Overcoming language barriers: An exploration of the police perceptions of the digitisation of witness statements in South Africa

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**Abstract**

The research identified instances were the English version of sworn statements was an inaccurate translation of the indigenous statement provided by a witness or complainant. The inaccurate translation of indigenous witness statements is a global phenomenon that manifests against the backdrop of the fourth industrial revolution (4IR). This study was conducted to explore police experiences of taking indigenous witness statements, and to establish their perceptions of the digitisation of witness statements. Purposive sampling was used for sampling. Interview schedules were administered to eighteen (18) South African Police Service (SAPS) members from nine Community Service Centres (CSC) in Soweto, a township in the Gauteng province. Ethical consideration, measures of trustworthiness and the Theory of Performance (ToP) were applied. The ToP provides that a person’s level of performance is dependent on the interaction of various contextual factors. Thematic content analysis was conducted using Atlas ti resulting in five dominant themes: extensive networks of police stations, manual processing of intelligence, face-to-face briefings, paper-based case files and forensic capabilities focussed on physical evidence (Taylor, 2015:2).

The research identified instances were the English version of sworn statements was an inaccurate translation of the indigenous statement provided by a witness or complainant. The inaccurate translation of indigenous witness statements is a global phenomenon that manifests against the backdrop of the fourth industrial revolution (4IR). This study was conducted to explore police experiences of taking indigenous witness statements, and to establish their perceptions of the digitisation of witness statements. Purposive sampling was used for sampling. Interview schedules were administered to eighteen (18) South African Police Service (SAPS) members from nine Community Service Centres (CSC) in Soweto, a township in the Gauteng province. Ethical consideration, measures of trustworthiness and the Theory of Performance (ToP) were applied. The ToP provides that a person’s level of performance is dependent on the interaction of various contextual factors. Thematic content analysis was conducted using Atlas ti resulting in five dominant themes: extensive networks of police stations, manual processing of intelligence, face-to-face briefings, paper-based case files and forensic capabilities focussed on physical evidence (Taylor, 2015:2).

**Introduction**

The utilisation of new technologies towards supporting effective and accountable policing is increasingly dependent on e-government development and other technological advancements. The nature of crime and the growing technological competence being displayed by criminals have made it necessary for the South African Police Service (SAPS) and other law enforcement agencies of government to deploy robust and secure digital technology in all daily operations (Zondi, 2016:para.5). Digital technology has the potential to transform the way policing is delivered (Taylor, 2015:1). However, policing is still reliant on ‘old-school’ infrastructure and processes: extensive networks of police stations, manual processing of intelligence, face-to-face briefings, paper-based case files and forensic capabilities focussed on physical evidence (Taylor, 2015:2).

Taking incomplete and inaccurate first report statements are one of the main reasons why prosecutors withdraw cases and accused persons are found not guilty (Löchner, 2014, cited in Humbulani, 2016:54). The SAPS is blamed for the poor compilation of case docket, specifically for inaccurate witness statement translated from indigenous language to English (Ralarala, 2015:2). A statement
is a communication of fact, the facts can be expressed verbally or in writing (SAPS, 2013:2, cited in Viljoen, 2018:7). A witness statement is defined as “a written communication of facts observed by the deponent in the form of a statement, that can be supplied to a court of law. The facts can be expressed verbally or in writing” (SAPS, 2013:2 cited in Viljoen, 2018:43). A witness statement sets out the facts of the matter, chronologically as it pertains to a witness in a particular matter, used by the investigator in compilation of his evidence surrounding investigation into an event in the workplace (Rheeder, 2014).

The cause of information that is reported and recorded incorrectly, can be the result of many flaws that can be identified during the process of statement taking, conducted by a police officer (Albrighton, 2013:8). Taking witness statements is a complex task and cognitive demand can contribute to errors in witness statements. Omission, distortions, contradictions and intrusions all indicate error in the translation of a verbal account into a written statement (Milne, Nunan, Hope, Hodgkins & Clarke. 2022:3). Resource barriers such as lack of access to an interpreter or communication assistant/intermediaries and other service providers, and limited manpower can also contribute to flaws identified in transcribed witness statements (Viljeon, 2018:20).

Systematic digitisation of witness statement could potentially reduce the length of delays in cases coming to trial. Following the Oxford English Dictionary (OED) the term “digitisation” can be traced back to the 1950s in conjunction with computers as “the action or process of digitising; the conversion of analogue data (esp. in later use images, video, and text) into digital format” (Schumacher, Sihn & Erol, 2016:3). Based on the OED definition, Brenner and Kreiss refer to “digitisation” as “the material process of converting individual analogue stream of information into digital “bits” and they understand digitisation as “the way in which many domains of social life are restructured around digital communication and media infrastructures” (Schumacher, Sihn & Erol, 2016:3).

Digitisation enables the generation, collection and utilisation of enormous amounts of data along manufacturing process (Schumacher, Sihn & Erol, 2016:4), as evidenced with the Digital Witness Statement (DWS). DWS refers to the digital capture, representation and storage of the information needed for its use as an evidential witness statement (MG11) in a court in England and Wales, the back of a witness statement and where appropriate the data required for the production of an MG2 (Filby, 2014:7). MG11 is a witness statement form (Filby, 2014:31) and MG2 pertains to witness care information (Filby, 2014:8). The DWS is a revised approach to the standalone Electronic Witness Statements (EWS) solutions (Filby, 2014:5). If an interpreter has access to the DWS or is a statement taker who can take a statement directly into another language, then DWS could be used (Filby, 2014: 24). It is a design decision for the force and suppliers as to which languages are available on their DWS (Filby, 2014: 24).

