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Stakeholders as catalyst to human trafficking: A case study of three selected areas of Gauteng province, South Africa

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Abstract: Transnational crime with its perpetual impact has been substantially explored in research. Stakeholder organisations’ involvement as catalyst towards secondary victimisation of human trafficking victims is generally an afterthought for several organisations and individuals in South Africa. There is almost no knowledge on stakeholders’ involvement as catalyst in the process of perpetuating human trafficking in the Gauteng Province, South Africa. Thus, the victims suffer from the double jeopardy, as they suffer first, in the hands of perpetrators, and secondly, by stakeholder organisations. This article examines the contribution of stakeholders in the process of exploitation of victims of human trafficking in the Gauteng Province, South Africa. A qualitative research approach was adopted, to explore corruptive practices by stakeholders in the process of providing safety and security services in cognisance to human rights of victims in the study area. The findings collected through semi-structured interviews with a total number of 36 participants comprising South African Police Service (SAPS) Directorate for Priority Crime Investigation (DPCI) officials, members of Department of Social Development (DSD); members of Department of Home Affairs (DHA), and members of Department of Social Development (DSD); suggest that stakeholders remain indifferent to violating

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PUBLIC INTEREST STATEMENT

The researchers firmly have confidence in advancing the prevention and awareness of crime just as the strengthening of all groups within communities. This empathy has brought the predicament of human trafficking to the researchers’ consideration. They found that the marvel of human trafficking is gently explored inside the setting of South Africa. This study will increase the value of society as it will set up novel thoughts concerning better and more viable techniques to react to human trafficking with Gauteng Province as well as the entire South Africa. This in turn will promote more effective policing and investigative strategies as the public will be able to provide detailed information to the relevant stakeholders. This will be crucial for the general livelihoods of victims of human trafficking, as they will live in a safer and more secure environment where human trafficking, and will be prevented.
human rights of victims. Stakeholders have thus acted as catalyst for increased secondary exploitation of victims. Stakeholder engagement in anti-trafficking policy implementation and service responses are insufficient because of the lack of integrated approach, to adequately implement policy and promote cooperative strategic partnerships. Together, these findings suggest that all relevant stakeholder organisations should assist in minimising the challenge of victim victimisation.

**Subjects:** Criminology and Criminal Justice; Criminal Justice; Police

**Keywords:** Corruption; Gauteng; human trafficking; policing; stakeholder

1. Introduction

Globalisation has (re)shaped the supply and demand side of the increasingly transnational human trafficking market in several ways (Aronowitz & Koning, 2014; Kotiswaran, 2019). It has also served to not only increase the supply of exploitable workers but it has also acted as a catalyst for increased demand for trafficked persons (Aronowitz & Koning, 2014; Norwood, 2020). The resurfacing and resurgence of human trafficking brought by globalisation, as the new and modern version of slavery, societies and governments faces a daunting task not only to search for the root causes of human trafficking but to stop and end it (Bales & Soodalter, 2010; Kotiswaran, 2019; Van Der Wilt, 2014). The new order of slavery in the guise of human trafficking foments a trafficker and victim relationship in which the latter is regarded as an object and not as a subject, a commodity and not a person and a thing and not a human being (Aronowitz & Koning, 2014; Bello, 2018; Blasco, 2017; O’Connell, 2015; Walker & Oliviera, 2015). It drags the victims to an unending cycle of toil, drudgery and hardship thorough several tools and forms which makes freedom an impossibility. The necessity and urgency to stop the endless cycle of human trafficking becomes increasingly important with its alarming widespread increase and far-reaching implications worldwide. In fact, more than twice as many people are in bondage in a world today that were taken from Africa during the entire 350 years of the Atlantic slave trade (Bales & Soodalter, 2013).

Though a crime of global dimension, human trafficking has been a reverberating issue of concern to the South African State. Steps have been taken by the State to address this menace, especially from the legal standpoint, and the enlistment of human trafficking among crimes that require an effective criminal justice approach to deal with; yet, the menace has persisted. The South African criminal justice system (CJS) cannot effect a long-term combating strategies against human trafficking (Bello, 2018). There is almost no knowledge on stakeholder engagement in the process of addressing the prevalence of corruptive practices on the effects of human trafficking. The crime of trafficking in persons is clandestine and complex. Where the elements of the crime, as defined in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children (Trafficking in Persons Protocol) are misunderstood, criminal justice responses inappropriate and ineffective. Criminal justice stakeholders, including law enforcement and prosecutors, face challenges in understanding and explaining what is happening, how, and to whom. For the purpose of this paper, a victim of trafficking in persons is defined as “any natural person who has been subjected to trafficking in person and who has been declared a victim thereof” by a country of destination. This status is conferred to, once the applicant has been subjected to legal processes, such as but not limited to avail himself/herself to a mandatory interview with the local state administration in the territory where the trafficking victim was identified and complete a special questionnaire. In a case of a minor, a competent person, should act in the interest of a minor, to fulfil the requirements.

