

LAW ENFORCEMENT: A VALUE ADDING SERVICE OR AN UNNECESSARY IRRITATION?

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ABSTRACT

This paper asks the question of whether law enforcement in transport adds value to road users and operators or it is an irritation, which is time consuming and unnecessary. The paper provides a brief history of the road transport law enforcement and argues that road transport users have an inherent need for law enforcement. The paper further discusses philosophies of customer-oriented service delivery and different ways of increasing value in the law enforcement sphere. The paper concludes that law enforcement is indeed an irritation for road users but argues that since it is necessary to meet safety needs of the people, Law Enforcement Agencies should apply service excellence principles to make the experience a pleasant one.

1. INTRODUCTION

Various agencies are tasked with the responsibility to enforce road transport legislation. This task is performed on the road, mostly without prior notice to road users in order to maintain high levels of compliance.

The article focuses on the need for law enforcement and how law enforcement officers can make the experience a pleasant one for road users. The article applies the service concept and service excellence principles to the law enforcement sector.

1.1. Background and origin of law enforcement

Law enforcement and policing are mostly used interchangeably in literature. Policing or law enforcement as we know it today, has evolved over the years, having taken different forms based on the needs of society or the challenge at hand. Muluneh, in Vuma 2011, indicates that as far back as approximately 2300 BC, the Sumerian rulers from Mesopotamia (Modern Iraq) had to set down standards of what constituted an offence. Policing evolved from being informal, community based to more formal and even private along with the evolution of social reforms. This is still relevant in modern times because criminals are becoming more sophisticated and use advanced technology to commit crimes. This requires law enforcement officers to always be ahead and adjust their strategies accordingly.

The evolution of policing from the agricultural era through to the informational era is briefly discussed below. Masiloane (in Vuma 2011) indicates that during the agricultural era (10 000 BC – 1750), policing was more part-time because the economic surplus was small and uncomplicated.

The origin of road transport law enforcement can be traced back to this era. In 1722 the Lord Mayor of London, in England, appointed three men to control traffic at the London Bridge (Arnold: Unknown). The purpose was to ensure that all traffic kept left which means that prior to this system being established, there was no order as horse drawn carts and wagons drove without following rules, thus stopping at the London Bridge. Laws were then developed for traffic officers to not only control the flow of traffic, but police traffic violations such as high speed, drunken driving and others.

The Industrial Era (1750 – 1950) saw a decline in communal value system and an increase in economic surplus, which required policing to be controlled by the state, thus becoming public.

In South Africa, we could say that traffic policing started during the Industrial Era, when the Durban City (Municipal) Police was created in 1854. Municipal Police forces are responsible for traffic policing and policing of by-laws (Rauch, Shaw and Louw 2001). Before the introduction of motorcars, the Durban City Police was mostly responsible for crime prevention

The year 1886 is regarded as the birth year of modern vehicles when German Karl Benz built the first motor wagon. Cars were later introduced in the United States of America where animal drawn carts and wagons started to be withdrawn from the roads (Wikipedia).

In South Africa, the first motorcar was seen in 1896. According to Gould (2011), this was such an unusual event that the State President of South Africa, Mr Paul Kruger issued a medal to commemorate the introduction of a motorcar to the country.

The informational Era (1950 to present) is characterized by an increase in personal wealth and more people starting to get their own private security to supplement public policing services (Masiloane in Vuma 2011). This wealth accumulation results in more and more people affording vehicles and entrepreneurs venturing to the road transport industry. Today, road transport law enforcement has grown to an extent that different agencies had to be established throughout the world to focus on various specialized fields.

1.2. Aim of the paper

The aim of this paper is to highlight the fact that although law enforcement in road transport might be an irritation to road users, law enforcement officers can make it a pleasant experience thus compensating customers for their endurance and inconvenience.

The paper further asserts that law enforcement must be seen as a service, which is delivered to meet the needs of road users.

1.3. Scope of the paper

This paper focuses on law enforcement in transport and is limited only to the work that is performed on the road. In this context, “road users” refers to passengers who are transported in buses and taxi’s, motorists, drivers (are employed to drive someone’s bus, truck or taxi) and operators (owners of the vehicles) who encounter law enforcement officers on the road.

1.4. Dynamics of the problem

Merton in Groenewald (2001) identified certain dysfunctions that are present in institutions such as law enforcement agencies.