The study explores the police experiences in the phenomenon of taking writing witness statements, to establish their perceptions of the digitisation of witness statements.

The under resourcing of the SAPS has consequence on police performance. The Department of Community Safety in the Western Cape last year uncovered and reported that the Detective Services division in the Western Cape face a case load of approximately 200 dockets per person (Allen, 2021). Resource barriers include access to interpreter or communication assistant/intermediaries and other service providers, and limited manpower (Viljoen, 2018:20). The consequences of inaccessible translators are significant, in that research established instances were by witness statements were transcribed inaccurately. Some studies reflect the low literacy levels among SAPS officers (Adonis, 2019:16). In February 2018, Deputy Commissioner for Policing, Fanie Masemola, conveyed to Parliament that inspection of officers’ pocket-books revealed “illiteracy in the ranks of SAPS” (Pretoria News, reproduced by Sabinet Online: 02.02.2018, cited in Adonis, 2019:16). Time pressures and constraints were quoted as another reason that negatively affected the quality of statement taking (Keilty & Connelly, 2011; Machisa et al., 2017, cited in Viljoen, 2018:20).

Despite the existence of digital technologies witness statements are recorded manually at the Community Service Centres (CSC) commonly referred to as police stations. The utilisation of digital technology to ensure the accuracy of witness statements is evident in some countries. England and Wales have long moved from paper witness statements to digitally recorded statements (Filby, 2014:6-7).

The aim of this study was to create awareness of the SAPS members’ perceptions of the digitisation of witness statement. The four research objectives were:

i. To establish if the SAPS members transcribe witness statements from indigenous language to English.
ii. To establish if the SAPS members experience problems when transcribing witness statements from an indigenous language to English.
iii. To establish if the SAPS members perceive that the process of taking witness statements can be modernised.
iv. To establish what are the SAPS members’ perceptions of the digitisation of witness statements.

**Literature Review**

**Theoretical And Conceptual Background**

The SAPS of the 21st century is information driven, analytically sound, and evidence and intelligence-led. Generating and sharing the kind of information needed to achieve meaningful reductions in crime must be underpinned by dedicated systems and processes that integrate seamlessly with other role players within the criminal justice value chain (South Africa, 2016:24). The South African
government has articulated its response to the changing nature of policing in the 2016 White Paper on Policing hereafter referred to as the White Paper on Policing. The White Paper on Policing remedies shortcomings of its predecessor, the 1998 White Paper on Safety and Security, by applying two fundamental shifts. These shifts entail the separation of the broader policy on safety and security; and, providing an enabling legislative framework for civilian oversight and align the police service to the rest of the public service (South Africa, 2016:7). The White Paper on Policing provides a broad overarching policy framework which contains specific policy proposals that must contribute toward building a police service that embraces civic accountability and plays a meaningful role in creating safe and secure communities (South Africa, 2016:8).

The focus of the White Paper on Policing is on the core areas of policing and law enforcement aimed at reducing crime and building safer communities as called for by the National Development Plan (NDP) (South Africa, 2016:7). The White Paper on Policing (South Africa, 2016: 25) states that technology must support proactive policing and allow for improved efficiency in terms of crime investigation and the analysis of current and future trends. The use of technology in law enforcement is a global trend. Both the 2014 and 2016 United Nations (UN) e-government surveys recorded a positive global trend towards higher levels of electronic government development (South Africa, 2018:11). The UN E-government Survey (2014) indicates that South Africa was one of six countries in Africa with an e-government development index (E-GDI) value that was above the world average, placing it among the top 50 percent of the world (UNDESA, 2014:20). The UN posits that e-government can ensure that government becomes “more efficient, provide better services and respond to demands for transparency and accountability” (South Africa, 2018:11).

The Department of Communication (DOC) stated that today’s world is characterised by global terminological shifts, from “Digital divide” to “Digital inequality” and to “Digital inclusion” (South Africa, 2013:16). The digital divide is a gap in access to the Internet or usage of ICTs between people, demographic groups, or countries. In other words, the global digital divide is one of access to the Internet and also one of user’ competence with ICT’s (OECD, 2001, cited in Spires, Paul & Kerkhoff, 2017:2238). Digital inclusion in the South African context entails reversing the spatial effect of apartheid, giving educators, learners, citizens and government officials various e-skills, building safer communities, and building e-social astuteness (South Africa, 2013:71) aligned with the NDP. The NDP 2030 discusses a seven-point plan to strengthen the criminal justice system, and two of the seven transformative changes planned aim to incorporate new technologies as follows:

“Establish an integrated and seamless information and technology database or system, or both, for the international criminal justice system, containing all information relevant to it. Review and harmonise the template for gathering information relating to the criminal justice system”, and “modernise, in an integrated and holistic way, all aspects of systems and equipment” (NPC, 2012:388).

Digital literacy can influence e-Government performance. Research shows that citizens with strong ICT aspirations and skills are usually considered to be more inclined and comfortable with using e-government services and most benefit from e-government (Mawela, Ochara & Twinomurinzi, 2017, cited in Abdulkareem & Ramli, 2020:113). A report discussing the development of the South African law of evidence indicates that, roughly 80% of the evidence presented at the South African courts today is electronic (Michalsons, 2019:para.3).