The extent and depth of corruption in South Africa is demonstrated and seen in the current Zondo Commission, where government officials are implicated from national, provincial and local level. Such knowledge can help policymakers in the criminal justice with informed approach and strategic perspectives, how to improve the outcomes and impact of systematic corruption by the
stakeholders. In this regard, using a synthesis integrative review, this paper focuses on the relevant actors, stakeholders, and agents of anti-human trafficking and their vital role in combating human trafficking. The paper contains the following content and structure: first, a passing review of some current literature on the different actors, stakeholders and agents in human trafficking and their significant tasks of stakeholders responding to reported cases of human trafficking; second, an analysis and discussion of the patterns of corruptive practices perpetuated by stakeholders in trafficking in persons. In an effort to limit the scope of this paper, its main focus is on corruption of public officials and more particularly law enforcement and service providers. Finally, the paper concludes on prevailing lessons learned, and provide some practical guidance on what can be done to address these challenges.

2. Stakeholders engagement
Stakeholder engagement in anti-trafficking policy implementation and service responses has been substantially explored in research (Deverka et al., 2013; Hounmenou, 2020; Okech et al., 2012). This in turn leads to the emergence of the two schools of thought in dealing with human trafficking and the recurring tensions and debates, which pervade the pivotal question on which approach or paradigm is effective in curtailing the occurrence of human trafficking—the law enforcement centered approach versus the human rights centered approach. With the former focusing more on the arrest and prosecution of traffickers and the latter concentrating more on the needs and welfare of the victims. The paramount objective to provide a convergence and harmony between these two compelling yet distinct approaches remains a daunting challenge among various stakeholders and institutions, particularly on which priorities and goals need to be carefully weighed and pursued (Blanco, 2017). This paper focuses on the latter school of thought.

Blanco (2017, p. 79) points out that the “responsibility to stop human trafficking falls on the shoulder of responsibilities on the various actor and stakeholders such as national government agencies, local governments, non-government organisations, law enforcement agencies and the citizenry”. A sense of communal courage to propagate a high level of awareness and utmost zeal and dedication and not merely on rhetoric and melodramatic solutions is needed to combat human trafficking and it begins with the strong political will of the actors, agents and stakeholders responsible for its curtailment couple with concrete actions and responses, plans and projects and programmes and policies that it is hoped that human trafficking and its vestiges can be stopped. For example, an effective CJS which focuses on financial intelligence and investigation, a strong law enforcement of anti-human trafficking laws, and an efficient administration of CJS through high prosecution rates of human traffickers would likely generate a significant impact in the battle against human trafficking of persons and can be worthy of replication and emulation as a policy both in theory and practice (Blanco, 2017).

3. South African response to trafficking in persons
South Africa is party to various international and regional instruments dealing with human trafficking (Bello & Olutola, 2018; May & Mudarikwa, 2011). All of these instruments require the country to put in place a legal and policy framework that meets the standards set by their provisions (May & Mudarikwa, 2011). Under the 1996 Constitution, national laws enacted by its Parliament are required for the implementation of the country's obligations under international law. While it had implemented some of these international instruments on an ad hoc basis (for instance, the 2005 Children’s Act included a chapter on trafficking in children), South Africa did not have comprehensive legislation on the matter until the enactment in 2013 of the Prevention and Combatting of Trafficking in Persons Act. However, this legislation did not take effect until August 2015 and its accompanying regulations were not enacted until October of the same year (May & Mudarikwa, 2011). The South African Trafficking in Persons Act (7 of 2013, p. 12) (hereafter referred to as SA TIP Act (7 of 2013) defines TIP as follows in Section 4:

To give effect to the Republic’s obligation concerning the trafficking of persons in terms of international agreements; to provide for an offence of trafficking in persons and other
offences associated with trafficking in persons; to provide for penalties that may be imposed in respect of the offences; to provide for measures to protect and assist victims of trafficking in persons; to provide for the coordinated implementation, application and administration of this Act; to prevent and combat the trafficking in persons within or across the borders of the Republic; and to provide for matters connected therewith.

