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BEYOND THE EMBEDDED LAWYER: BUILDING DETECTIVES, NOT JUST DOCKETS IN THE SOUTH AFRICAN POLICE SERVICE

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Abstract: To examine how the South African Police Service (SAPS) can turn a temporary embedded-lawyer initiative into lasting investigative capacity, so that dockets are court-ready and prosecutions stop collapsing for avoidable reasons. To evaluate whether combining embedded legal support with fixed-term mentorship by retired detectives (the Lawyer + Experienced Investigator + Young Detective model) improves docket quality, sustains skills after the lawyers leave, and increases conviction rates. SAPS has fewer and less experienced detectives, heavy caseloads and weak dockets, while decades of investigative expertise retire unused. Legal support alone treats the symptom, not the skills gap. A mixed-methods, quasi-experimental pilot in 12 Western Cape stations (lawyer only, lawyer plus retired-detective mentor, and comparison), measured with docket-quality scores, NPA docket-return rates and conviction rates, together with interviews with 15 purposive respondents and a cost-effectiveness analysis. Most respondents (13 of 15) attribute docket failure to poor statements and evidence handling, 14 of 15 cite unmanageable caseloads, 12 of 15 prefer a combined legal and mentor model to lawyers alone, and 11 of 15 expect the gains of a temporary lawyer programme to fade. Lawyers fix dockets; mentors build detectives. A phased, costed hybrid model offers SAPS a practical route to stronger dockets, higher conviction rates and public confidence. Don't just fix the docket. Build the detective.

Keywords: *SAPS, docket quality, detective mentorship, skills transfer, conviction rates, Western Cape.*

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INTRODUCTION

South Africa's ability to combat crime depends not only on the number of police officers it employs, but on the quality of its criminal investigations. Every successful prosecution begins with a competent investigation, a comprehensive docket, and evidence capable of withstanding scrutiny in court. Yet across the South African Police Service (SAPS), persistent detective shortages, growing caseloads, investigative backlogs, and the loss of experienced personnel have steadily weakened the foundation upon which successful prosecutions depend. The consequences are visible in thousands of cases that are delayed, withdrawn, struck from the court roll, or referred back for further investigation because critical evidence, witness statements, or investigative procedures are incomplete.

The extent of the problem is reflected in recent statistics. According to a parliamentary response reported by Daily Investor (2024), SAPS employed only 22,413 detectives against an establishment of 31,007 posts, leaving a national shortfall of more than 8,500 detectives. During the period from October 2023 to July 2024, 527 detectives voluntarily resigned from SAPS, further weakening investigative capacity (Daily Investor, 2024). More recently, reports presented to Parliament suggested that the number of detectives may have declined from approximately 27,000 in 2014 to about 16,000 by 2025, indicating a substantial erosion of investigative resources over the past decade (TimesLive, 2026). These statistics present a troubling picture of an organisation attempting to confront increasingly complex criminal challenges with a shrinking and less experienced investigative workforce.

The impact of this decline extends far beyond staffing numbers. The Minister of Justice reported that the National Prosecuting Authority (NPA) referred more than 1.8 million dockets back to SAPS for further investigation between 2018 and 2024, largely because of inadequate evidence, incomplete investigations, or procedural shortcomings (The Citizen, 2024). In addition, parliamentary responses cited by Daily Investor (2024) indicated

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that over 5.4 million dockets had been closed without results because investigators lacked sufficient evidence or leads to proceed. These figures suggest that the criminal justice system is losing an enormous number of cases long before they reach final adjudication, undermining public confidence and denying justice to victims.

The detective workload crisis further compounds these challenges. Auditor-General findings reported by Daily Maverick (2026) revealed that of 3,294 detectives reviewed, 1,227 (approximately 37%) had five years or less service experience, while some detectives were responsible for between 600 and 800 active dockets each. Similarly, research by the Institute for Security Studies (ISS) found that many detectives routinely manage more than 200 dockets simultaneously, making thorough investigation virtually impossible (ISS, 2025). Under such conditions, quality inevitably suffers. Investigators struggling under extreme caseloads have limited time for crime-scene management, witness interviewing, evidence gathering, suspect tracing, or consultation with prosecutors. The result is often incomplete investigations, weak dockets, and unsuccessful prosecutions.

These challenges are not new. More than a decade ago, the Khayelitsha Commission of Inquiry identified serious deficiencies in detective services, including poor supervision, weak docket management, investigative inefficiencies, and strained relationships between the police and communities (O'Regan & Pikoli, 2014). The persistence of many of these findings suggests that SAPS continues to experience structural weaknesses that extend beyond operational shortcomings and point to deeper institutional challenges relating to capacity, leadership, accountability, and knowledge retention.

In response to these concerns, recent proposals have advocated the placement of legal practitioners within police stations to support detectives in drafting statements, managing evidence, and preparing court-ready dockets. Such interventions hold considerable potential. Lawyers bring specialised expertise in evidentiary requirements, criminal procedure, and prosecutorial expectations, enabling detectives to prepare stronger cases and reduce procedural errors. However, a critical question remains unanswered: what happens when the lawyers leave? If legal support remains temporary and no mechanism exists to transfer investigative knowledge to detectives, the gains achieved may disappear as quickly as they emerged.

This article argues that South Africa's detective crisis is not merely a legal problem or a staffing problem. It is fundamentally a knowledge-retention and skills-transfer problem. While considerable attention has been devoted to filling vacant posts and improving prosecution rates, far less emphasis has been placed on preserving the invaluable institutional knowledge that leaves SAPS each year through retirement, resignation, and attrition. Experienced detectives possess decades of tacit expertise in witness interviewing, crime-scene reconstruction, evidence interpretation, suspect profiling, docket management, and courtroom preparation. When these officers retire without systematically transferring their knowledge, SAPS loses investigative capabilities that formal classroom training alone cannot replace.