Outline below are some legislative framework that provide for digitisation in South Africa:

**Criminal Procedure Act No. 51 of 1977**: Two key aspects of this legislation have implications on digitisation, and these are admissibility of evidence, and the cyber context of court proceedings. Section 213 of the Criminal Procedure Act (CPA) (No. 51 of 1977) makes the following provision:

“In criminal proceedings a written statement by any person, other than an accused at such proceedings, shall, subject to provisions of subsection (2), be admissible as evidence to the same extent as oral evidence to the same effect by such person.”

Section 153 and 158 of the CPA provides for exceptions when witnesses may provide evidence through cyber context: Section 153(2)(a) of the CPA (No. 51 of 1977) makes the following provision:

“that such person shall testify behind closed doors and that no person shall be present when such evidence is given unless his presence is necessary in connection with such proceedings or is authorised by the court”.

Section 158(2)(a) of the CPA (No. 51 of 1977) makes the following provision:

“A court may, subject to section 153, on its own initiative or on application by the public prosecutor, order that a witness or an accused, if the witness or accused consents thereto, may give evidence by means of close circuit television or similar electronic media.”

**Section 4 of the State Information Technology Act (SITA) (no. 88 of 1988)** provides for mandator:

“After consultation with all relevant stakeholders, develop a strategy regarding the convergence of information systems and other systems for departments, and may do so for public bodies; and

At all times demonstrate the value added by a private telecommunication network or value-added network service provided by the Agency...”
The functions of the state agency, SITA, include setting of standards, certification of IT goods and services, research, authentication and procurements of technology products or services (South Africa, 1998:6). The SAPS may procure IT goods and services directly from suppliers other than SITA provided the good procured met the SITA standards (South Africa, 1998:25).

The Critical Infrastructure Protection Act, 2019 (No. 8 of 2019) aims:

“To provide for the identification and declaration of infrastructure as critical infrastructure; to provide for guidelines and factors to be taken into account to ensure transparent identification and declaration of critical infrastructure; to provide for measures to be put in place for the protection, safeguarding and resilience of critical infrastructure; to provide for the establishment of the Critical Infrastructure Council and its functions; to provide for matters connected therewith”

The Critical Infrastructure Protection Act (CIP) protects critical infrastructure against cyber threats, potential human threats like violent riots and terrorist activities. Eskom’s electricity grid, telecommunication networks and economic infrastructure are examples of critical infrastructure (Msomi, 2022). Multilingual countries like UK, Canada and the United States (US) have a mature regulatory environment governing hearsay electronic evidence (Swales, 2018:3). Over the last few years there has been massive growth in the sources and volume of evidence captured by digital devices in the UK (Filby, 2014:10).

Digital policing and processes in the United Kingdom

Tim Godwin, London Metropolitan Police Service deputy commissioner said, “Digital policing is the use of data and enabling technologies to make use of Web-based services (Moyo, 2015:para.1). The aim is for the [police] force to become better informed through real-time intelligence to the officer on the frontline; real-time forensics; real-time situational awareness; and real-time case-building” (Moyo, 2015:para.1). There are currently a number of police IT systems in use around England and Wales (Filby, 2014:14). The Crown Prosecution Service (CPS) has a single national system, the COMPASS Case Management System (CMS) (Filby, 2014:14). Running alongside CMS is the Witness Management System (WMS), used by police/CPS Witness Care Unit (WCU) (Filby, 2014:14). DWS produced must be compatible with these systems and their interface into the police system (Filby, 2014:14). Following the recent Home Office and National Policing Improvement Agency (NPIA) electronic witness statement trail it was concluded that Police notes and witness statements are a vital part of the criminal justice process as they are used as evidence (Motorola Solutions, 2017:3). The actual process of digitizing witness statements occurs only in one of the four lenses of digital policing.

Figure 1 below outlines four lenses of digital policing which include, proactive policing, digital engagement and digital contact management, mobile optimisation, and digital investigation.
Resources That May Support DWS In The Saps Context

Highlighting the available infrastructure helps researchers identify significant potential business benefits in moving from a paper witness statement to digitally recorded statements (Filby, 2014:6). Outline below is a range of existing infrastructure that can support digital policing and DWS production in the SAPS context:

**State information technology agency:** In terms of the State Information Technology Act no. 88 of 1998 (South Africa, 1998:6) the State Information Technology Agency (SITA) is a statutory that regulates the authentication of products or services, the certification of information technology good and services, and procurement of information technology through government departments.

**Central data base:** There have also been a few large-scale investments in systems aimed at the consolidation of databases into standardised single platforms such as automated biometric identification system (Abis) and the home affairs national identification system (Hanis) (Abrahams & Burke, 2019). The integrated justice system (IJS) brings together eight department, agencies and authorities in the criminal justice value chain to produce an integrated digital platform to manage the information exchange across the criminal justice system (Abrahams & Burke, 2019). While the technical infrastructure is available to link systems across organisational boundaries through networks, the institutional infrastructure; the barrier to integration exits mainly because the design of government is based largely on the outdated Weberian model of state organisational development in the 18th century (Abrahams & Burke, 2019).