South Africa, being a signatory to the Palermo Human Trafficking Convention, ratified it and has taken radical steps to domesticate some of the provisions of this law (Palermo Convention) by introducing a comprehensive law on human trafficking, the prevention and combating of trafficking in Persons Act (2013). Human trafficking and counter-trafficking in South Africa stay under-concentrated from all points of view. In-depth understanding and comprehension of the problem, as well as efficacy and the effect of reactions, are required to plan viable policies and techniques. Prior to 2015, South African anti-human-trafficking laws were said to have been fragmented and limited in scope. During this period, human trafficking cases were dealt with in two ways: First, through the utilisation of existing laws, laws that did not criminalise human trafficking per se but were used to prosecute human trafficking actors for crimes they committed in the process. These included both statutory offenses (including under the Intimidation Act of 1982 and the Prevention of Organised Crime Act of 1998) and common law offenses (such as kidnapping, slavery, and assault) (May & Mudarikwa, 2011). The second method was through the enactment of provisional laws to address specific aspects of human trafficking. In this category are the Children’s Act of 2005 and the Trafficking in Children and the Criminal Law (Sexual Offences and Related Matters) Amendment Act of 2007 (May & Mudarikwa, 2011).

This presented a number of challenges. For instance, it was difficult to prosecute individuals other than those directly linked to the trafficking offenses, and whenever prosecutors were able to secure convictions, the sentences were often seen as inadequate (May & Mudarikwa, 2011). In addition, even the statutes with sections dealing specifically with human trafficking matters were reportedly limited in scope, both in terms of the types of cases they could be used to prosecute (for instance, the Children’s Act only applied to children) and in their overall contribution to reducing human trafficking, in that they did not provide for awareness training and preventative measures. The recently enacted comprehensive legislation seeks to ensure South Africa’s compliance with all its obligations under international law and ameliorate the above-noted deficiencies in prosecuting human trafficking offenses.

According to the United Nations Office on Drugs and Crime (UNODC), (2011 as cited in The International Bar Association’s Presidential Task Force Against Human Trafficking, 2016, p. 5), argues that “corruptive practices by various actor and stakeholders present significant challenges to efforts to prevent, investigate and prosecute trafficking crimes. Combating corruption is essential to any comprehensive strategy to end human trafficking”. Unfortunately, while the link between trafficking and corruption is widely acknowledged, there are little data available to help explain what is happening, how, and to whom. Only a small handful of reliable studies provide confirmed examples linking corruption and trafficking and few case studies are available (UNODC, 2011 as cited in The International Bar Association’s Presidential Task Force Against Human Trafficking, 2016, pp. 5–6).

Prevalence of trafficking in persons in South Africa is often the “elephant in the room” when discussing responses to victims. Despite the arguments that trafficking in persons is said to be a significant problem in South Africa, accurate statistical information on the prevalence of the problem is largely not available (Bello, 2018; Human Science Research Council (HSRC), 2010; Mofokeng & Olutola, 2014). Palmary & de Gruchy (2019) note that there have been two primary concerns about the evidence used to develop counter-trafficking interventions. Firstly, several researchers (Palmary & de Gruchy, 2016, p. 20) argues that “the dominant anti-trafficking discourse is not evidence-based but grounded in the construction of particular mythology of trafficking”. Thus, a number of unsubstantiated claims have been made about what trafficking is and who
the victims and perpetrators of this crime are (Palmary & de Gruchy, 2016, p. 20). Second, information from contexts very different to South Africa appeared to be restated as South African evidence (Palmary & de Gruchy, 2016).

This was particularly evident around the World Cup where the numbers of trafficking victims that were expected in South Africa had been “simply reproduced from the numbers of expected victims in Germany even though the evidence suggested that the trafficking victims during the German World Cup had not materialized” (Palmary & de Gruchy, 2019, p. 20). There are however, consistent reports regarding South Africa’s status as a major source, transit, and destination country for human trafficking in southern Africa by the media (Bello, 2018; Human Science Research Council (HSRC), 2010; Mofokeng (2016); Mofokeng and Olutola (2014); Motseki, 2018). Consequently, its use, and in this instance its quality, is limited and ad hoc at best. Given that policymakers rely on civil society for the provision and verification of data, and “that civil society were using methodologically unsound estimates to raise concern around trafficking, evidence was, and remains, a highly contested issue in conversations around trafficking in persons” (Palmary & de Gruchy, 2016, p. 39).

While there was some discussion around the treatment of victims of trafficking upon their identification, it was not to the extent that there were various policy options. South Africa followed the approach taken by other countries, and local manifestations of migration-related exploitation (associated with internal migration and labour migration) did not figure centrally in deliberations. Furthermore, there was a prevailing sense of not allowing victims of trafficking to be “entitled” to more than South Africans or victims of other crimes, or allowing the Act to be abused by migrants that drove most of the discussions. While the two coalitions within the trafficking subsystem were quite polarised in their ideas around the evidence, or lack thereof, and whether sex workers are or are not de facto victims of trafficking, these did not lead to alternative policy options within the deliberations (Palmary & de Gruchy, 2016, p. 39).

