from the law enforcement angle, a Human Trafficking Desk (HTD) was established within the organised crime unit of the SAPS and the Crime Prevention and Justice Cluster (CPJC) which encompasses all components of the CJS. These initiatives were targeted at strengthening the CJS in response to human trafficking in the Republic.

Root Causes for the Existence of Human Trafficking and Challenges of the Prevention

There is a wide-ranging agreement about the causes of human trafficking. For example, sexual exploitation is caused by range of factors including inequality between men and women, poverty, lack of education, lack of awareness of trafficking (Bernat & Winkeller 2010). Others include globalization, lack of employment opportunities, economic imbalances, and conflicts among regions, a decline of border controls, globalized corruption, rural to urban migration (Shelley 2010). Similarly, Schloenhardt (2012) indicates that push and pull factors of human trafficking include political, demographic, socioeconomic, and environmental nature. Among those causes, economic factors are common and the primary cause of trafficking is poverty (Samarasinghe 2008). Schwartz (2013) also indicates that Poverty is still one of the strongest factors pushing girls and women into the sex industry and making them and their families vulnerable to traffickers promising a better life. Economic factors comprise dire poverty, lack of job opportunities, and lack of social benefits.

In South Africa, many people who are trafficked especially women originally come from rural areas where poverty is experienced more severely than in urban areas (Motseki, 2018). Also, He further explained that women are trafficked from neighbouring countries which experience severe economic conditions and sanctions from the Western countries. Anti-trafficking responses have become an important priority for many governments around the world (Laczko and Gozdziak 2015). It is argued that prevention is the most long-term avenue for reducing or eliminating human trafficking (Shinkle 2007). Prevention of trafficking not only reduces the number of victims and trafficking consequences but also contributes to saving resources which are spent to investigate criminal cases and protect victims (Duong 2014). The prevention of human trafficking in South Africa is facing some difficulties and challenges. The first challenge is that prevention measures focus on sexual exploitation while paying little attention to forced labour or other types of trafficking Therefore, the implementation of policies and laws has failed to weaken criminal activities. A prevention movement has not attracted a large number of people, especially women. The effectiveness of awareness-raising campaigns and educational programmes is limited (Duong 2014; Tucker, Kammel, Lehman & Ward, 2009; and Motseki, 2018).

METHODOLOGY

For this study, a qualitative research approach was used to properly research the phenomena, challenges and effective responses to human trafficking. The research design was exploratory, which allows the researcher to listen to and understand the participants regarding their ideals and personal experience (Creswell, 2014:30). Qualitative research provides people with a means of attempting to understand a world that cannot be understood in terms of numbers and objectivity. Qualitative approaches provide ways of transcribing and analysing the discursive construction of everyday events and of exploring the historical nature of life within a social group or local setting (De Vos, 2011:108).

Study Population

The population of this study consists of officials from Directorate for Priority Crime Investigation unit which deals with human trafficking, four officials were interviewed and their ranks were Lieutenant Colonel, Warrant Officer, and Captain, all of them were males in terms of gender, and three of them had between 24

Table 1:   Selected Study Population

SAPS	DSD	DPCI	DHA	Survivor of human trafficking	Total
24	3	4	5	4	40

(Source: Researchers illustration).

and 34 years of experience. In terms of the South African Police Services, 24 officers in total were interviewed from three selected areas of Gauteng Province, namely Pretoria, Springs and Kempton park, the ranks were Constable, Sergeant, Warrant officers, Lieutenant, and Captain, in terms of the gender, it was 8 females and 16 males and their experience were between 10 years to 27 years. In terms of the Department of Social Development, two officials were interviewed from a head office in Pretoria, they were both males, holding the position of Deputy Director: Coordinator of the prevention combating of the trafficking in persons and Director: social crime prevention, and one female from Gauteng provincial office, their position was Social Work Policy Developer (Trafficking in Persons Coordinator).

In terms of the Department of Home Affairs, five officials were interviewed, three of the officials were females and two were males, three were holding positions of assistant directors: analysis, one was the assistant director: immigration service and assistant director: tracing and monitoring, four of them had between 2 to 3 years of experience and only one had 28 years of experience. 4 survivors of human trafficking were also part of the study and were trafficked between 2 to 8 years from different parts of South Africa and other countries.