- Routine work may lead to a mental state of work psychosis. This is a where an individual displays certain preferences and antipathies and emphasises some aspects of the job at the expense of others.
- Displacement of objectives occurs when the organisation emphasises organisational (secondary) processes over core (primary) business. For instance, if a Law enforcement agency emphasises the need to achieve targets and/or revenue collection, law enforcement officers may just focus on issuing fines and ignore issues of customer care and compliance. The core business of a law enforcement agency is to ensure road safety for all users through increased compliance with road transport legislation.
- The powers of law enforcement officers: Law enforcement officers have powers to invade the personal space of others, coerce them to follow their instruction and even limit their freedom through arrest.

1.5. Problem statement

This paper examines the role of law enforcement in transport, whether it adds value to road users or it is an unnecessary, time wasting irritation. Roadblocks and vehicle checkpoints are usually conducted during peak hours and on busy roads. This then results in very long queues and delays on the road as law enforcement officers pull motorists and operators off the roads for routine checks. These operations are imposed on motorists as they do not have a say on when or where such operations should be held, neither can a driver refuse to stop because then, he would be committing an offence.

The dynamics of the problem and the nature of the law enforcement duties in transport are bound to cause an irritation among motorists. It is therefore necessary that law enforcement officers render a good quality service, which adds value to motorists, operators, and all road users.

2. DEFINITION OF CONCEPTS

Law enforcement can be defined as a system in which some organized members of society enforce the law, ensuring that others obey (Wikipedia). Law enforcement is one of the functions of policing, along with crime detection and others (Section 205 of the Constitution of the Republic of South Africa, Act no. 108 of 1996).

In terms of the SADC Protocol on Transport, Communications, and Meteorology, Road Traffic and Road Transport are recognized differently from each other as outlined in the definitions below:

"Road traffic" means the flow of traffic and interaction between pedestrians, drivers and vehicles on the road network;

"Road transport" means the conveyance of passengers and freight on the road network between origins and destinations by means of road transport vehicles;

This paper focuses on the enforcement of laws relevant to motorized road transport users, be it traffic or transport as defined above.

3. LAW ENFORCEMENT AS AN INHERENT NEED

Roufa (2012) indicates that although the history of modern policing is less than 150 years old, communities have always understood the importance of policing. There has always been some measure of law enforcement to keep peace and maintain order among people. It is now universally accepted that police forces are a necessary component to any modern society.

In terms of Maslow's hierarchy of needs (McLeod 2014), the need for safety and security follows the more basic physiological needs. This need includes the need to be safe from accidents, road rage, personal security, health, and wellbeing. Law enforcement addresses this inherent need by enforcing road transport legislation thus enhancing safety of all road users.

4. SERVICE DELIVERY IN LAW ENFORCEMENT

Law enforcement is a public service that is rendered to the community as part of government services. When using services that are provided by the private sector, customers normally have a choice due to competition among service providers.

A customer is the person who chooses to use services or products of the provider (Collier 1998). In law enforcement, customer choices are limited; as they cannot decide which agency they will go to for government services. However, operators and road users know their rights and law enforcement officers must respect these rights and render good quality service. It is further argued that an entrepreneur or individual who chooses to go into the transport industry, either for business or personal use (private motorist), volunteers to abide by the legislation that governs the industry. Legislation that allows an entrepreneur to go into a passenger/freight transport business also makes provision for law enforcement in transport CBRT Act, no 4 of 1998 as amended).

4.1. Value lies in the eyes of the customer

A service adds value when it meets the expectations of the customer. Customers judge a service along two dimensions, namely what they receive, and how they are treated. What customers receive is the outcome of the service and how they are treated is the process of delivering the service. Customers approach a service provider with expectations of what they expect to receive and how they expect to be treated. The service received is then measured against these expectations. A gap exists where a service provider fails to meet expectations and the bigger the gap; the more dissatisfied will the customer be. Customers will evaluate the service as high in quality if the provider exceeds expectations (Losardo & Rossi, 1993).

Value-add or quality of service received from law enforcement depends on the perceptions of the customer. It is therefore important for law enforcement agencies to focus on understanding perceptions and changing them in order to provide a value adding service and achieve customer satisfaction (Losardo & Rossi, 1993).