4. Links between trafficking and corruption
The United Nations Convention against Corruption (UNCAC), adopted by the General Assembly in 2003 (cited in Department for International Development, 2015:12) describes corruption as a force ‘undermining the institutions and values of democracy, ethical values and justice and jeopardizing sustainable development and the rule of law. And although corruption appears in societies throughout the world, it is within contexts of instability, weak institutions and extreme poverty that corruption is particularly pervasive. Table 1 depicts categories of corruption.

Corruption is a phenomenon with many faces. It is characterised by a range of economic, political, administrative, social and cultural factors, both domestic and international in nature. Corruption is not an innate form of behaviour, but rather a symptom of wider dynamics. It results from interactions, opportunities, strengths and weaknesses in socio-political systems. It opens up and closes down spaces for individuals, groups, organisations and institutions that populate civil society, the state, the public sector and the private sector. It is, above all, the result of dynamic relationships between multiple actors (DFID, 2015, p. 12). Given the contested political nature of trafficking in person and corruption in South Africa, it is no wonder why the President of the Republic of South Africa, Cyril Ramaphosa, within 9 months of his presidency, has set up a total of four commissions of inquiry all related to the abuse and “capture” of state resources in South Africa. The inquiries investigate the break down in good governance and corruption at key South African institutions such as the South African Revenue Service (SARS) and the National Prosecuting Authority (NPA). One such commissions, currently running for over 3 years, is the Zondo Commission. The links between trafficking and corruption have not been extensively documented or analysed, and as such are poorly understood. Research in this area presents significant challenges.

Love et al. (2018, p. 2) concur that that criminal justice stakeholders are largely unaware of the prevalence and nature of human trafficking, which impedes their ability to identify and respond to
| Categories of corruption | Description |
|--------------------------|-------------|
| Bribery | The act of dishonestly persuading someone to act in one’s favour by a payment or other inducement. Inducements can take the form of gifts, loans, fees, rewards or other advantages (taxes, services, donations, etc.). The use of bribes can lead to collusion (e.g., inspectors under-reporting offences in exchange for bribes) and/or extortion (e.g., bribes extracted against the threat of over-reporting). |
| Embezzlement | To steal, misdirect or inappropriate funds or assets placed in one’s trust or under one’s control. From a legal point of view, embezzlement need not necessarily be or involve corruption. |
| Facilitation payment | A small payment, also called a “speed” or “grease” payment, made to secure or expedite the performance of a routine or necessary action to which the payer has legal or other entitlement. |
| Fraud | The act of intentionally and dishonestly deceiving someone in order to gain an unfair or illegal advantage (financial, political or otherwise). |
| Collusion | An arrangement between two or more parties designed to achieve an improper purpose, including influencing improperly the actions of another party. |
| Extortion | The act of impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to influence improperly the actions of a party. |
| Patronage, clientelism and nepotism | Patronage at its core means the support given by a patron. In government, it refers to the practice of appointing people directly. |

Sources: Anderson, 2015 [P. OBS, case studies]; World Bank (2011a, qualitative and quantitative case study data] cited in Department for International Development (DFID) (2015, p. 12).

survivors. Law enforcement officers and prosecutors often assume that human trafficking is not a local problem and thus does not need to be addressed within their communities (Farrell, Pfeffer & Bright, 2015:315–333). Even in South Africa, there is no exception; the extent of this problem is despite no official statistics, 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, 2018:175). What complicates the response to human trafficking is that most criminal justice stakeholders do not really understand what human trafficking is (Human Science Research Council (HSRC), 2010:134; Mofokeng and Olutola (2014, p. 126). Despite the attention and resources directed at combating this crime by the printed media, research indicates that fewer cases of human trafficking in South Africa have been identified and prosecuted than would be expected based on estimates of the problem (Mofokeng & Olutola, 2014, p. 115).

Corruption is a constant global phenomenon, which is becoming more complex and intense as competition for resources increases. Corruption is committed when a person directly or indirectly gives a gratification in order to influence the receiver to exercise his or her duties unlawfully. Earlier research indicates that one of the four dimensions of police corruption that contemporary police theory emphasises is the influence of the social, economic, and political environments in which police institutions, systems, and agencies operate (Mofokeng, 2016, p. 153). Mofokeng further states that corruption is the AIDS of public and private life, whereby cronyism, nepotism and greedy are affected in intimate relationships, often fostered in dark rooms and in grand cars, much like illicit sexual affairs; and like AIDS spreads in intimate relationships, corruption spreads within an organisation and breeds distrust amongst officials, politicians and the public. Reuters (2012) similarly refers to corruption as a cancer that is eating up the South African nation. Serfontein & De
Waal (2015:1) report on economic greed, major organisational changes, retrenchments and poverty, crime, mismanagement and inefficient government, environmental degradation and corruption are flourishing in this country. Corrupt practices among state officials, municipalities (Manala, 2010; Vyas-Doorgapersad & Ababio, 2010), police officers (Faull, 2007; Staff reporter, 2012) and prominent people were regularly reported to such an extent that former Public Protector, Ms Thuli Madonsela, referred to South Africa as having reached a breaking point concerning the corruption epidemic in both public and private sectors (Gould, 2012). The findings through the ongoing Zondo Commission (2018/2019) into state capture inquiry highlighted that official corruption, in South Africa is widespread.