Sampling Procedures

The selection of participants of this study was conducted using two sampling methods: Purposive sampling and Snowball sampling. Purposive sampling allowed for maximum variation, which was looking for participants who had different ideas concerning the topic and a broad range of experience from each other. This was used to pick participants from the SAPS, DPCI, DSD, and DHA, as these participants are knowledgeable about human trafficking in Gauteng Province. Snowball sampling, is a type of sampling where the researcher gets help from one participant to another. The choice of the participant is guided by the aims and objectives of the study. This method was used to select members of the community who have been victims of human trafficking to ensure that the

participants are aware of the phenomenon to be studied. Unfortunately, most of the survivors of human trafficking did not feel safe to participate in the study due to security reasons, fear of victimization, and shame, only one survivor was interviewed.

Data Collection Techniques

The researcher used the interviews to collect data. The interviews are gathered from more than one person because the goal is to identify differences and similarities across participants in a sample. In-depth interviews were used by the researcher, and the reason being that in-depth interviews are conducted with unique individuals or a small number of people (Creswell, 2014:15). The advantages of the interviews are:

Firstly, considerable input from each participant and an independent view is obtained on a situation. Secondly, participants can discuss intimate and confidential issues without fear, and no peer group pressure creates bias. Additionally, allows a rapport to build between participants and interviewer and can accommodate widely scattered participants. Thirdly, better for heterogeneous participants who may not gel in a group and allows the interviewer to see the surrounding home or office of the respondent. The study used a semi-structured interview schedule as it allowed the researcher to use the pre-planned schedule, and it allowed for elaborate discussions between the participants and the researcher. The interviews where in-depth and done on a one on one this was done to illicit detailed information. The interviews took place at locations that were chosen by the participants and the duration ranged from 20–40 minutes, this was dependent on how much information the participants were willing to share.

Data Analysis

Thematic analysis is a method for identifying, analysing, and reporting patterns (themes) within data as it organises and describes data in detail (Braun & Clarke, 2006). At the heart of thematic analysis, the familiarisation of data by the researcher is important. Data familiarisation was possible because the

researchers personally conducted audio-recorded interviews and transcribed them. This process allowed the researchers to familiarise themselves with the data for expedited and insightful analysis.

Following this thematic transcription, the scripts were analysed using NVivo version 8 software. This software organised the raw data so that it was possible to link and compare thematic issues within and across documents. The list of "starter nodes" was generated from an initial entry in a project journal in the software where the questions and assumptions brought to the report were outlined. The software gave results that allowed for a deeper examination and management of the qualitative data that might not be possible in traditional coding.

Two distinct types of coding were used in the analysis. The first was descriptive coding, which described the cases in this study. This process-related both to the coding of information in categories and the creation of attributes to clarify them. The second type was analytical coding, which was done by selecting source content to interpret and reflect on the meaning of the data to arrive at new ideas and categories. The process entailed gathering material that could be rethought and reviewed given the growing understanding of the inter-relationship of the categories in the data.

Ethical Clearance

The research received ethical clearance from Tshwane University of Technology (TUT), and permission to conduct interviews was granted by the following organisations: The SAPS, DPCI, DSD, DHA, and NPA.

FINDINGS AND DISCUSSION

Challenges that Hinders the Relevant Stakeholders to Successfully Combat Human Trafficking in Gauteng Province

It should be noted that findings such as those given below were similar among all the selected participants, regardless of the study location. Examples of some of the remarks regarding their experiences in terms of dealing with cases of human trafficking were similar:

> "*Victims status affects the whole investigation if the victim is subjected to threats or intimidation. Lack of cooperation from victims, corruption is also a problem,*

> *language barrier from the victims who are from outside South Africa, delays in the court proceedings, courts are taking long to deal with cases of human trafficking, no specialized courts in South Africa dealing with cases of human trafficking*" (participant 16).

"*Corruption in the case of home affairs is a problem. Police officers are friends with traffickers, they tip traffickers about the operation of the police. Immigration officers should undergo security clearance and vetting when they are being employed*" (participant 5).

"*The problem is the resources on our part, we don't have that can enable us to respond effectively to human trafficking. I will also say we still lack intensive training on issues of human trafficking. We can't differentiate between victims of human trafficking and those working as sex workers in the night clubs, brothels so we need intensive training on that. Lack of cooperation and support from other stakeholders. Another challenge is the budget, for any program or imbizo, a proper budget has to be prioritized for the event*" (participant 11).

Based on the above there are a lot of challenges which hinder the stakeholders from successfully identify, locate, investigate and prosecute the perpetrators of human trafficking. Victims which are not cooperating with the investigation due to their mental, physical or psychological status. Intimidations and threats from the traffickers is another challenge which leads to the victims not cooperating with the stakeholders. Corruption is a major contributing factor to the increasing numbers of human trafficking, the victims are being abducted and kidnapped from the safe houses. The government officials responsible for safety homes work with the traffickers and victims find themselves back in the trafficking ring after being rescued by the police.