In order to understand the value that law enforcement adds, it is imperative to answer questions indicated below. Answers to the questions will enable a law enforcement officer to view a road user as a real customer whose needs must be

met. A law enforcement officer cannot provide excellent service if he/she does not know and understand the customer.

Who is a law enforcement officer's customer?

There are different segments of customers and their needs differ from each other. For the purpose of this paper, only three groups of customers will be discussed. One segment of customers is the operators/entrepreneurs who own businesses in road transport. They need law enforcement officers to protect their interests by ensuring that their drivers obey the law and do not commit offenses with their vehicles. They also need protection of their business interests against illegal operators thus giving them job and wealth security.

In the case of passenger transport, passengers form another segment of customers. These can be seen as secondary customers because they benefit indirectly from the services of law enforcement officers. By ensuring that the driver complies with road transport legislation, passenger safety is improved.

Third cluster comprises of drivers; they have direct contact with law enforcement officers on the road. Drivers know that the nature of their work involves being stopped and inspected by law enforcement officers. They require officers to do their work in an effective and professional manner.

What are the needs of the customer?

Customer needs can be implicit or explicit. Implicit needs are those that are taken for granted to be addressed by the specific sector. For instance, a motorist expects the law enforcement officer to know the relevant laws he is enforcing and how to inspect a vehicle after stopping it.

Explicit needs of a customer are met when he feels overwhelmed by the positive treatment that accompanies the service being rendered. Service excellence addresses the explicit needs of customers.

4.2. Service Concept

A service that is rendered differs from the product offered. Service refers to the intangible interaction between the law enforcement officer and the customer. It is the personal experience of the customer and can only be measured from the perspective of the customer. The service concept refers to the combination between the intangible service and the service provider's ability to serve, which makes the customer have confidence in the service provider (Horovitz, 2000).

The service provider's ability to serve depends on the competence of officers, their intellectual capacity, professionalism and training levels (AIM Manual).

Covey (2004) indicates that true effectiveness is a function of two things, namely; what is produced and the producing asset or capacity to produce. He uses the parable of the golden egg to illustrate this principle. The farmer whose goose produced the golden egg had to take care of both the egg (product) and the goose that laid the egg (producing asset). Killing the goose or neglecting it will result in the farmer not having the golden eggs, thus becoming ineffective. Sometimes law enforcement agencies push officers to produce statistics but tread them badly or ignore their needs or human limitations. There is a value chain which links internal

service quality with customer satisfaction and loyalty (Heskett, Jones, Loveman, Sasser and Schlesinger 1994). Gerson (1992:23) asserts that “a chain is as strong as its weakest link”. Employees must be treated well and effort made to keep them happy. Their unhappiness will spill over when faced with difficult customers.

The customer will be satisfied only if the service that is provided is accompanied by attributes such as professionalism and competency.

Van Der Waldt and Du Toit (1998) define professionalism as “the way in which public managers and their officials behave; this conduct is evaluated according to standards unique to the activities of the public manager”. The following examples of professional conduct are given:

- Displaying a positive attitude;
- Genuine interest in the needs of the others;
- Sympathetic attitude to the public;
- Recognition of differences in all spheres;
- Sensitivity to community values, traditions, cultures and norms;
- Equal rights of all citizens, including employees;
- Unimpeachable and honesty;
- Fairness and reasonableness;
- Responsibility and sense of duty;
- The insight and creativity to evaluate and adapt the activities of authorities

For instance, an operator (road user) who is stopped by a law enforcement officer for routine inspections or for having violated the law will expect the officer to be competent and know the relevant aspects of his duties. The officer must also demonstrate professionalism and humaneness (*uBuntu*) when dealing with the operator or road user as a customer.

The law enforcement agency must be very clear about its service concept because this is what will be communicated to customers as part of the service promise.

4.3. Value add to customers

A customer will experience value from the service received if the benefits of the service outweigh the cost. Cost in a service delivery environment refers to the hassle and effort endured by the customer. In law enforcement, motorists and drivers are pulled off from the roads and have to be delayed (cost) but once they get to the law enforcement officer, they should see the benefits (value) of having waited so long. The benefits include road user safety, unimpeded flow of traffic without hassles and business prosperity due to absence of illegal operators.