The urgency of preserving investigative expertise is reinforced by broader criminal justice outcomes. While the National Prosecuting Authority frequently reports murder conviction rates exceeding 70%, critics argue that such figures reflect only cases that proceed to verdict rather than all crimes reported to the police (AT News, 2026). Similarly, reports from the City of Cape Town indicate that despite approximately 450 illegal firearms being seized annually, only about 5% of such cases ultimately result in convictions, largely because of weaknesses in investigations and prosecution processes (Nova News, 2025). These trends suggest that substantial losses occur throughout the investigative pipeline long before matters reach the courtroom.

Against this backdrop, the article proposes a more sustainable and institutionally focused solution: the integration of embedded legal support with structured mentorship by retired detectives. Rather than treating lawyers as a stand-alone intervention, the study advances a Lawyer-Experienced Investigator-Young Detective Model in which legal practitioners, retired detectives, and junior detectives work together in a deliberate process of knowledge transfer and capacity building. In this framework, lawyers contribute specialised legal expertise and procedural guidance, experienced investigators transfer practical investigative skills acquired through decades of operational experience, and younger detectives develop the competencies required to conduct complex investigations independently.

The theoretical foundation of this argument is grounded in Social Learning Theory (Bandura, 1977), Situated Learning Theory (Lave & Wenger, 1991), and Knowledge-Creation Theory (Nonaka & Takeuchi, 1995). Collectively, these theories suggest that professional expertise is most effectively developed when learners engage directly with experienced practitioners in real operational environments. They further distinguish between explicit knowledge that can be formally documented and tacit knowledge that can only be acquired through observation, mentorship, and practice. Within SAPS, embedded lawyers contribute explicit legal knowledge, while retired detectives serve as repositories of tacit investigative knowledge that would otherwise be lost.

This article therefore contends that improving conviction rates requires more than producing legally compliant dockets. It requires rebuilding investigative capability, preserving institutional memory, and creating systems through which expertise can be transferred from one generation of detectives to the next. The central proposition is simple yet profound: lawyers may help fix today's dockets, but only experienced investigators can help build tomorrow's detectives. If SAPS is to strengthen investigative performance, restore public confidence, and improve justice outcomes, it must move beyond temporary interventions and invest in sustainable mechanisms for knowledge preservation and skills transfer. The future of effective policing in South Africa depends not merely on solving crimes, but on ensuring that the expertise required solving them is never lost.

BACKGROUND OF THE STUDY

The effectiveness of any criminal justice system depends fundamentally on the quality of its investigations. Detectives occupy a pivotal position within this process, serving as the critical bridge between the reporting of a crime and the successful prosecution of offenders. When investigative capacity is strong, evidence is collected and preserved correctly, witnesses are interviewed effectively, and prosecutors receive dockets capable of supporting convictions. Conversely, when investigative capacity deteriorates, the entire criminal justice process is compromised. Cases are delayed, prosecutions collapse, offenders evade accountability, and public confidence in law enforcement institutions declines. In South Africa, mounting evidence suggests

that the South African Police Service (SAPS) is experiencing a significant erosion of detective capacity, with profound implications for public safety, access to justice, and the overall effectiveness of the criminal justice system.

Recent workforce data reveal the magnitude of the challenge. According to a ministerial response reported by *Daily Investor* (2024), SAPS employed only 22,413 detectives against an approved establishment of 31,007 posts, leaving a national shortage of more than 8,500 detectives. During the period between 1 October 2023 and 19 July 2024 alone, 527 detectives voluntarily resigned from SAPS, resulting in the loss of valuable investigative experience and institutional knowledge. The longer-term trend is even more concerning. Reports submitted to Parliament suggest that detective numbers may have declined from approximately 27,000 detectives in 2014 to around 16,000 in 2025 (TimesLive, 2026). Although these figures originate from different reporting baselines, the disparity itself highlights the need for more reliable workforce planning and data management within SAPS. Regardless of the precise totals, the evidence points to a sustained decline in investigative capacity at a time when South Africa continues to confront high levels of violent crime, organised criminal activity, corruption, gender-based violence, and complex commercial offences.

The consequences of this decline extend far beyond staffing shortages. They are reflected in the increasing number of investigations that fail to progress successfully through the criminal justice system. The Minister of Justice reported that the National Prosecuting Authority (NPA) had referred more than 1.8 million dockets back to SAPS for further investigation since 2018 because of evidentiary deficiencies, incomplete investigations, or procedural shortcomings (The Citizen, 2024). In addition, parliamentary responses cited by *Daily Investor* (2024) indicated that more than 5.4 million dockets had been closed without resolution because investigators lacked sufficient evidence or leads to proceed. These alarming figures represent more than administrative failures. Behind every returned or unresolved docket are victims, families, and communities whose pursuit of justice has been delayed, undermined, or abandoned. The human cost of weak investigations is therefore measured not only in statistics but also in diminished public trust and reduced confidence in the rule of law.

The detective crisis is especially evident at station level, where shortages directly affect service delivery. In Cape Town, parliamentary responses revealed detective vacancy rates ranging between 20% and 40% across several police stations, with more than 200 detective posts remaining vacant as of August 2025 (Cape Argus, 2025). Such shortages inevitably place immense pressure on serving investigators. Auditor-General findings reported by *Daily Maverick* (2026) revealed that some detectives were responsible for between 600 and 800 active dockets, while approximately 37% of the 3,294 detectives assessed had five years or less operational experience. The Institute for Security Studies (ISS, 2025) similarly reported that detectives in many policing environments routinely handle more than 200 active cases at any given time. Under such conditions, even highly committed investigators struggle to conduct thorough investigations, maintain witness contact, pursue forensic leads, manage crime-scene evidence, and prepare court-ready dockets. The inevitable outcome is a reduction in investigative quality, increased prosecutorial returns, delayed justice, and lower conviction rates.

Importantly, these challenges are not new. More than a decade ago, the Khayelitsha Commission of Inquiry documented serious deficiencies within detective services, including detective inefficiency, poor docket management, inadequate supervision, weak investigative practices, and ineffective oversight mechanisms (O'Regan & Pikoli, 2014). The Commission concluded that detective services lacked the capacity, leadership, and organisational support necessary to deliver effective policing. The persistence of many of these findings in contemporary reports suggests that SAPS is confronting not merely operational shortcomings but deep-rooted structural weaknesses that have remained unresolved for years. The continued recurrence of the same challenges indicates that previous interventions have not adequately addressed the underlying causes of investigative failure.