Another challenge that was revealed was the lack of resources to effectively, investigate, and combat human trafficking. Resources like manpower and budget are lacking and traffickers use the money to suppress the powers of the stakeholders responsible for human trafficking. Cooperation and support from

other role players responsible for human trafficking were identified as a challenge and was significantly hindering the progress in combating human trafficking.

Nature and Extent of Human Trafficking in Three Selected Areas of Gauteng Province

The participants when asked about the nature and extent of human trafficking in three selected areas of Gauteng Province highlighted the problem of a lot of brothels, massage parlous, and prostitution (related verbatim):

> "*Prostitution is very high in Gauteng Province, there are a lot of brothels and night clubs in Gauteng, massage parlous, spars, and this are used for human trafficking. Prostitution is very rife in Gauteng Province*" (participant 14). "*Gauteng is the most problematic when it comes to human trafficking. Nigerians traffic or lure victims from small areas of South Africa and neighbouring countries to areas like Hillbrow in Gauteng. The problem is very big and uncontrollable*" (participant 10). The problem is very big when I look at numbers between 2013 to 2016 is 300 victims of human trafficking trafficked from the rural areas of South Africa to Gauteng Province" (Participant 24).

> "*Human trafficking is rife in Gauteng despite the low numbers DSD is sitting with. The dilemma is that people are not reporting this crime. Some say they not even aware that it is trafficking, while others say they don't even know if it is a crime. Gauteng is considered as the land of milk and honey and everyone who comes from outside the country and even other provinces aspire to be in Gauteng and experience its lifestyle*" (Participant 9).

The above paint a clear picture that the extent of human trafficking in South Africa is very deep. The problem with this scourge is that no official statistics available to measure the problem, the police do not release the official statistics.

When asked about the profile of victims and profile of traffickers of human trafficking in three selected areas of Gauteng Province, the participants explained that the profile of victims of human trafficking include

girls between the age 13 to 27 years from the rural areas of South Africa and victims were from all different races. Other victims were from South African Development countries, Thailand and Brazil and the age is from 18 to 31 years. The participants further explained that the trafficker's profile include South African citizens, Nigerians, Somalians, Thai and Brazilian mafias. These are some of the responses from the participants (related verbatim):

> "*The profile of victims of human trafficking include the girls below teenage age 13 years Thai, South African girls, Asian girls involved in massage parlous, and spar, European girls involved in entertainment, Mozambique, Zimbabwe, and Lesotho. The profile of perpetrators includes Nigerians, Thai and to a small extent you will find them on forced labour Somalians, Brazilians ladies*".

> "*Profile of perpetrators of human traffickers include South Africans, Nigerians, Asian women, Thai and SADC countries. Profile of victims of human trafficking includes the girls from the age of 17 to 24 years and that would be South African, and mostly Thai ladies between the age of 18 to 27 years of age*" (Participant 18).

> "*Perpetrators of human trafficking mostly is Nigerians, Somalians, and Pakistan on Labour, they traffic their brothers to come and work in South Africa and for sex and prostitution, it's Nigerians. Victims of human trafficking include Thai ladies, SADC, Zimbabwe, Lesotho, and South Africans. Inland mostly the victims will be from areas like (KwaZulu-Natal, Eastern Cape, and few from other countries)*" (Participant 36).

> "*Perpetrators of human trafficking are Thai, there is a sophisticated syndicate from Thailand. You also hear their Nigerians involved in human trafficking. There are also South African working with people from outside, South African is used by Nigerians. There is a trend of Lesotho nationals who are lured to South African to work as domestic workers, when they get to South African, they are forced to sex*

trafficking and labour. Profile of victims of human trafficking is Thai, in Thailand opening a brothel is acceptable, and sex work is legal. The late twenties to early thirties foreigners. South African is young girls between 16 to 25 years. You also get young adults from South Africa, SADC countries like Mozambique, Malawi, Zimbabwe and Lesotho" (Participant 31).

EMERGING THEMES

Challenges of Policing Human Trafficking

The challenges of policing human trafficking in South Africa are many and remained extremely difficult for the CJS and stakeholders to successfully combat human trafficking. The challenges identified by this study were the following, corruption from the SAPS in terms of leaking confidential information to the traffickers about the planned operations, corruption from Home Affairs in issuing documents illegally, and ensuring that the victims are transported in and out of the country illegally, corruption from Social development in handing the victims of human trafficking back to the traffickers are they are being rescued to the safety homes. Lack of professionalism, commitment, and lack of motivation from the stakeholders. The stakeholders involved in dealing with human trafficking in South Africa irrespective of the laws and policies enacted and implemented by the government, lack motivation and commitment to prevent and counter the scourge of human trafficking.