**HANIS:** The Home Affairs National Identification System (HANIS) project is led by South Africa’s Department of Home Affairs (DHA) (NEC, 2008:1). Using NEC Automated Fingerprint Identification System (AFIS), HANIS provides a fully integrated 10 fingerprint identity solution to cater for over 50 million adults (NEC, 2008:1). With accuracy rates of more than 99.9%, the NEC is the most cutting-edge fingerprint identification technology in the world (NEC, 2008:1). The NEC AFIS implemented within HANIS is currently capable of storing and searching up to 50 million records (NEC, 2008:1).

**E-docket:** The e-docket nucleus is centred in Pretoria and is expected to take at least twenty-years (20) to complete; however, the fear exists that the system will be outdated by the time of completion (Moonsamy, 2019:58). The chronology of a case docket is posited in Criminal (in)justice in South Africa: A Civil Society Perspective, in which the investigative responsibility of the SAPS is outlined in a nine-step process (Cartwright & Shearing, 2009, cited in Moonsamy, 2018:36). Outlined below is the nine-step process flow which a case docket follows:

1. The initiation of a case docket;
2. Case docket registration;
3. Transfer of a case docket;
4. First information inspection;
5. Allocation of docket to detectives;
6. Commencement of the investigation;
7. 24-hour docket inspection;
8. Dockets are sent to court; and

The ICDMS generates e-documents which are predominantly used by detectives (South African government, 2020). Official known as the Integrated Case Docket Management System (ICDMS), e-Docket allows for an integrated method of monitoring police documents, docket and the storage thereof (SAnews, 2017:para.2). The purpose of the ICDMS is to ensure that docket are not lost or tempered with (South African government, 2020). The government introduced the e-docket system a few years ago in part to fight corruption and theft of docket (Mkhwanazi, 2019:para.2). The e-docket system allows SAPS to capture docket on an electronic database (Oosthuizen, 2013:47). This can be done either by scanning in each original docket or by typing it in manually (Oosthuizen, 2013:47). It is intended to include information from external stakeholders including the Department of Home Affairs, Social Development (DSD), Justice and Constitutional Development (DOJ), and the National Prosecuting Authority (South African government, 2020).

The Theory of Performance

The Theory of Performance (ToP) develops and relates six foundational concepts (italicized) to form a framework that can be used to explain performance as well as performance improvement (Elger, 2007:11). To perform is to produce valued results. A performer can be an individual or a group of people engaging in a collaborative effort. Developing performance is a journey, and level of performance describes location in the journey (Elger, 2007:11). The six components that inform level of performance are context, level of knowledge, level of skills, level of identification, personal factors and, fixed factors (Elger, 2007:13). Three axioms are

Methodology

Research Paradigm, Research Design And Ethical Considerations

This study used a phenomenological methodology within the interpretive paradigm. Interpretive research is context-specific, with regard to locate and participants, generalizability of the findings of research conducted within the interpretive paradigm are practically impossible (Kuyini & Kivunja, 2017:34-35). This study aimed to explore the phenomenon of taking witness statements with four key objective, and these are to establish if the SAPS members transcribe indigenous witness statements to English; to establish if the SAPS members have experienced problems when transcribing indigenous witness statement to English; to establish if the SAPS members perceive that the process of taking witness statements can actually be modernised; and to establish what are the SAPS members’ perceptions of the digitisation of witness statements.

Purposive sampling techniques was used. This study population was the SAPS members who were responsible for compiling case docket, transcribing witness statements. The target population was the uniformed SAPS members working in one of any of the nine CSC located in Soweto, a township located in Gauteng province. The nine CSCs identified were SAPS Moroka, Meadowlands SAPS, Jabulani SAPS, Dobsonville SAPS, Diepkloof Zone 1 SAPS, SAPS Kliptown, Orlando SAPS, SAPS Protea Glen, and Naledi SAPS. The research sample tallied eighteen (18) SAPS members, two participants from each community service centers (CSC) in Soweto. The criteria for participation are age, race and tenure, age 18 to 65 years, African and permanently employed in the SAPS.

Ethical considerations were adhered to in addition to adopting the Protection of Personal Information Act (POPIA) requirements. The POPIA (No. 4 of 2013) is the first comprehensive data protection regulation to be passed in South Africa. Its objectives include giving effect to the constitutional right to privacy regulating the way in which personal information must be processed, balancing the right to privacy against other rights, and establishing an information regulator to ensure that the rights protected by POPIA are respected (Staunton & de Stadler, 2019:232). Formal consent was obtained from participating institutions and Participants were informed of voluntary participation, confidentiality and anonymity, assured that they would not be negatively labelled, and that there was no financial incentive for participating in the study.

Data Collection Methods, Data Analysis Methods And Measures Of Trustworthiness

This study utilised a qualitative method of data collect. Interview schedule were administered to participants during face-to-face interviews. The interview schedule consists of two sections. Section A elicits demographic information and, section B enlists eight research questions used to explore the SAPS members’ experiences in taking witness statements, and their perception of the digitisation of witness statements.

Thematic content analysis (TCA) was applied to this study. TCA was conducted using Atlas.ti which is one of many Computer Assisted Qualitative Data Analysis Software (CAQDAS) programs (CAQDAS) programs with a distinct set of terms for its coding functions and operations (Saldana, 2013:31). In accordance to the requirements of scientific research, measures of trustworthiness were applied. Criterion used to validate research located within the interpretive paradigm includes credibility, dependability, confirmability and transferability (Lincoln, 1995, cited in Kuyini & Kivunja, 2017:34).
Findings

This section presents the finding emanating from the data analysis. All questions in the interview schedules were completed by all the SAPS members. The biographical information on the gender, age, race and tenure of the SAPS members is presented in Table 1 below.