Compounding the problem is the gradual loss of institutional memory. Every year, experienced detectives retire, resign, or leave the organisation, taking with them decades of investigative expertise accumulated through practical experience in the field. Much of this knowledge is tacit in nature and includes skills such as suspect interviewing, crime-scene interpretation, witness management, evidence assessment, investigative intuition, and courtroom preparation. Unlike formal training materials, such expertise is difficult to document and is often developed only through years of operational exposure and mentorship. When experienced detectives leave without transferring their knowledge to younger investigators, SAPS loses not only personnel but also invaluable intellectual capital that is critical for effective policing and successful prosecutions.

Recognising the growing challenges associated with poor docket quality and failed prosecutions, recent proposals have advocated the placement of legal practitioners within police stations to support detectives in drafting statements, managing evidence, and preparing prosecution-ready dockets. This initiative has significant potential to improve compliance with legal and evidentiary requirements and may enhance docket quality in the short term. However, it raises an important question regarding sustainability. While lawyers can provide specialised legal expertise, they cannot replace the practical investigative competence acquired through decades of detective work. Unless legal support is integrated with a deliberate strategy for skills transfer and capacity building, there is a risk that improvements achieved during the intervention will disappear once the lawyers leave.

Against this backdrop, the present study argues that South Africa's detective crisis should be understood not only as a resource challenge but also as a knowledge-retention and institutional-capacity challenge. The decline in detective numbers, the return of more than 1.8 million dockets for further investigation, the closure of more than 5.4 million unresolved cases, increasing vacancy rates, excessive caseloads, and the continued findings of investigative shortcomings all point toward an urgent need for sustainable solutions. This study therefore explores whether combining embedded legal support with structured mentorship from retired detectives can simultaneously improve docket quality, strengthen investigative competence, preserve institutional memory, and enhance conviction outcomes. In doing so, it seeks to move SAPS beyond short-term docket repair and towards the development of a sustainable model for rebuilding detective capacity. Ultimately, the study advances the argument that the future effectiveness of policing in South Africa depends not only on fixing individual dockets but on preserving, transferring, and

institutionalising the investigative expertise required to build a new generation of highly competent detectives.

PROBLEM STATEMENT

SAPS faces a compounding crisis: fewer and less experienced detectives, very high caseloads, and dockets that fail at the prosecution stage. The Auditor-General told Parliament that of 3,294 detectives reviewed, 1,227 (about 37%) had five years or less of service, while some carried 600 to 800 dockets each (Daily Maverick, 2026). Embedding lawyers may improve individual dockets, yet if it is temporary and does not transfer skills, it risks becoming an expensive intervention that treats symptoms and leaves the skills gap intact. Meanwhile, decades of practical investigative expertise leave SAPS every year through retirement without being captured.

> ***Central problem statement:*** *SAPS is losing its investigative expertise faster than it is building it, so dockets reach prosecutors incomplete and cases collapse. Temporary legal support will not fix this unless it also transfers skills to young detectives, and the experience of retired detectives is the most immediate, least used resource for doing so.*

RESEARCH OBJECTIVES AND RESEARCH QUESTIONS

Main objective: To evaluate whether combining embedded legal support with retired-detective mentorship can durably improve docket quality and conviction rates in SAPS.

Research Objectives and Research Questions

The objectives and research questions of this study are closely aligned with the central problem confronting the South African Police Service (SAPS): the progressive loss of investigative expertise, declining detective capacity, poor docket quality, and the resulting impact on criminal justice outcomes. The study is informed by evidence showing significant detective shortages, escalating attrition, increasing docket returns by the National Prosecuting Authority (NPA), and concerns regarding the sustainability of intervention strategies that focus solely on legal support rather than long-term investigative skills development (Daily Investor, 2024; O'Regan & Pikoli, 2014). Furthermore, theories of social learning and organisational knowledge creation suggest that institutional performance is strengthened when expertise is systematically transferred from experienced practitioners to less experienced members through mentorship and practical exposure (Bandura, 1977; Nonaka & Takeuchi, 1995).

Main Objective: The main objective of this study is to evaluate whether the integration of embedded legal support and structured mentorship by retired detectives can sustainably improve investigative capacity, docket quality, prosecutorial outcomes, and conviction rates within SAPS. To achieve this objective, the study addresses a series of interconnected objectives and research questions.

Specific Objective 1: Assess the impact of retirement and attrition on investigative capacity within SAPS.

The study seeks to examine how the loss of experienced detectives through retirement, resignation, and attrition has affected the ability of SAPS to conduct effective investigations. This objective is particularly important given reports indicating substantial detective shortages and the continued loss of experienced investigators from the organisation (Daily Investor, 2024; TimesLive, 2026).

Research Question 1: How have retirement, attrition, and detective shortages affected the investigative capacity and organisational effectiveness of SAPS over the past decade?

Specific Objective 2: Evaluate the effect of embedded legal support on docket quality and prosecutorial outcomes.

The introduction of embedded lawyers into police stations has been proposed as a mechanism to improve statement-taking, evidence management, and compliance with prosecutorial requirements. This objective aims to determine whether such interventions result in measurable improvements in docket quality, reductions in docket returns by prosecutors, and stronger prosecution outcomes.

Research Question 2: Does embedding legal practitioners within police stations measurably improve docket quality, reduce prosecutorial returns, and increase conviction rates?

Specific Objective 3: Determine whether mentorship by retired detectives builds sustainable investigative capacity among junior detectives.

Drawing on Social Learning Theory (Bandura, 1977) and Situated Learning Theory (Lave & Wenger, 1991), this objective seeks to establish whether mentorship contributes to lasting skills development and whether institutional knowledge can be retained through structured interaction between experienced and novice investigators. This objective also examines whether retired detectives can serve as a practical mechanism for preserving and transferring tacit investigative knowledge.

Research Question 3: Does mentorship by retired detectives create lasting investigative skills among junior detectives, or do performance gains diminish once external support is withdrawn?

Research Question 4: Can retired detectives serving on fixed-term mentorship contracts effectively reduce the experience gap and strengthen detective competence within SAPS?