There are three ways to increase value for customers (Horovitz 2004). The first method is value improvement, where the organization can enhance one feature of the current service and make it better. Training officers in customer care so that they can treat customers well can enhance value improvement. Another way of improving value is by increasing the number of inspection bays at checkpoints so that motorists should not wait long once they have been pulled off the road.

The second way of increasing value is value extension. This entails adding benefits before, during and after the service. Value extension in law enforcement could include giving motorists safety tips, providing information about road works/conditions ahead. Having all the law enforcement officers from different agencies working jointly at one spot so that a vehicle does not get stopped many times along the road can also enhance value extension. The best practice will be for all officers to be trained in the different aspects of the work so that one officer can inspect a vehicle for all relevant legislation (Horovitz 2000).

The last way is value expansion; it addresses the explicit needs of the customer. This relates to improving the intangible service experience to the service rendered. After the hassle of waiting in long lines and slow traffic, the motorist must drive away feeling happier and positive about the law enforcement operation, even if he is given a fine. This will be enhanced by the treatment he will get from the law enforcement officer. Factors such as courtesy, empathy, and competence contribute towards value expansion (Horovitz 2000).

Courtesy refers to the politeness, respect, consideration, and friendliness shown by employees towards the customer. Greeting customers with a smile, the tone and manner of answering telephones and not ignoring customers are all aspects of courtesy.

Empathy is defined as “the ability to feel the other person’s emotional state, feeling sympathy and attempting to solve the problem, and taking the perspective of the other person” (Baron and Byrne, 2003). Empathy therefore means that the employee must be able to understand the needs of the customer and what the latter is going through as if he/she was in the same position and then be able to render the necessary assistance.

Competence refers to the extent to which employees have skills and knowledge needed to perform the service.

4.4. Image of the law enforcement agency

As indicated above, a service is intangible in nature; however, it still has some concrete aspects. These are things that the customer can hear, see, taste and smell such as physical facilities in which services are provided, equipment used, appearance of personnel and materials used to communicate (Losardo and Rossi, 1993). Physical filters affect perceptions that customers create about the organization. A clean car, neat, well-fitting uniforms and a good looking law enforcement officer will positively reinforce customer perceptions.

Image refers to the character or reputation of the organization based on general perceptions. If customers perceive law enforcement officers as corrupt, overweight, untidy and uneducated, they will treat them with disrespect and a negative attitude. These perceptions will be confirmed if officers fulfil the prophecy at the point of service delivery or interaction (AIM Manual)

Law enforcement officers must treat customers courteously, with empathy and understanding in order to influence perceptions and build a good image of the law enforcement agency.

4.5. Dealing with Customer Complaints

The law enforcement agency must strive for zero-defect and to do things right the first time. However, human error will always occur, also because value lies in the eyes of the customer, complaints are to be expected. Customers who complain must be seen as friends, not enemies and must be appreciated. Complaints must be seen as an opportunity to build relationship with customers (Covey 2004). Customers who complain provide free information to enable the agency to improve the quality of service. Good complaints handling and recovery systems enhance good relations between customers and the organisation. Law enforcement agencies must empower their officers to redress wrongs at the point of service. If they are not able to resolve the matter, they should be able to escalate to the next level. Service recovery and escalation systems must be accessible and user-friendly to both the customers and employees.

4.6. Internal Quality

Bergman and Klefsjö (1994) indicate that an organization must not only focus on external customers, it must also focus on internal customers (employees) who must render the service. High external quality cannot be achieved with low internal quality. There is a value chain, which links internal quality service with customer satisfaction and loyalty (Heskett, Jones, Loveman, Sasser and Schlesinger 1994). Covey (2004) adds that a principle that will enable the organisation to deliver is to treat employees in exactly the same way that they are expected to treat the most important customers. A happy employee makes a happy customer. If law enforcement officers are not happy in their own workplace, they may not be able to treat customers well and render good quality service. Happy employees take a genuine interest in the needs of the customer and continuously make an effort to improve their job and to understand the customer. They also have a clear understanding and appreciation of customer complaints and make an effort to address them.

