

**Workshop series. Criminology at the Edge: Debates and directions in criminological methodology.
Security Rights and Democracy. April 2011.**

The final workshop in the Criminology at the Edge workshop series was held from Friday 8th April to Sunday 10th April 2011 at the University of Cape Town's Law Faculty in the Moot Court, Kramer Law Building on Middle Campus. Clifford Shearing from the Centre of Criminology (UCT) and Monique Marks (UKZN) convened the workshop, which focused on Security, Rights and Democracy. This workshop was sponsored by the National Research Foundation of South Africa Knowledge Fields Development Grant Directorate, the University of Oxford and the Centre of Criminology at the University of Cape Town.

Speakers were Ian Loader, Professor of Criminology and Director of the Centre of Criminology, University of Oxford, speaking on "Private security: Democracy's dirty little secret"; Dr Liora Lazarus, Lecturer in Law and fellow at St Anne's College, Oxford presented on "Securing rights or righting security: The complex relationship between human rights and security"; Dr Bethan Loftus, Research Officer in the Centre of Criminology, Oxford presented her research on "Everything in its place: The art of covert police surveillance".



Presenters and participants in the Moot Court

The Security, Rights and Democracy workshop was attended by 45 participants from South African university criminology programmes; criminologists conducting research in non-governmental organizations; practitioners; members of government departments and graduate students. The workshop included smaller interactive social events which allowed participants to share experiences and research programmes with each other. The aim of the workshop was to provide new insights into how policing and security could and should be done. This provided an opportunity for criminology scholars (doctoral students and criminology staff) and practitioners to discuss issues raised by the presenters and the discussants.



The workshop was divided into three sessions. Prof. Clifford Shearing, Director of the Centre, gave the opening presentation and chaired the first session.

Session One

Professor Ian Loader gave a presentation on “Private security: Democracy’s dirty little secret”. In this presentation he asked whether policing systems are actually going through a ‘revolution’, as is sometimes suggested through the commodification of services and pluralisation of providers. He suggested that there is a ‘quiet’ part to this possible revolution: security consumption *as* consumption. His presentation included information on a study being undertaken on the attitudes and feelings that

surround security and the ambivalence and unease surrounding the consumption of private security. The buying and selling of security is a little troubling in itself, and needs justification.

Also at the organisational or corporate level, security is seen as a grudge purchase, with associated suspicion as to its cost-effectiveness, the balance of risk and expense. Hospitals, for example, should look and feel like hospitals – the particular objects or processes of security should not undermine the institution or clash with it, but should rather improve it.

There is also the presence in the market of ‘failed goods’. In the UK, for instance, gated communities have not taken off, for several possible reasons:

- a hostile public policy environment
- a clash with the received conception of appropriate neighbourhoods among the middle class
- the perception that the security risk is manageable without such measures.

There is a tension between hybrid versions of security and assumptions about democratic governance, and an ambivalence suggesting that certain kinds of things and services should not be bought and sold through a market, but should be public goods.



Professor of Criminology and Director of the Centre of Criminology, University of Oxford

Dr Jonny Steinberg from UCT's Institute for Humanities in Africa (HUMA), was the respondent. He questioned the cultural embeddedness and transferability of the issues identified by Ian Loader in England. He also raised the presence of cultural unease over whether security *ought* to be traded and whether security does what it purports to do as well as whether it in fact *can* it be traded. South African examples were given to illustrate these points.



Dr Jonny Steinberg, HUMA

Session Two

In the second session, chaired by Professor Elrena van der Spuy, of the Centre, Dr Liora Lazarus, Lecturer in Law and fellow at St Anne's College, Oxford spoke on "Securing rights or righting security: The complex relationship between human rights and security"

Liora looked at security and human rights through the lens of 'the right to security'? She gave the definition, thereof in law and highlighted that the right to security is associated with the correlative duty of the state to coerce – the duty of the state to do things to some people in order to ensure others'

security. She also pointed out that there are many serious things which are done in the name of security and that some state coercion must occur, but how much?

She gave examples from Canada and the EU where there are references to 'the security of the person'. In South Africa, individuals are to be free from all forms of violence, and the state has to fulfill certain requirements in this context.

She argued that the right to security must be a specific right, covering something distinctive that is not covered elsewhere. It should

- refer to absence from harm in the most core physical sense
- be grounded in dignity and liberty.

In her response, Dr Julia Hornberger, from Wits University, discussed the consequences of extending the discourse of security to health issues.



Elena van der Spuy with Julia Hornberger

Session Three

In the final session on Sunday morning, which Professor Monique Marks of University of KwaZulu-Natal chaired, Dr Bethan Loftus, Research Officer in the Centre of Criminology, Oxford presented her research on covert police surveillance with a paper entitled “Everything in its place: the art of covert police surveillance”. She is currently working on an ESRC-funded project examining covert policing practices and the Regulation of Investigatory Powers Act, and reported on the study currently underway with colleagues on covert policing in the United Kingdom. Although they are still in the process of conducting ethnographic fieldwork, she presented some preliminary findings and implications arising from the research.

Respondent, Jamil Mujuzi from the Open Society Foundation of South Africa, contextualized covert policing in the legal framework in South Africa, while Irvin Kinnes, PhD candidate at the Centre of Criminology gave practical examples.

Workshop Programme

Security, Rights and Democracy

Friday, 8 April 2011

Out of Town Delegates Arrive

18:30

Drinks and Dinner – Centre of Criminology, 6th floor,
Jules & Kramer Law Building, Middle Campus

Saturday, 9 April 2011

08:45

Coffee / Tea

09:15

Welcome – **Prof C Shearing**

Chair of Session One: **Clifford Shearing**

09:30

‘Private Security: Democracy’s Dirty Little Secret’ –

Ian Loader

10:30

Tea

11:00

Respondent: **Jonny Steinberg**

11:30

General Discussion

12:30 – 14:00

Lunch

Chair of Session Two: **Elrena van der Spuy**

14:00

“Securing rights or righting security: the complex
relationship between human rights and security” –

Liora Lazarus

15:00

Respondents: - **Julia Hornberger**

15:30 – 16:00

General Discussion

19:00

Dinner at the Silvertree Restaurant, Kirstenbosch
Gardens

Sunday, 10 April 2011

09:00

Tea / Coffee

Chair of Session Three: **Monique Marks**

09:30

“Everything in its place: the art of covert police
surveillance” - **Bethan Loftus**

10:15

Respondents: - **Irvin Kinnes & Jamil Mujuzi**

11:15

General discussion

12:00

Closure – **Monique Marks**

12:30

Lunch