Specific Objective 4: Develop a costed and implementable policy framework for sustainable detective capacity development.

Given increasing fiscal pressures facing public institutions, interventions must demonstrate not only effectiveness but also affordability and long-term sustainability. This objective therefore seeks to compare the costs and benefits of lawyer-only, mentor-only, and hybrid intervention models in order to develop an evidence-based framework that can be implemented across SAPS.

Research by Nonaka and Takeuchi (1995) highlights the importance of institutionalising expertise within organisations, while international policing research emphasises the value of knowledge-retention strategies in strengthening investigative performance and organisational resilience (Cordner, 2019; Fleming, 2015). These perspectives provide the foundation for developing a sustainable policy model for SAPS.

Research Question 5: What policy, governance, and cost framework would enable the successful and sustainable implementation of a combined embedded-lawyer and retired-detective mentorship model within SAPS?

Alignment between Objectives and Research Questions

Collectively, these objectives and research questions follow a logical progression. The study first examines the extent of the detective-capacity crisis caused by attrition and retirement. It then evaluates the effectiveness of embedded legal support as a remedial intervention. The investigation subsequently assesses whether

structured mentorship can preserve and transfer critical investigative skills. Finally, it develops a practical policy framework for institutionalising successful interventions within SAPS. Together, the objectives and research questions seek to determine whether South Africa can move beyond short-term docket improvement strategies toward a sustainable model of investigative excellence, knowledge retention, and organisational renewal.

SIGNIFICANCE OF THE STUDY

This study has significant implications for policing, the criminal justice system, public policy, and society at large. For SAPS, the proposed Lawyer-Experienced Investigator-Young Detective model offers a practical and potentially cost-effective mechanism for retaining institutional memory, preserving decades of investigative expertise, and strengthening detective capability in an environment characterised by high attrition and growing skills shortages. By facilitating structured knowledge transfer from experienced investigators to younger detectives, the model can help improve investigative quality, reduce errors in case preparation, and enhance overall organisational effectiveness.

For the criminal justice system, the study has the potential to contribute to better prosecution outcomes by addressing one of the primary causes of case failure: poor-quality investigations and incomplete dockets. Strengthening investigative processes may reduce the number of cases withdrawn, struck off the court roll, or referred back for further investigation, thereby improving access to justice and increasing the likelihood that victims obtain meaningful outcomes. The study is equally significant for detectives themselves, as it promotes structured mentorship, professional development, practical skills acquisition, and workplace support. Such an approach can reduce professional isolation among younger investigators while creating clearer pathways for career growth and competence development.

From a public policy perspective, the study proposes an innovative collaborative framework that links SAPS, the National Prosecuting Authority (NPA), retired investigators, and legal practitioners around the shared objective of improving case outcomes from the initial report through to final verdict. In doing so, it advances a more integrated approach to criminal justice administration and institutional capacity-building. Furthermore, the study has important implications for public trust and confidence in the criminal justice system. Although the NPA has reported a murder conviction rate of approximately 74%, critics have argued that this figure reflects only cases that proceed to verdict and excludes the large number of cases that fail earlier in the investigative process (AT News, 2026). Consequently, meaningful improvements in justice outcomes are likely to be achieved not only through successful prosecutions but through strengthening the front end of the criminal justice pipeline, where investigations are conducted, evidence is gathered, and dockets are prepared. By improving investigative quality and preserving institutional knowledge, the proposed model has the potential to enhance public confidence in policing, increase accountability, and contribute to a more effective and trusted criminal justice system.

GAPS IN THE STUDY

Despite growing concern about declining detective capacity, poor docket quality, and increasing prosecutorial returns, several important gaps remain in the existing body of knowledge. Firstly, an evaluation gap exists because current proposals advocating the placement of embedded lawyers within police stations are largely based on assumed benefits, with limited empirical evidence demonstrating their actual impact on docket quality, prosecution success, or conviction rates. Secondly, there is a significant sustainability gap, as little research has examined whether improvements achieved through external legal support are retained once such interventions are withdrawn, or whether performance declines when detectives are no longer assisted by legal practitioners. Thirdly, a notable retention gap exists in the South African context, where the potential re-employment of retired detectives as mentors and knowledge-transfer agents remains largely under-researched, despite growing concerns about the loss of institutional memory and investigative expertise through retirement and attrition. Additionally, a data gap is evident in the available literature. Detective workforce figures often vary considerably between sources, while conviction statistics may present an incomplete picture by focusing only on cases that reach finalisation rather than all cases reported and investigated, potentially creating misleading impressions of criminal justice performance (Daily Maverick, 2026). Finally, there is a substantial cost-effectiveness gap, as existing research has not adequately compared the relative costs and benefits of lawyer-led interventions, mentor-led approaches, and hybrid models that combine legal support with detective mentorship. Addressing these gaps is essential for developing evidence-based strategies capable of strengthening investigative capacity, improving docket quality, preserving institutional knowledge, and enhancing long-term criminal justice outcomes within the South African Police Service.

THEORETICAL FRAMEWORK

Definition of a Theoretical Framework

A theoretical framework refers to the structured set of concepts, assumptions, and theories that guide a research study by explaining relationships between variables and providing a lens through which research findings can be interpreted. According to Creswell and Creswell (2018), a theoretical framework serves as the foundation upon which a study is built, helping researchers explain phenomena, formulate research questions, and interpret findings within an established body of knowledge. Similarly, Ravitch and Riggan (2017) argue that a theoretical framework provides the intellectual structure that connects the research problem, methodology, and interpretation of results. In the context of this study, the theoretical framework explains how investigative skills are developed, how organisational knowledge is transferred, and how institutional capacity can be strengthened within SAPS through mentorship and collaborative learning.

This study is guided by three complementary theories: Social Learning Theory, Situated Learning and Communities of Practice Theory, and Knowledge Creation Theory. Together, these theories provide a comprehensive explanation of how professional expertise is acquired, shared, retained, and institutionalised within organisations. The integration of these theories is particularly relevant to understanding how SAPS can utilise embedded lawyers and retired detectives to address detective shortages, improve investigative quality, and preserve institutional knowledge.