4.7. Managing Service Excellence

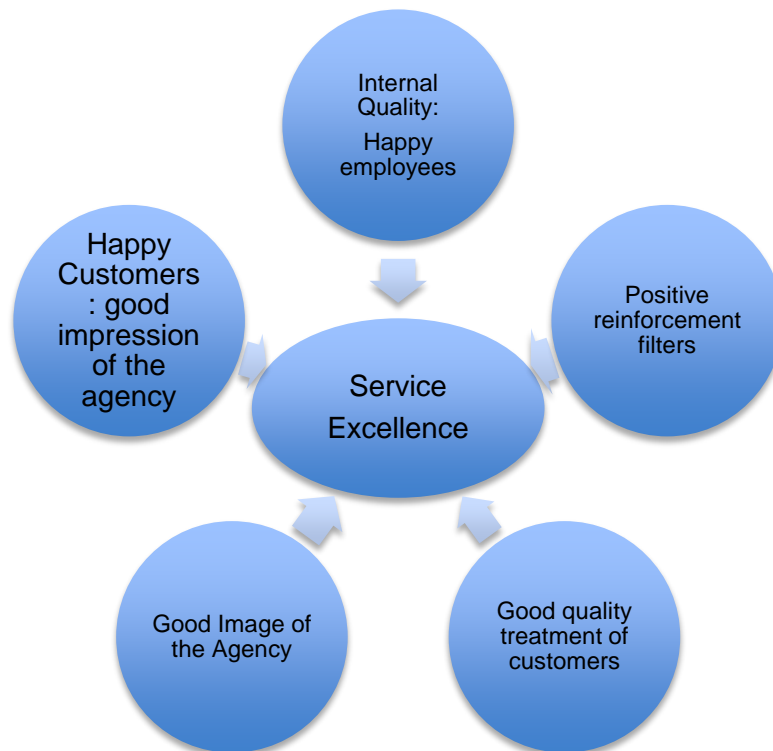
Service excellence or total customer oriented quality service is a product of a number of factors. These must be managed as part of the strategic direction of the law enforcement Agency so that it can become part of the culture of the organization. Culture is a system of shared meaning and common perceptions held by members of an organization (Robbins, 1993). Individual employees join the organization with their own belief systems but have to conform to the culture of the organization, which is driven from the top by management. Management must send strong messages of things that are important for the organization to achieve its objectives, thus facilitating culture change (Bennett & Minty 1999, Senior (2002).

Management must create a work environment in which law enforcement officers feel respected and appreciated. They must emphasise the importance of making a good impression on customers in terms of the physical work environment and presentation. The use of uniforms, distinctly marked law enforcement vehicles and other tools of trade promote the image of the agency and commands respect. Law enforcement officers must not only be competent in terms of training but must look fit and impressive in their uniforms. An overweight law enforcement officer gives a bad impression to customers who may start to question his ability to serve. These values and rules must be driven by management and cascaded to the lowest level in the agency.

Managers, who are committed to service excellence, must go out on the road to model desired behaviour on how customers should be treated. They must also appreciate efforts of their officers and celebrate service excellence champions from time to time.

Customers who are treated well will spread the message to other customers thus create a positive image of the agency. Happy customers will in turn treat employees well which then acts as reinforcement for the quality circle to continue

- Factors that affect total quality service are illustrated in the following diagram:



Factors affecting total quality service (source ? or is this your own illustration –if so explain how you got to this picture based on the preceding discussion).

5. CONCLUSION

The need for safety is one of the lower level needs in Maslow’s hierarchy of needs. Over the years, people have always organised structures to enforce the law and bring order for their own safety.

By its nature, law enforcement in transport is an irritation as it is conducted during hours of heavy traffic in order to reach as many motorists and operators as possible. Unlike customers in the private sector who have a choice between many competing service providers, law enforcement officer’s customers are “forced” by circumstances to receive services Collier (1998).

In order to add value to the road transport user or operator’s safety and purpose, law enforcement agencies must perform their legislative functions in line with principles of service excellence.

Law enforcement officers must be properly trained to enhance their knowledge and competence. They must be provided with physical resources that enhance the image of the organisation and help them work smart. Just like the goose that lays the golden egg, the employer must treat law enforcement officers with courtesy and care.

When performing their duties at the point of service, law enforcement officers must be professional and overwhelm customers in their interactions with them. This will influence perceptions and create a good image of the agency.

Law enforcement in transport is indeed a necessary irritation, the manner in which it is conducted can make road transport users and operators appreciate the effort and hassle involved

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