5. Methodology
The problem that informed this study is that criminal justice stakeholders are largely unaware of the prevalence and nature of corruptive practices, which impedes policy reforms and improved service delivery to identify and respond to victims. A systematic problem exists when a victim expects to feel safe and yet, exploited by those who are supposed to uphold law, but the stakeholder organisations lack the necessary information to monitor the officials’ conduct and performance in an effective way. This increases the need to implement effective and efficient mechanisms to review and monitor the processes or practices that respond to victims of human trafficking in South Africa. The study used a phenomenological design that is both descriptive and explorative in nature. Furthermore, the use of a qualitative research approach enabled an in-depth appreciation of the participant responses and a detailed understanding of the form and nature of corruptive practices in the Gauteng Province, South Africa.

5.1. Study population and sampling
Given the relatively small size of the anti-trafficking community in South Africa, and the sensitive nature of the topic, the authors used a combination of targeted and acquaintance through snowball sampling method. The first author began with a list of mandated government institutions and programmes to prevent and combat human trafficking in South Africa, including corruptive practices in South Africa. The first author contacted these organisations to request authorisation for access, as well as permission, to interview officials. Through this combination of methods, 36 which four where from Directorate for Priority Crime Investigation (DPCI), who were between held the ranks of Captains and Lieutenants and were all males. The SAPS constituted 24 participants from Pretoria, Springs and Kempton Park, with the ranks of Constables, Sergeants, Warrant officers, Lieutenants and Captains. Participants from the SAPS constituted of 8 female and 16 male officers. From the Department of Social Development (DSD), two officials were interviewed from head office in Pretoria, who constituted of two males, holding position of Assistant Director: Coordinator of the anticipation fighting of the trafficking in persons and Director: Coordinator of social crime prevention, and one female, whose position was a Social Work: Trafficking in Persons Coordinator.

In terms of DHA, five officials were interviewed, of which three were females and two were males. The three were holding positions of deputy directors: analysis, one was the assistant director: immigration service and assistant director: tracing and monitoring. These participants had between 24 and 34 years of experience from selected government departments. All participants of this study participated in a semi-structured interview, approximately 45 minutes. All interviews were undertaken with the informed written consent of participants. Confidentiality and anonymity were maintained through the secure storage of data in password-protected computers and under lock and key, and by using pseudonyms or generic summarisation of the data. Ethical clearance was obtained from the Tshwane University of Technology (TUT) and permission to conduct this research was obtained from all the participating departments. Only one interview was conducted with a victim of human trafficking in the course of this study. Data saturation was achieved in terms of the thematic analysis of challenges experienced by participants in responding to the needs of victims and challenges faced by victims of human trafficking during investigations; trial and post-trial phase and understand the challenges that hinder
improved strategies and methods when dealing with victims of human trafficking. There are also potential limitations in terms of the generalisability of the findings.

6. Presentation and discussion of findings

Data interpretation was done with the goal to find how the SAPS, DPCI, DSD, DHA understand the nature and form of corruptive practices by stakeholders. It also sought to explore the challenges faced by victims of human trafficking during investigations; trial and post-trial phase and understand the challenges that hinder improved strategies and methods when dealing with victims of human trafficking. The following five themes emerged, namely multiple abuses over an extensive period, scourge of corruption and bribery on DHA officials, leaking of confidential information relating to operations of human trafficking by the SAPS members and providing legal documents to victims of human trafficking and are discussed below.

6.1. Theme 1: Multiple abuses over an extensive period

When asked what the challenges were confronting victims of trafficking in persons, participants said that criminal justice stakeholders have a preference for corrupt transactions in so far as the benefits of such transactions outweigh the costs. Corruption thus occurs when a stakeholder organisation is unable to monitor an official effectively and the official betrays the stakeholder’s interest in the pursuit of his or her own self-interest. Therefore, the victims might face the risk of secondary victimisation in the form of sexually exploited, thereby contracting sexually transmitted diseases (STDs), gynaecological problems; unwanted pregnancies and probably even miscarriages. It also emerged from the findings that, some law enforcement officials over time become aware of these atrocious practices, victims are subjected into, without any interventions due to corrupt practices. Some said