Social Learning Theory

Social Learning Theory, developed by Bandura (1977), posits that individuals acquire knowledge, skills, attitudes, and behaviours through observation, imitation, modelling, and interaction with more experienced individuals. According to Bandura (1977),

learning does not occur solely through formal instruction but through observing competent role models and receiving continuous feedback during practice. Within policing environments, many critical investigative skills such as witness interviewing, crime-scene management, evidence interpretation, and case preparation are developed through practical exposure rather than classroom instruction.

The relevance of Social Learning Theory to this study lies in its explanation of how junior detectives acquire investigative competence. The theory suggests that younger detectives are more likely to develop effective investigative skills when they work alongside experienced investigators who demonstrate professional practices, decision-making processes, and investigative techniques. Therefore, retired detectives serving as mentors can become vital role models who facilitate the transfer of practical investigative knowledge to less experienced members. Embedded lawyers may contribute legal knowledge, but experienced detectives remain essential for developing the behavioural and procedural competencies required for successful investigations. Similar applications of Social Learning Theory in policing have been highlighted by Fleming (2015), who argues that leadership and professional capability within police organisations are largely developed through mentoring relationships and experiential learning.

Situated Learning and Communities of Practice Theory

The second theoretical foundation for this study is Situated Learning Theory and the concept of Communities of Practice, developed by Lave and Wenger (1991). The theory proposes that learning occurs most effectively when individuals participate in real-world activities within professional communities. Knowledge is constructed through participation, engagement, collaboration, and shared experience rather than through abstract instruction alone. According to Lave and Wenger (1991), newcomers gradually move from peripheral participation to full participation as they gain competence through interaction with experienced practitioners.

This theory is particularly relevant to detective development because policing is a practice-based profession in which knowledge is acquired through active participation in investigations. Junior detectives often learn complex investigative skills while handling live cases alongside experienced colleagues. The proposed mentorship programme involving retired detectives creates a station-level community of practice where knowledge can be transferred through practical engagement in real investigations. Cordner (2019) similarly argues that effective policing organisations rely heavily on experiential learning environments where knowledge is transferred through collaboration and professional interaction. Within the SAPS context, retired detectives can serve as anchors of professional communities of practice, ensuring that valuable expertise remains accessible within the organisation despite retirement and attrition.

Knowledge Creation Theory

The third theory underpinning this study is Nonaka and Takeuchi's (1995) Knowledge Creation Theory. This theory distinguishes between explicit knowledge, which can be documented, codified, and formally taught, and tacit knowledge, which resides in individuals and is acquired through experience. Nonaka and Takeuchi (1995) argue that organisational success depends on the ability to convert tacit knowledge into explicit organisational knowledge that can be shared and retained across generations of employees.

The relevance of this theory to the study is substantial because SAPS faces a significant risk of losing investigative expertise when experienced detectives retire or leave the organisation. Much of the knowledge developed through decades of investigative work is tacit in nature and includes intuitive skills such as evaluating witness credibility, detecting inconsistencies in statements, interpreting crime-scene indicators, and identifying investigative opportunities. Such knowledge is rarely captured in training manuals or standard operating procedures. Consequently, when experienced detectives retire without systematically transferring their expertise, SAPS loses critical institutional memory and investigative capacity. The proposed use of retired detectives as mentors provides a practical mechanism for capturing and transferring tacit knowledge before it is lost. Embedded lawyers, on the other hand, provide explicit legal knowledge regarding evidentiary requirements, criminal procedure, and docket preparation. Together, these forms of knowledge contribute to stronger investigations and improved prosecution outcomes.

Relevance of the Combined Theoretical Framework to the Study

Collectively, these three theories provide a strong conceptual basis for understanding the central argument of this study. Social Learning Theory explains how junior detectives learn through observation and mentorship (Bandura, 1977). Situated Learning Theory demonstrates that professional expertise is developed through participation in real investigative activities within communities of practice (Lave & Wenger, 1991). Knowledge Creation Theory highlights the importance of preserving and transferring tacit knowledge before it is lost through retirement and attrition (Nonaka & Takeuchi, 1995).

Together, these theories predict that sustainable improvements in detective performance require both the transfer of practical investigative expertise and the provision of legal and procedural guidance. Embedded lawyers contribute explicit legal knowledge necessary for producing court-ready dockets, while retired detectives transfer tacit investigative knowledge developed through years of operational experience. Therefore, the proposed Lawyer-Experienced Investigator-Young Detective Model is theoretically grounded in established learning and organisational theories that emphasise mentorship, knowledge sharing, experiential learning, and institutional knowledge retention. The framework supports the study's central proposition that strengthening SAPS requires more than fixing individual dockets; it requires building detectives who can independently conduct high-quality investigations long after temporary interventions have ended.

LITERATURE REVIEW AND EMERGENT THEMES

Theme 1: Detective Capacity and Workforce Erosion

The effectiveness of criminal investigations depends heavily on the availability, experience, and competence of detectives. International policing research consistently shows that detective shortages are associated with lower case-clearance rates, weaker investigative quality, and reduced public confidence in law enforcement agencies (Cordner, 2019; Fleming, 2015). In South Africa, concerns regarding detective capacity have persisted for more than a decade. The Khayelitsha Commission of Inquiry found

that detective services suffered from inadequate supervision, poor docket management, delayed investigations, and a lack of accountability mechanisms, all of which negatively affected service delivery (O'Regan & Pikoli, 2014). These findings suggested that detective-related challenges were not isolated operational problems but symptoms of broader institutional weaknesses.

Recent evidence indicates that the situation has deteriorated rather than improved. According to a ministerial response reported by *Daily Investor* (2024), SAPS employed only 22,413 detectives against an approved establishment of 31,007 posts, creating a shortfall of more than 8,500 detective posts nationally. Furthermore, 527 detectives voluntarily resigned between October 2023 and July 2024 alone, resulting in the loss of substantial investigative experience. Additional reports suggest that detective numbers may have declined from approximately 27,000 in 2014 to around 16,000 by 2025 (TimesLive, 2026). At station level, Cape Town alone reportedly had more than 200 vacant detective posts, while several stations experienced vacancy rates ranging between 20% and 40% (Cape Argus, 2025).