Poor remuneration was one of the major factors which were affecting the stakeholders, other stakeholders indicated that they did not have enough budget to conduct awareness campaigns, to pay their personnel. Long court proceedings, absence of witness in courts, inexperienced magistrates (judges). Lack of training in dealing with human trafficking was also a problem for the stakeholders, the police were not able to differentiate between human trafficking victim and prostitute.

Lack of Effective Response to Human Trafficking

The stakeholders and CJS did not make an impact in combating human trafficking irrespective of the laws and policies available to them. The arrest, prosecution, and incarceration rates post the implementation of the human trafficking act remained very low. The study discovered that there was no adequate and effective strategy or response to prevent and combat human trafficking from the stakeholders and CJS. The stakeholders and CJS relied mainly on awareness which was not done properly to target areas where human trafficking was very high.

Reliance on Traditional Investigation Methods and Strategies

The police relied mainly on proactively identifying human trafficking cases, they commonly utilised traditional investigation methods and strategies, such as stings in known brothels in a bid to rescue the victims and to arrest the perpetrators. This did not yield any positive results as some of the operations and traditional investigations were compromised due to corruption between the SAPS and the traffickers. Motseki and Mofokeng (2020) highlighted that the prevalence of corruption amongst the officials hampered effective implementation of the national anti-trafficking strategy. The lack of command and control measures offers fewer restrictions for perpetrators who incentivised the officials involved in corruptive practices, thus increase widespread illicit practices with trafficking vulnerabilities. Despite endemic corruption among officials that impedes anti-trafficking efforts and enables traffickers to operate with impunity, there were very few of the officials prosecuted for trafficking offenses.

RECOMMEDATIOS AND CONCLUSION

Human trafficking is a very complex and hidden crime needs the undivided attention of those responsible to combat it. The study recommends that training of the SAPS officials at all levels was crucial, it was revealed that only investigators tasked with human trafficking receive training in this regard, and not local SAPS officials. This could jeopardize the whole process of responding to the human trafficking problem, as initial contact with the victims, their families, and even with the criminals occurs at the local police station level. The study further recommends that many incidents of human trafficking are initiated on the Internet, this calls for the use of technologically advanced devices by the stakeholders and CJS officials. Officials should be trained in and be able to use different sophisticated devices to access covert sites on the Internet to detect incidences resembling human trafficking. It was clear during the data collection that all the stakeholders dealing with human trafficking use awareness as the main strategy to fight and combat human trafficking. The study recommends

that all the relevant stakeholders should ensure that awareness is done in the areas where there are a lot of potential victims of human trafficking. The study further recommends that all social media platforms should be used by stakeholders in terms of raising awareness. Perpetrators of human trafficking use different social media platforms to lure and recruit their potential victims, as a result even the stakeholder combating human trafficking should also use the different social media platforms to raise awareness about human trafficking on potential victims.

This study has revealed that the current strategies utilised by the stakeholders and CJS are not enough to deal with human trafficking, especially in the context of its current status as a crime that is perpetuated and perpetrated with impunity. In South Africa, illegal brothels are increasing, and people enter the country unrestrictedly for unlawful practices through the port, borders, and airport. This study recommends intelligence-led policing that will involve a holistic approach to human trafficking investigations and prosecutions. The study further recommends that stakeholders should be given more resources especially the budget to deal with a crime, especially human trafficking.

In conclusion, this study managed to successfully determine the phenomena of human trafficking, identify the existing challenges of policing this scourge and to suggest possible effective responses for stakeholders and CJS. Overall, it was clear that the efforts of the SAPS and CJS were mostly reactive, and it is argued that such efforts are ineffective in curbing the problem of human trafficking. Moreover, if partnerships are not strongly forged on collaborative and consultative practices that include all stakeholders − also members of society − their efforts to bring the perpetrators of human trafficking to book will remain impaired. The world as a whole has a task to approach the problem of human trafficking collectively. Furthermore, some improvements should be done to stabilise the response of all stakeholders to human trafficking in South Africa. Again, relevant legislation and how it is implemented should be questioned and addressed because the number of convictions is limited compared to the extent and nature of human trafficking in South Africa at large.

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