<table>
<thead>
<tr>
<th>Participant No.</th>
<th>Gender</th>
<th>Age</th>
<th>Race</th>
<th>Home language</th>
<th>Level of Tertiary Education</th>
<th>Years of Tenure in SAPS</th>
</tr>
</thead>
<tbody>
<tr>
<td>K1</td>
<td>Female</td>
<td>45</td>
<td>African</td>
<td>Xhosa</td>
<td>Matric</td>
<td>17</td>
</tr>
<tr>
<td>K2</td>
<td>Female</td>
<td>48</td>
<td>African</td>
<td>Tsonga</td>
<td>Matric</td>
<td>16</td>
</tr>
<tr>
<td>K3</td>
<td>Female</td>
<td>30</td>
<td>African</td>
<td>Sepedi</td>
<td>Certificate NQF level 5</td>
<td>8</td>
</tr>
<tr>
<td>K4</td>
<td>Male</td>
<td>48</td>
<td>African</td>
<td>Zulu</td>
<td>Diploma</td>
<td>20</td>
</tr>
<tr>
<td>K5</td>
<td>Female</td>
<td>41</td>
<td>African</td>
<td>Tsonga</td>
<td>Diploma</td>
<td>13</td>
</tr>
<tr>
<td>K6</td>
<td>Female</td>
<td>40</td>
<td>African</td>
<td>Xhosa</td>
<td>Matric</td>
<td>13</td>
</tr>
<tr>
<td>K7</td>
<td>Male</td>
<td>33</td>
<td>African</td>
<td>Tsonga</td>
<td>Diploma</td>
<td>3 months</td>
</tr>
<tr>
<td>K8</td>
<td>Male</td>
<td>30</td>
<td>African</td>
<td>Venda</td>
<td>Diploma</td>
<td>3 months</td>
</tr>
<tr>
<td>K9</td>
<td>Male</td>
<td>50</td>
<td>African</td>
<td>Zulu</td>
<td>B-Tech</td>
<td>30</td>
</tr>
<tr>
<td>K10</td>
<td>Female</td>
<td>44</td>
<td>African</td>
<td>Setswana</td>
<td>Diploma</td>
<td>20</td>
</tr>
<tr>
<td>K11</td>
<td>Female</td>
<td>47</td>
<td>African</td>
<td>Setswana</td>
<td>BA-Degree</td>
<td>21</td>
</tr>
<tr>
<td>K12</td>
<td>Male</td>
<td>49</td>
<td>African</td>
<td>Setswana</td>
<td>Matric</td>
<td>34</td>
</tr>
<tr>
<td>K13</td>
<td>Female</td>
<td>43</td>
<td>African</td>
<td>Setswana</td>
<td>Marketing Diploma</td>
<td>15</td>
</tr>
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<td>K14</td>
<td>Female</td>
<td>27</td>
<td>African</td>
<td>Zulu</td>
<td>Matric</td>
<td>1</td>
</tr>
<tr>
<td>K15</td>
<td>Female</td>
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<td>African</td>
<td>Zulu</td>
<td>Matric</td>
<td>20</td>
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<td>K16</td>
<td>Female</td>
<td>46</td>
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<td>Xhosa</td>
<td>Matric</td>
<td>12</td>
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<tr>
<td>K17</td>
<td>Male</td>
<td>47</td>
<td>African</td>
<td>Sepedi</td>
<td>Diploma</td>
<td>21</td>
</tr>
<tr>
<td>K18</td>
<td>Female</td>
<td>36</td>
<td>African</td>
<td>Tsonga</td>
<td>Honours Degree</td>
<td>12</td>
</tr>
</tbody>
</table>

Source: Researchers’ Own Illustration

Table 1 above shows that the SAPS members’ ages ranged from 27 to 50 years, and twelve of the SAPS members were female. Their work experience ranged from 3 months to 34 years. The sample was homogeneous African with six distinct languages namely 3 Xhosa, 5 Tsonga, 2 Sepedi, 2 Setswana, 4 Zulu and 1 Venda. There were twelve females and six males. Their level of education ranged from a Matric to an honours degree. The tally was that six (6) participants had Matric qualifications, one (1) a certificate on the National Qualifications Framework (NQF) 5. The NQF is the system that records the credits assigned to each level of learning achievement in a formal way to ensure that the skills and knowledge that have been learnt are recognised throughout the country. Six (6) had diplomas, one (1) a Bachelor (BA) degree, one (1) a Baccalaureus Technologiae: Policing (B-Tech), and the additional one (1) honours degree. The results also showed that a majority of the SAPS members had tertiary education, seven had Matric, one had an NQF level 5 Certificate, seven had a diploma, one had a B-Tech degree, one had a bachelor degree and, one had an honours degree.

Emerging Themes

This section presents the themes identified from the SAPS members’ responses. The five dominant themes tabled below are collaboration, duration, language, skills and resources.

Table 2 below presents several sub-themes that were collapsed into the dominant theme “collaboration”.