The practical implications of these shortages are significant. For example, a station requiring 40 detectives may be operating with only 24 or 25 investigators. Consequently, fewer detectives must manage increasing numbers of cases while simultaneously supervising inexperienced colleagues. This creates a cycle in which heavy workloads contribute to burnout, resignations, and declining investigative quality. The literature therefore suggests that the detective crisis should be viewed not merely as a recruitment challenge but as a workforce sustainability crisis involving retention, succession planning, and institutional knowledge preservation.

Theme 2: Caseload Pressure and Investigative Quality

A recurring theme in the literature is the relationship between detective workload and investigative quality. Effective criminal investigation is both labour-intensive and time-sensitive. Detectives must collect evidence, process crime scenes, interview witnesses, locate suspects, consult prosecutors, follow forensic leads, and prepare comprehensive dockets. When caseloads exceed manageable levels, investigative quality inevitably declines.

Recent findings illustrate the scale of the challenge. Auditor-General findings reported by *Daily Maverick* (2026) indicate that some detectives manage between 600 and 800 active dockets, while the Institute for Security Studies (ISS) reported typical caseloads exceeding 200 active investigations per detective in some policing environments (ISS, 2025). Such figures far exceed international norms for effective case management.

The practical consequences are substantial. A detective responsible for 600 active cases cannot realistically revisit crime scenes, maintain regular witness communication, track forensic evidence, and ensure procedural compliance in every investigation. For example, a robbery victim may wait months for follow-up communication because the assigned detective is simultaneously responsible for hundreds of other cases. Witnesses become unavailable, evidence degrades, suspects disappear, and prosecutors receive incomplete case files. Research in policing literature indicates that excessive caseloads increase the likelihood of procedural errors, incomplete investigations, and poor-quality statements, all of which negatively affect prosecution outcomes (Cordner, 2019).

These findings suggest that improving investigative outcomes will require more than additional legal assistance. Sustainable improvements will depend on addressing workload pressures and increasing the practical capacity available to detectives.

Theme 3: Outcomes and the Conviction Paradox

One of the most debated issues in South African policing is the apparent contradiction between detection rates and conviction rates. According to the Institute for Security Studies, the reported murder detection rate in South Africa is approximately 11% (ISS, 2025). At the same time, the National Prosecuting Authority has frequently highlighted a murder conviction rate approaching 74%. However, commentators have argued that this figure only reflects cases that successfully reach court and proceed to verdict, rather than all murders reported to the police (AT News, 2026).

This creates what may be described as a conviction paradox. While prosecutors may secure high conviction rates among cases that proceed to trial, substantial losses may occur long before cases reach court. Poor investigations, insufficient evidence, procedural errors, witness failures, and withdrawn charges prevent thousands of cases from advancing through the criminal justice process.

The Cape Town Municipality provides a practical example of this challenge. Reports indicate that approximately 450 illegal firearms are seized annually, yet only about 5% of related cases result in convictions (Nova News, 2025). Municipal officials have attributed this outcome to weak investigations, incomplete dockets, and systemic resource constraints. In practical terms, this means that potentially dangerous offenders may avoid successful prosecution despite the recovery of firearms and evidence.

The literature therefore suggests that criminal justice performance should be measured not only by conviction rates among completed court cases but also by the proportion of reported cases that ultimately result in successful prosecution. This perspective shifts attention toward investigative effectiveness as a critical determinant of justice outcomes.

Theme 4: Specialist Task Teams as Stopgap Solutions

Governments facing investigative capacity challenges often establish specialist units to address priority crimes. South Africa's experience with the KwaZulu-Natal Political Killings Task Team demonstrates both the strengths and limitations of this strategy. According to the Institute for Security Studies (2025), the unit secured 106 convictions from 296 finalised cases, representing a conviction rate of approximately 35%. These outcomes suggest that concentrated expertise, dedicated resources, and specialised investigative support can generate substantial results.

However, these gains have come at a considerable cost. Reports indicate that the unit consumed approximately R435 million between 2018 and late 2025 (TimesLive, 2026). Moreover, ISS researchers have described specialist task teams as temporary or stopgap measures rather than sustainable long-term solutions, arguing that many such structures require additional personnel and resources merely to maintain existing performance levels.

A practical lesson emerges from this example. While specialist units can improve outcomes in targeted crime categories, their success often depends on concentrated expertise unavailable to ordinary police stations. The challenge is therefore how to transfer such expertise into everyday policing environments. The proposed hybrid model seeks to address this challenge by embedding expertise directly within police stations through lawyers and retired

detective mentors rather than relying exclusively on expensive centralised structures.

Theme 5: Collaboration Between SAPS and the National Prosecuting Authority

Increasingly, researchers and practitioners argue that successful prosecutions depend on collaboration between investigators and prosecutors from the earliest stages of a case. Traditionally, SAPS and the NPA have operated within separate institutional frameworks, with prosecutors becoming involved only after the investigative phase has progressed substantially. This can result in evidentiary gaps being identified too late to correct effectively.

Recent efforts indicate movement towards greater cooperation. SAPS reported preparing approximately 789 trial-ready serious-corruption dockets through enhanced collaboration with the National Prosecuting Authority (Protection Web, 2025). Such initiatives demonstrate the value of early prosecutorial guidance regarding evidentiary requirements, witness preparation, and legal strategy.

A practical example would involve a prosecutor reviewing a murder investigation before arrest decisions are finalised. Early guidance may identify missing witness statements, forensic requirements, or evidentiary weaknesses, allowing detectives to strengthen the case before prosecution begins. AT News (2026) similarly argues for the concept of shared ownership of dockets, where investigators and prosecutors jointly assume responsibility for case quality from the point of reporting through to final verdict.

The literature therefore suggests that stronger SAPS-NPA collaboration may significantly improve prosecution readiness, reduce returned dockets, and increase successful court outcomes.