Corruption is very rife within the human trafficking environment; police are involved in corruption a lot, because they protect the traffickers not to get caught. Some officials from the DHA, allow illegal immigrants to enter our borders gates, airports and seaports, without taking any legal steps against perpetrators at all. Some of the immigration officers are also corrupt and protect those who do not have proper documents to enter South Africa. Some of the officials from the DSD also ‘sell’ or hand over the victims back to the traffickers after they were rescued from the trafficking ring. (Participant 2 from the DPCI)

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”. “If we don’t root out corruption, then this scourge will continue to increase in South Africa. This has to be thoroughly investigation with the collaboration effort of all relevant stakeholders. (Participants 7, 9, 12 and 15 form the DHA, the SAPS and DSD)

The response above paint a bleak picture, as the participants highlighted that corrupt practices are prevalent within the CJS. Corrupt practices, together with the negative or maltreatment of victims, undermine the basic human rights and dignity of victims. The implications are that; secondary victimisation is activated whenever, after experiencing many dehumanising experiences in the custody of perpetrators, such as but not limited to sexual assault. May victims still experience a range of psychological, spiritual and physical emotional reactions, including severe stress and depression. A crucial assumption embedded in these kind of responses is that stakeholder organisations have no effective monitoring and evaluation strategies in place, in controlling corruption, and they would be able to do so effectively if only they had sufficient information at hand. A number of analysts have noted, this cannot always be taken for granted. Drawing on qualitative fieldwork from Southern Africa, Kenya and Uganda, for example, Persson et al. (2013, p. 449) argue anti-corruption programmes based on the principal-agent model do not take into account that in highly corrupt environments there may be a lack of “principled principals”.

The responses above also point to a lack of integrated approach by stakeholder organisations, to monitor corruption Collective action approaches to corruption are still an emerging body of work,
in both conceptual and empirical terms. From a collective action perspective, all stakeholders—including rulers, bureaucrats and citizens alike—are self-maximisers, and the way they behave to maximise their interests is highly dependent on shared expectations about the behaviour of others (DFID, 2015, p. 16). Due to systematic corruption, perpetrators have a competitive advantage over stakeholder organisations, as they are well informed of the operations within the CJS. These intelligence-led operations enable the perpetrators amongst others; to identify those police and immigration officials who assist them in harbouring, transporting and kidnapping the victims (Mofokeng & Olutola, 2014; Moteki, 2018). The logic is that successful infiltration by perpetrators, especially where checks and balances and wider accountability mechanisms are lacking, allows organised criminal groups to manipulate stakeholder organisations as a means of generating intelligence-led operations due to non-compliant mechanisms.

6.2. Theme 2: Scourge of corruption and bribery on DHA officials

When asked how prevalent was corruption amongst the service providers who handled victims of human trafficking, the majority of the participants concurred that the problem was a serious concern. Some said

... there is a lot of corruption and bribery taking place amongst the DHA, SAPS and DSD officials ... The DHA officials are corrupt and take bribes of the traffickers, in exchange to do travelling documents for victims of human trafficking. The SAPS officials tip the traffickers about the upcoming operations on human trafficking, whereas the DSD officials take the victims who were rescued from the trafficking ring back to the traffickers when the victims of human trafficking are at the safety homes or shelters. (Participant 11 from the DPCI)

Based on the responses above, the findings painted a bleak picture regarding standard operating procedures for proactive victim protection and safekeeping efforts. The prevalence of corruption amongst the officials, hampered effective implementation of the national anti-trafficking strategy. The lack of command and control measures offers less restrictions for perpetrators to 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. It is also unknown, if audits were ever conducted amongst the NGOs by the DSD in order to revoke the licenses of those organisations suspected of failing to adhere to service level agreements, and who were also, confirmed to have been directly involved in trafficking. The evidence based on the responses suggests the public view that holds true regarding pervasiveness of political corruption, and even if everyone condemns corruption and realises a less corrupt outcome would be more beneficial for society at large.

Corruption is universally condemned, but unfortunately, despite international treaty instruments and regional efforts to curb corruption, it remains ubiquitous. Opportunities for corruption stretch across a wide range of official positions and branches of Government (DFID, 2015; Persson et al., 2013). The results of a 2009 UNODC survey revealed that law enforcement officials (including police, border control, immigration, and customs officials) are considered to be those most likely to participate in trafficking-related corruption (UNODC, 2011 as cited in The International Bar Association’s Presidential Task Force Against Human Trafficking, 2016, p. 16). While corruption is more prevalent within this group, a review of available evidence confirms that the reach of corruption is indeed much broader. In short, from a collective action perspective, the key calculation about the costs and benefits of corruption derives from the cost of being the first to opt out of corruption in a given setting or context. The problem of corruption is thus rooted in the fact that, where corruption is pervasive, principals are also corrupt and they do not necessarily act in the interest of society as a whole but rather pursue particularistic interests (Persson et al., 2013 [as cited in DFID, 2015, p. 16]).
6.3. Theme 3: Leaking of confidential information relating to operations of human trafficking by the SAPS members