<table>
<thead>
<tr>
<th>No.</th>
<th>Dominant theme</th>
<th>Sub-themes identified</th>
<th>Frequency of identified themes</th>
<th>Participants</th>
</tr>
</thead>
<tbody>
<tr>
<td>10.</td>
<td>Collaboration</td>
<td>colleagues</td>
<td>1, 1, 1, 3, 1, 1</td>
<td>K1, K3, K5, K6, K10, K16</td>
</tr>
<tr>
<td>11.</td>
<td></td>
<td>assist</td>
<td>1, 1, 2, 1, 1</td>
<td>K1, K3, K6, K7, K16</td>
</tr>
<tr>
<td>12.</td>
<td></td>
<td>Help each other</td>
<td>1, 1</td>
<td>K6, K5</td>
</tr>
<tr>
<td>13</td>
<td></td>
<td>Myself</td>
<td>1, 1</td>
<td>K17, K18, 16</td>
</tr>
</tbody>
</table>

Table 3 below presents several sub-themes that were collapsed into the dominant theme “duration”.

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Table 3: Theme, Duration

<table>
<thead>
<tr>
<th>No.</th>
<th>Dominant theme</th>
<th>Sub-themes identified</th>
<th>Frequency of identified themes</th>
<th>Participants</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Duration</td>
<td>Time</td>
<td>1, 2, 1, 2, 5, 6, 3, 1, 1, 1, 4</td>
<td>K1, K3, K4, K5, K6, K7, K8, K10, K12, K13, K15</td>
</tr>
<tr>
<td>2.</td>
<td>reduce</td>
<td>2, 1</td>
<td></td>
<td>K5, K10,</td>
</tr>
<tr>
<td>3.</td>
<td>fast</td>
<td>1, 1</td>
<td></td>
<td>K2, K15,</td>
</tr>
<tr>
<td>4.</td>
<td>delays</td>
<td>1</td>
<td></td>
<td>K2</td>
</tr>
<tr>
<td>5.</td>
<td>Convenient</td>
<td>1</td>
<td></td>
<td>K18</td>
</tr>
</tbody>
</table>

Source: Researchers’ own illustration

Table 4 below presents several sub-themes that were collapsed into the dominant theme “language”.

Table 4: Theme, Language

<table>
<thead>
<tr>
<th>No.</th>
<th>Dominant theme</th>
<th>Sub-themes identified</th>
<th>Frequency of identified themes</th>
<th>Participants</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Language</td>
<td>*Information</td>
<td>2, 1, 2, 2, 1, 1</td>
<td>K1, K2, K10, K12, K13, K18</td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td>*Facts</td>
<td>4</td>
<td>K11</td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td>*Authenticity</td>
<td>1, 1</td>
<td>K12, K16</td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td>*Accurate</td>
<td>1</td>
<td>K17</td>
</tr>
<tr>
<td>5.</td>
<td>- Word</td>
<td>1,</td>
<td></td>
<td>K1</td>
</tr>
<tr>
<td>6.</td>
<td>- words</td>
<td>1, 2, 1, 1</td>
<td></td>
<td>K3, K9, K10, K11, K17</td>
</tr>
<tr>
<td>7.</td>
<td>- Terminology</td>
<td>2, 1</td>
<td></td>
<td>K8, K15, 16</td>
</tr>
<tr>
<td>8.</td>
<td>- Terms</td>
<td>2, 1</td>
<td></td>
<td>K11, K17</td>
</tr>
<tr>
<td>9.</td>
<td>Deep language</td>
<td>1</td>
<td></td>
<td>K14</td>
</tr>
<tr>
<td>10.</td>
<td>- Dictionary</td>
<td>1</td>
<td></td>
<td>K10</td>
</tr>
<tr>
<td>11.</td>
<td>%Multilingual</td>
<td>1</td>
<td></td>
<td>K18</td>
</tr>
<tr>
<td>12.</td>
<td>%Foreign language</td>
<td>1</td>
<td></td>
<td>K4</td>
</tr>
<tr>
<td>13.</td>
<td>%Sign languages</td>
<td>1, 1</td>
<td></td>
<td>K10, K15</td>
</tr>
<tr>
<td>14.</td>
<td>%Tsotsi language</td>
<td>2</td>
<td></td>
<td>K15</td>
</tr>
<tr>
<td>15.</td>
<td>%Diversity</td>
<td>1</td>
<td></td>
<td>K13</td>
</tr>
<tr>
<td>16.</td>
<td>%Culture</td>
<td>1</td>
<td></td>
<td>K13</td>
</tr>
</tbody>
</table>

Source: Researchers’ Own Illustration

Table 5 below presents several sub-themes that were collapsed into the dominant theme “skills”.

Table 5: Theme - Skills

<table>
<thead>
<tr>
<th>No.</th>
<th>Dominant theme</th>
<th>Sub-themes identified</th>
<th>Frequency of identified themes</th>
<th>Participants</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Skills</td>
<td>Understand</td>
<td>1, 1, 1, 1, 1, 2, 1, 1</td>
<td>K1, K2, K3, K4, K5, K8, K10, K12</td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td>Understanding</td>
<td>1, 3, 1</td>
<td>K2, K12, K8,</td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td>Understands</td>
<td>1, 1, 2</td>
<td>K1, K5, K10</td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td>Service delivery</td>
<td>1, 1, 1</td>
<td>K2, K10, K15</td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td>Hand writing</td>
<td>1, 2, 1</td>
<td>K4, K6, K18</td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td>Train members</td>
<td>1</td>
<td>K5</td>
</tr>
<tr>
<td>7.</td>
<td></td>
<td>Training</td>
<td>3</td>
<td>K18</td>
</tr>
<tr>
<td>8.</td>
<td></td>
<td>Education</td>
<td>1</td>
<td>K3</td>
</tr>
<tr>
<td>9.</td>
<td></td>
<td>Knowledge</td>
<td>1</td>
<td>K16</td>
</tr>
</tbody>
</table>