Theme 6: Knowledge Transfer and Mentorship

A central theme emerging from organisational and policing literature is the importance of knowledge transfer. Detective work involves a combination of formal knowledge and practical experience accumulated over many years of service. Skills such as interviewing reluctant witnesses, recognising deceptive behaviour, identifying investigative opportunities, and anticipating defence strategies are difficult to teach through formal training alone.

Social Learning Theory suggests that people learn by observing and interacting with experienced practitioners (Bandura, 1977). Similarly, Lave and Wenger (1991) argue that expertise develops through participation in communities of practice where novices learn alongside experts. Nonaka and Takeuchi (1995) further distinguish between explicit knowledge, which can be documented and taught formally, and tacit knowledge, which is developed through experience and transferred through interaction.

A practical example is a newly appointed detective investigating a murder case. A training manual may explain interviewing procedures, but an experienced detective can demonstrate how to identify inconsistencies in witness accounts, establish rapport, detect deception, and prioritise investigative leads. These practical insights often determine whether a case succeeds or fails.

The loss of experienced detectives through retirement therefore represents more than personnel turnover. It represents the loss of accumulated institutional expertise. Retired detectives can play a critical role in preserving this knowledge by mentoring younger investigators, reviewing complex dockets, and assisting with investigative planning. The literature strongly supports mentorship as one of the most effective mechanisms for sustaining organisational capability over time.

Theme 7: The Cost of Investing Versus the Cost of Failure

Public-sector reform discussions often focus on the cost of interventions, yet the literature increasingly highlights the cost of inaction. Employing lawyers, contracting retired detectives, providing specialist training, and implementing mentorship programmes require financial investment. However, failure within the criminal justice system also carries substantial costs.

The scale of existing costs is evident in available data. The NPA has reportedly returned more than 1.8 million dockets to SAPS since 2018 for further investigation (The Citizen, 2024). More than 5.4 million dockets have reportedly been closed without resolution because investigators lacked sufficient evidence or leads (Daily Investor, 2024). Furthermore, the reported 5% conviction rate on firearm-related cases in Cape Town demonstrates how weak investigations can undermine justice outcomes despite substantial law-enforcement efforts (Nova News, 2025).

The costs are not merely financial. Every failed investigation may leave an offender at liberty, expose communities to further victimisation, increase court backlogs, and erode public trust. A murder case withdrawn because of missing evidence or a robbery case struck from the roll because statements were inadequately taken represents a cost that extends far beyond the resources spent on the investigation itself.

The KwaZulu-Natal Political Killings Task Team demonstrates that governments are already spending substantial resources to compensate for weaknesses in investigative capacity. If approximately R435 million can be invested in a single specialist unit (TimesLive, 2026), then the question becomes whether a proactive investment in detective development, mentorship, and docket quality may offer better long-term value.

Consequently, the policy debate should not focus solely on whether SAPS can afford to employ lawyers or retired detective mentors. Rather, the more important question is:

Can SAPS afford not to invest in strengthening the investigative pipeline when the costs of investigative failure are already measured in millions of unresolved cases, failed prosecutions, diminished public trust, and lost opportunities for justice?

This question lies at the centre of the present study and provides the rationale for exploring sustainable, capacity-building alternatives to recurring crisis-management interventions.

Research Design and Methodology

The study uses a mixed-methods, quasi-experimental design: a controlled station-level pilot measured with docket and prosecution data, interpreted through interviews and focus groups.

Hypotheses

- **H1:** Stations with embedded lawyers show higher docket-quality scores and fewer dockets returned by the NPA than comparison stations.
- **H2:** Stations with both a lawyer and a retired-detective mentor show larger and more durable gains than lawyer-only stations.
- **H3:** After the lawyer's placement ends, hybrid stations retain their gains, while lawyer-only stations decline.

Pilot structure (Western Cape, 12 stations, 18 months)

Arm	Stations	Intervention
A: Lawyer only	4	Embedded lawyer supporting statements, evidence management and docket preparation
B: Hybrid	4	Embedded lawyer plus fixed-term retired detective mentoring a paired junior detective
C: Comparison	4	Usual practice

Stations should be matched on crime profile, detective vacancy rate and caseload before allocation. In months 13 to 18 the lawyers in Arms A and B withdraw, so that sustainability (H3) can be observed.

Quantitative data (collected 12 months before the pilot as a baseline, then monthly): a docket-quality score from a standard checklist (statements, chain of custody, forensic requests, prosecutor sign-off), the rate of dockets returned by the NPA for further investigation, cases withdrawn or struck off the roll, time to enrolment, and convictions as a share of cases reported, not only of cases reaching court. A target sample of about 60 dockets per station per period (about 720 per period) is proposed, subject to a power calculation.

Qualitative data: semi-structured interviews with 15 purposive respondents (6 serving detectives, 3 retired detectives, 3 prosecutors, 2 station commanders, 1 legal practitioner), and focus groups with mentees at the end of each phase.

Analysis: difference-in-differences and regression models comparing arms over time; reflexive thematic analysis of interviews (Braun and Clarke, 2006); and a cost-effectiveness comparison of the three arms, including the cost of returned and collapsed dockets.

ETHICAL CONSIDERATIONS

Ethical compliance is fundamental to ensuring the integrity, credibility, and legitimacy of this study. Prior to the commencement of any data collection, ethical clearance will be obtained from a recognised university research ethics committee, while formal permission will be sought from both the South African Police Service (SAPS) and the National Prosecuting Authority (NPA) through their respective research approval processes. The study will adhere strictly to the provisions of the Protection of Personal Information Act 4 of 2013 (POPIA), which requires the lawful collection, processing, storage, and protection of personal information. In practice, all docket information used for research purposes will be anonymised, victim and suspect identifiers will be removed from research datasets, and all electronic and physical records will be securely stored to prevent unauthorised access. Furthermore, participation in interviews and focus groups will be voluntary, and informed consent will be obtained from all participants. Participants will be informed of their right to withdraw from the study at any stage without penalty, and findings will be reported in aggregate form to protect serving officers from potential victimisation, disciplinary consequences, or professional reprisals.