The majority of the participants concurred that, despite intensive efforts to arrest and bring to perpetrators to justice; some of the senior managers fail to recognise that those persons, who are actively involved in anti-trafficking, also facilitated the trafficking of victims. This may represent only a segment of a larger, “weakest link” challenge by those entrusted with protection of human rights of victims. Some said:

... Whenever there were planned operations, the strategy would yield not anticipated outcome as some of the officials would have divulged confidential information to the traffickers. Some of the officials are known for their lavish lifestyle, luxury vehicles and homes that could not have come from their modest civil servants salary ... (Participant 11 from the SAPS)

... victims within safe houses or shelters were trafficked with active cooperation of officials ... (Participant 11 from the DPCI)

The responses above highlighted that DSD in collaboration with the SAPS and the DPCI, did not meet the minimum standards in several key areas, to reduce the alleged cases of officials suspected of corruptive practices. The efforts by the relevant government departments tasked with intelligence-led policing, as well as the DSD, tasked with oversight of NGO-operated shelters, seem not effective to implement security and control measures to eliminate corruption amongst the officials. There seems also, a lack of dedicated or established anti-trafficking task team composed of the SAPS, NPA, DHA, social workers, and NGOs to increase coordination of current strategies and victim protection efforts; aimed amongst others, towards increased training and awareness of emerging trends instituted by traffickers to recruit more public officials. The responses above corroborate with literature review. Research indicates that first, there is evidence that the public sector in some Sub-Saharan African countries is undergoing a process of “informal privatisation” (DFID, 2015, p. 25). Rather than signifying an absence of rules, this process is characterised by an excess of complex de facto norms that are at odds with formal rules and blur the boundaries between licit and illicit practices.

Second, the boundaries between corrupt practices and other behaviour or actions are often difficult to define because corruption is situated within wider everyday practices that are not corrupt but often facilitate and legitimise corruption. Interactive and dynamic networks are a pervasive feature of the social landscape in Africa and are an essential element of the everyday strategies those working in and using public administrations and services adopt. This points to the normative importance of social ties, or the moral imperative to help one’s kin (DFID, 2015, pp. 25–26). Personalisation of relationships with public officials is therefore a preventive strategy, one that necessitates continual investment in the form of material and non-material gifts to provide insurance against future needs (DFID, 2015, pp. 25–26). Situating some forms of corruption within social exchange challenges the simplistic notion of corrupt public officials seeking private gain (DFID, 2015, pp. 25–26).

6.4. Theme 4: Handing the victims of human trafficking back to the traffickers after taken to safety homes

The majority of participants concurred that some of the public officials suspected of implicated in trafficking were not investigated, tried and, convicted, appropriately punished. The findings also indicated that media still considered as the active role-player by the participants, in increasing public understanding of the trafficking phenomenon by providing accurate information in accordance with professional ethical standards.

... The fact that traffickers brazenly approach officials without fear of prosecution, indicate that there is a need by the DSD including other stakeholders to sensitise officials to the problem of corruption and ensuring the provision of advanced or specialised training in
identifying MO trends or cases, ramifications for combating trafficking and protecting the rights of victims is implemented … (Participant 11 from the DSD)

The responses above indicated that victims of human trafficking confronted with a challenge of secondary victimisation, within the places considered to offer safety and security. It will remain a challenge, for the trafficked persons, to seek adequate and appropriate remedies as the institutions tasked with the responsibilities to safeguard the basic rights of the victims, fail to adhere to minimum requirements to do so. It is not expected of the victims to seek legal recourse due to the exploitation of their rights to safety and security, as they frequently lack information on the possibilities and processes for obtaining remedies, including compensation, for trafficking and related exploitation. It is the obligations of the relevant role-players, to ensure that legal and other material assistance be provided to victims to enable them to realise that their right to adequate safety and security adequately and appropriately provided at all times.

6.5. Theme 5: Providing legal documents to victims of human trafficking

The majority of participants highlighted that victims of human trafficking should be legally protected; their human rights and Constitutional rights should be protected at all times by the stakeholders involved in combating human trafficking. The findings of the study also indicated that the rights of victims of human trafficking are being compromised by those who are supposed to protect.

... I was trafficked for prostitution and later the traffickers used me to transport the drugs and other illegal stuff. The traffickers will bribe everyone where I’m going to pass, even everyone in the airport from a guy who packs bags to a security guard at the gate. Those were very difficult eight years for me, because the traffickers forced me to do nasty things and my rights were compromised even the SAPS and DSD officials forced us to do nasty things. They work closely with the traffickers … (KII interviews)

The response above indicated that traffickers work closely with the stakeholder combating human trafficking. The human and Constitutional rights of the victims are not only comprised by traffickers but also by the stakeholders who are supposed to protect them. Victims need to be given more power by providing them with legal documents that will protect their human and Constitutional rights.