Source: Researchers’ Own Illustration

Table 6 below presents several sub-themes that were collapsed into the dominant theme “resources”.
Table 6: Themes - Resources

<table>
<thead>
<tr>
<th>No.</th>
<th>Dominant theme</th>
<th>Sub-themes identified</th>
<th>Frequency of identified themes</th>
<th>Participants</th>
</tr>
</thead>
<tbody>
<tr>
<td>(3).</td>
<td>Resources (equipment)</td>
<td>Technology</td>
<td>1, 1, 2, 2, 1, 1, 2, 2</td>
<td>K2, K5, K6, K8, K9, K10, K12, K16</td>
</tr>
<tr>
<td></td>
<td></td>
<td>System</td>
<td>2, 1, 1, 1, 1</td>
<td>K1, K3, K10, K13, K18</td>
</tr>
<tr>
<td></td>
<td></td>
<td>*Computers</td>
<td>1, 1</td>
<td>K1, K13</td>
</tr>
<tr>
<td></td>
<td></td>
<td>*Computer</td>
<td>1, 1</td>
<td>K10</td>
</tr>
<tr>
<td></td>
<td></td>
<td>*Laptop</td>
<td>1, 1</td>
<td>K5, K6</td>
</tr>
<tr>
<td></td>
<td></td>
<td>*Laptops</td>
<td>1, 1</td>
<td>K15, K13</td>
</tr>
<tr>
<td></td>
<td></td>
<td>*Gadgets</td>
<td>2, 1</td>
<td>K10</td>
</tr>
<tr>
<td></td>
<td></td>
<td>*Recorder (equip)</td>
<td>1, 1</td>
<td>K3, K18</td>
</tr>
<tr>
<td></td>
<td></td>
<td>*Record (equip)</td>
<td>1, 1</td>
<td>K3, K17, K18</td>
</tr>
<tr>
<td></td>
<td></td>
<td>*Record X</td>
<td>2</td>
<td>K3</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Documents</td>
<td>1, 1, 1</td>
<td>K1, K8, K15</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Storage space</td>
<td>1</td>
<td>K1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Server</td>
<td>1</td>
<td>K14</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Safekeep</td>
<td>1</td>
<td>K2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Safe keeping</td>
<td>1</td>
<td>K18</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Filing</td>
<td>1</td>
<td>K15</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Docket</td>
<td>1</td>
<td>K7</td>
</tr>
</tbody>
</table>

Source: Researchers’ Own Illustration

Finding presented in the chronological order of the four research objectives

Establishing if the SAPS members transcribe a witness statement from indigenous language To English

Results regarding the first question showed that, 17 SAPS members transcribed indigenous witness statements in English, 1 SAPS members used both English and Afrikaans, and 1 did not specify. Results regarding the second question show that 14 SAPS members indicated that translators played no role in transcribing indigenous witness statements in English, 1 SAPS members had used mediators, and 3 SAPS members did not specify. Findings also showed that they collaborated with colleagues. Some responses are cited below:

K12 said:
“English”

K2 said:
“I understand South African languages so I do not use translators”.

K15 said:
Yes. If I do not understand the language, I refer to colleagues who know the language. No colleague knows sign language so for them I will refer to the relevant mediators

K13 said:
“SAPS members write themselves. I do not use translators”.

K17 said:
“I translate myself”.

Sub-themes identifiable in the above cited comments can be verified in table 2, 4 and 5 above.

The SAPS members experience problems when transcribing witness statement from an indigenous language to English

Results regarding the first question showed that thirteen (13) SAPS members identified transcribing witness statement from an indigenous language to English as a challenge, and 3 SAPS members identified skill as a challenge whereas, two (2) participants had experienced no challenges. Results regarding the second question showed that twelve (12) SAPS members identified language, one (1) participant identified collaboration as a challenge, whereas three (3) participants identified skills as a challenge, and one (1) SAPS members identified duration, another one (1) and lastly one (1), indicated that there was no challenges.
Some responses are cited below:

K3 said:
“No challenges general understanding of all languages”.

K13 said:
“Diversity in culture and upbringing impacts on the communication style”.

K5 said:
“The challenge is where you find that on the specific shift there is no member on duty who understands the witness language”.

K8 said:
“Terminology is limited”.

“At times terminology does not come at the moment due to fatigue”.

K7 said:
“The only challenge I have or experienced is time management, I waste time doing or opening a docket just to make sure that everything is perfect”.

Sub-themes identifiable in the above cited comments can be verified in table 2, 3, 4 and 5 above.

The SAPS members views whether the process of taking witness statements can be modernised

Results regarding the first question showed that fifteen (15) SAPS members perceived that the pen and paper method used to transcribe witness statements was outdated, and three (3) SAPS members did not perceive that it was outdated. Results regarding the second question highlighted that seventeen (17) participants perceived that technology should be used to modernise the statement taking processes, and one (1) participants did not perceive the need to use technology modernise the processes.

Some responses are cited below:

K1 said:
“The old system is outdated computers must be introduced”.

K18 said:
“I think it is outdated. Some of us have bad hand writing. We should use voice recorders to take statements”.

K7 said:
“Yes, I think we can save time by recording the witness statement”.

“Yes, sometimes using a pen is time consuming and, in most case, we have a lot of clients per day”.

K5 said:
“I can say yes, due to technology growing the saps is left behind in most of the things.

“Yes, but it is something which will take time to train members to get used with it”.

K4 said:
“No. The statement must be taken with pen and paper to be thoroughly written down and signed by the witness”.

Sub-themes identifiable in the above cited comments can be verified in table 5 and 6 above.

The SAPS members’ views of the digitisation of witness statements

The results highlighted that that ten (10) participants identified “duration” as a challenge for the digitisation of witness statements, whereas five (5) participants identified “resources” as a challenge, one (1) participant observed that “skills” as a challenge and two (2) participants identified other characteristics as challenges. Characteristics were not a dominant theme.

Some responses are cited below:

K1 said:
“To save time for the client waiting for long while obtaining a statement and the information”.

K5 said:
“To save information on the system and minimise disappearing of documents and storage space”.

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“Digitisation will reduce paper work to be completed and reduce the long waiting for the docket to be registered because after submission of the statement the witness will automatically receive the case number. This will save the reacting time”.

K18 said:

“Witness will not be able to deny what they said because it will be recorded and easily traced back to you”.

K13 said:

“The information will be saved and protected in the systems and computers”.

K15 said:

“Yes. It would save time and service delivery will be fast tracked”.

The authors caution against the generalisation of the research findings from this study because the data was obtained from a small group of participants. Since by definition, interpretivist research is context-specific, with regard to locate and participants, generalizability of the findings of research conducted within the interpretive paradigm is practically impossible (Gomm, Hammersley & Foster, 2000, cited in Kivunja & Kuyini, 2017:34).

Discussions

Based on the findings, language is the currency of communication, witness statements are articulated through language. Skill is an integral part of the process of taking witness statements. However, language barrier offers some of the shortcomings impacting on the statement taking process. There are no translators stationed at the CSC in Soweto. Collaboration amongst the SAPS members addresses shortcomings and other factors concerning skill needed to take a good witness statement (Mofokeng & Aphane, 2022; Motseki, & Mofokeng, 2022). Other factors impacting on the performance of the SAPS members were resources. Resources such as computer, laptops and audio recorders were identified as necessary for the modernisation of methods and processes. The potential role of these resources was discussed in reference to the duration of events. Most of the SAPS members argued that the pen and paper method of taking witness statements was outdated and advocated for the use of technology to digitise or modernised the current statement taking methods. A majority of the SAPS members perceived that digitisation of witness statements could play a significant role in ensuring accountability in the SAPS. The findings also highlighted that, digitisation of witness statements could support accountability pertaining to ensuring authenticity of information or facts, which is articulated by the theme “language”. Concepts or terms such as storage, system and recorder were used to emphasise the support role of technology in ensuring accountability from the SAPS members.

The findings in terms of the ToP highlighted that the indigenous or African SAPS members identified English as the de facto language of record, all except one SAPS member transcribed indigenous witness statements in English. The SAPS members’ level of performance or taking indigenous witness statements is sustained through collaboration. From the findings, it was clear that the participants were of the view that, the SAPS members empower themselves through collaboration with others, as well as through informal means, in order to deliver services to a diverse population of witnesses in the CSC. In terms of the ToP, the level of performance depended on level of knowledge, which involved concepts acquired by a person through experience or formal education. The findings also highlighted that the participants’ level of language training could not sufficiently cater for the multilingual or diverse population of witnesses who came to CSC. In terms of the ToP, as highlighted earlier, the level of performance depended on the interaction between the context and the level of skills utilised by those who are taking down witness statements. Therefore, this explains why a majority of the participants were in support of modernising the statement taking processes. It also emerged from the findings that the majority of participants identified gadgets, laptops and recorders as alternative resources to the tradional way of tools of trade such as pen and paper system. Relevant comments that could be utilised by policy makers and administrators emanated from this study, were cited under the theme “resources. Through the findings, the emphasises was on resources. The theoretical interpretation holds that the capacities of the SAPS and the CSC could be enhanced by digitisation or rather the utilisation of new technologies.

Conclusion

The aim of this study was to create awareness of the SAPS members’ perceptions of the digitisation of witness statements. The findings of this study, highlighted that the majority of the participants, emphasised that there were no translators at CSC they were deployed at. Collaboration with colleagues is a key to statement taking processes especially as most of the SAPS members experienced language challenges related to the multilingual population of witnesses. Some of the language challenges highlighted were informed by the fact that the SAPS members were given limited language training, differential terminology between English and indigenous languages, and a multilingual witness population that included sign language and foreign languages. It also emerged that from the findings that the participants perceived that digital technology should be used to replace the outdated pen and paper method of transcribing witness statements. Furthermore, participants perceived that technology and modern methods like recorders and laptops should be used to address the language, skills and resources challenges experienced when transcribing witness statements. The theoretical interpretation of findings highlighted that, majority of the participants perceived that digitisation or digital technology
should be used to address the skills, language, resources challenges as well as duration of processes that negatively impacted on their level performance. In short, technology was perceived as necessary tool of trade for the improvement of service delivery and managing the duration of statement taking processes.

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Informed Consent Statement: Informed consent was obtained from all subjects involved in the study.

Data Availability Statement: The data presented in this study are available on request from the corresponding author. The data are not publicly available due to restrictions.

Conflicts of Interest: The authors declare no conflict of interest.

References


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