7. Recommendations

7.1. Recommendation and strategy to improve theme 1

The study recommends that an integrated approach by stakeholder organisations, to monitor corruption Collective action approaches to corruption are needed in both conceptual and empirical studies. In addition, the study recommends harsher punishment to officials found to be promoting corruption in return for protecting those involved in trafficking people. The study recommends that officials should be circulated between different provinces to avoid them getting used to be in a similar province for a long time, which expose them to corrupt activities.

7.2. Recommendation and strategy to improve theme 2

To eliminate corruption caused by human traffickers on the government officials’ especially Home affairs, the authors therefore recommend that the officials appointed at the national and provincial levels or departments subjected to constant security clearances. Transfer of officials to other environments not dealing with victims implemented as some of the measures imposed on those found to be vulnerable to corruption.

The study also recommends that Home Affairs should establish an internal investigative unit that will investigate internally the corruption, and malpractices implicating or done by Home
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Affairs officials. The study recommends that the DHA officials found to be guilt of working with traffickers should face the consequences of their actions and be criminally be charged. It was clear that officials from DHA work with traffickers to provide illegal passport to victims and organise for their international travel. The study recommends that strict protocols and procedures should be adhered to when hiring officials.

7.3. Recommendation and strategy to improve theme 3
The study recommends that confidential information relating to operations and future strategies to combat human trafficking should only be limited to specific officials who are reliable and trustworthy. The study further recommends that there must be a way of accountability from the side of SAPS members given confidential information, if such information leak. Furthermore, the SAPS intelligence unit should be tasked with monitoring all SAPS officials involved in investigating human trafficking and expose the officials involved in corrupt activities.

7.4. Recommendation and strategy to improve theme 4
The study recommends that the safety homes should be properly regulated including the members of DSD working there. The DSD should prioritise the safety of victims by ensuring that the safety homes are hidden and not known to the public. The stakeholder should make sure that only a limited number of individuals know about the safety houses where the victims of human trafficking are taken, and human traffickers should not have access to the safety houses.

8. Conclusion
This paper through its findings succeeded to provide an overview of the nature and forms of corruption towards responding to victims of human trafficking and the practical implications for relevant stakeholders in the areas of responding adequately to minimise traumatic and maltreatment and secondary victimisation. The findings also show corruption dynamics are shaped by various processes. There is evidence of unregulated interactions and relationships between a variety of actors, organisations (including within the state and other organised civil society; more individualised linkages) and stakeholder organisations, which provide with incentive structures that motivate individual and group conduct (including the belief systems and ideas that guide preferences and behaviour) and how power is distributed between individuals, groups and/or organisations. The collective, rather than simply individual, nature of corruption is also highlighted, with an emerging discourse that sees corruption not only as an isolated but also as a collective action problem.

Against these findings, it is essential that all relevant stakeholders should make attempts, to service the victims of trafficking in a way that recognises their fundamental human rights. The Constitution of the Republic of South Africa, 1996, afforded fundamental rights such as protection, justice, and support to a minimum, to every inhabitant within South Africa. It is, therefore, recommended that the CJS, in collaboration with relevant role-players, works on prevention of secondary victimisation of victims amongst other best practices to be adopted. It is an obligation of the entire CJS, in collaboration with relevant role-players, that a safer environment, that creates a feeling of safety and security, is seen to be supported by policies, as well effective implementation of such.

Policies can only be of benefit to people, when mechanisms or systems are put in place and monitored by a competent oversight body. In conclusion, this paper highlighted evidence that indigenous strategic solutions that reduce exploitation and abuse are lacking and the road to reduce secondary victimisation of victims, is still a long road for the CJS. The authors of this manuscript are of the view that successfully assisting vulnerable populations to protect themselves should be the focus of future research. Prevention from harm is not possible without an understanding of what makes them vulnerable to violence, abuse and exploitation in the first place. While the broad concept of prevention exists as part of the normative framework of many countries, viewing prevention models in terms of their relationships to the social, cultural, economic and political vulnerability of certain populations or groups to being trafficked has been largely neglected in practice.
9. Ethical clearance

Ethics are a matter of integrity on a personal level, but their implications reach much further than the individual. Ethics are moral or professional code of conduct that sets a standard for attitudes and behaviour. The research received ethical clearance from Tshwane University of Technology, and permission to conduct interviews was granted by the following organisations: South African Police Services, Directorate for Priority Crime Investigation, Department of Social Development head office and Gauteng Department of Social Development, Department of Home Affairs, and National Prosecuting Authority.

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