Given the study's proposal to utilise retired detectives as mentors, additional safeguards will be implemented to ensure professional integrity and objectivity. All retired mentors will undergo appropriate vetting processes, and potential conflicts of interest will be identified and managed throughout the study. Particular care will be taken to ensure that neither researchers nor retired mentors interfere with active investigations, prosecutorial decisions, or operational policing activities. These measures are consistent with internationally recognised principles of research ethics, including the principles of respect for persons, beneficence, and justice outlined in the Belmont Report (National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research, 1979), as well as the ethical standards for social science research advanced by Israel and Hay (2006). By upholding these ethical principles, the study seeks to protect participants, preserve the integrity of criminal justice processes, and ensure that the research contributes responsibly to knowledge, policy development, and the strengthening of investigative capacity within SAPS.

Expected Outcomes and Performance Indicators

Indicator	Measure	Proposed target (set against baseline)
Docket quality	Checklist score	Hybrid arm exceeds comparison arm
Dockets returned by the NPA	Share of dockets returned for further investigation	Lower in Arms A and B than in comparison
Collapsed cases	Share of cases withdrawn or struck off for investigative gaps	Lower in the hybrid arm
Conviction rate	Convictions as a share of cases reported	Higher in the hybrid arm, with caution given the short period
Sustainability	Docket-quality score 6 months after lawyer withdrawal	Hybrid gains retained
Cost-effectiveness	Cost per successfully prosecuted case	Hybrid at or below lawyer-only

The main deliverables are a validated docket-quality checklist, a costed hybrid model, a mentor-training curriculum and a policy brief for SAPS and the NPA.

KEY TAKEAWAY

The central message emerging from this study is both simple and compelling: lawyers fix dockets, but mentors build detectives, and SAPS requires both if it is to achieve sustainable improvements in investigative performance and criminal justice outcomes. While the placement of legal practitioners within police stations may strengthen statement-taking, improve compliance with evidentiary requirements, and enhance the quality of dockets presented to prosecutors, such interventions primarily address immediate procedural deficiencies. They do not necessarily resolve the underlying challenge of declining investigative expertise within SAPS. Sustainable reform requires a deliberate strategy for transferring practical investigative knowledge to a new generation of detectives

A time-limited legal intervention should therefore be designed from its inception as a capacity-building initiative rather than merely a docket-improvement programme. Retired detectives, engaged on fixed-term mentorship contracts, can serve as a vital bridge between generations of investigators by transferring decades of tacit knowledge in interviewing, crime-scene management, evidence gathering, suspect tracing, and case preparation. This approach aligns with Social Learning Theory (Bandura, 1977), which emphasises learning through observation and mentorship, Situated Learning Theory (Lave & Wenger, 1991), which highlights learning through participation in real-world practice, and Knowledge Creation Theory (Nonaka & Takeuchi, 1995), which stresses the importance of preserving and transferring tacit organisational knowledge before it is lost.

The study therefore argues that SAPS should not view embedded lawyers and retired detectives as separate interventions, but rather as complementary components of a broader institutional-capacity strategy. Lawyers contribute explicit legal knowledge needed to produce court-ready dockets, while experienced investigators transfer the practical skills and investigative judgment required for long-term professional competence. The ultimate goal is not simply to improve today's cases, but to ensure that every intervention leaves a legacy of stronger detectives, better investigations, higher-quality dockets, improved conviction outcomes, and enhanced public confidence in the criminal justice system. In essence, the future of effective policing lies not in repeatedly repairing weak investigations, but in building investigators who can consistently produce strong investigations independently. As such, the challenge for SAPS is not merely to fix the docket, but to build the detective behind the docket.

The Stronger Model: Lawyer + Experienced Investigator + Young Detective

Role	Contribution	Outcome
Lawyer	Legal guidance on statements, evidence and procedure	Dockets that meet legal requirements
Experienced investigator (retired, fixed-term)	Practical knowledge from decades of real cases	Tacit expertise passed on
Young detective	Learns by working live cases alongside both	Skills to eventually work independently

The Stronger Model: Lawyer, Experienced Investigator, and Young Detective

The proposed Lawyer-Experienced Investigator-Young Detective Model is designed to transform a temporary intervention into a sustainable capacity-building strategy within the South African Police Service (SAPS). Rather than focusing solely on improving individual dockets, the model seeks to develop long-term investigative competence by combining legal expertise with practical mentorship and skills transfer. Embedded lawyers contribute specialised legal knowledge relating to evidence, criminal procedure, and docket preparation, while experienced retired detectives transfer the tacit investigative skills that are often acquired only through years of operational experience. Young detectives, in turn, learn by actively participating in investigations and receiving continuous guidance from both legal and investigative experts. Together, these complementary roles create a mechanism through which immediate improvements in docket quality can be translated into enduring institutional capacity.

A critical component of the model is the utilisation of retired detectives as knowledge-transfer agents and mentors. These experienced investigators represent a valuable but underutilised resource within the criminal justice system. Drawing on decades of investigative experience, retired detectives can serve as field mentors to younger investigators by providing practical guidance on witness interviewing, suspect handling, crime-scene management, evidence gathering, and case-building strategies. Such mentorship is consistent with Social Learning Theory, which argues that professional competence develops through observation, practice, and interaction with experienced role models (Bandura, 1977). Through daily engagement with junior detectives, retired investigators can help bridge the gap between formal training and practical investigative realities.

Beyond mentorship, retired detectives can play an important role in assisting with cold-case investigations. Many unresolved cases remain dormant not because evidence is entirely absent, but because fresh perspectives and experienced investigative judgment are lacking. Retired investigators, having managed complex cases throughout their careers, may be able to identify overlooked evidence, re-evaluate witness statements, identify new investigative leads, and apply alternative investigative strategies. Their involvement could potentially contribute to the reopening and successful resolution of cases that have remained unresolved for years, thereby strengthening public confidence in the criminal justice system.

Retired detectives can also contribute significantly to advanced investigative training and professional development. While formal detective training provides foundational knowledge, much of the expertise required for successful investigations is developed

through experience. Structured workshops, practical case studies, simulation exercises, and station-level training sessions facilitated by experienced investigators can enhance the capabilities of junior detectives and reduce their reliance on trial-and-error learning. Such initiatives align with the principles of Situated Learning and Communities of Practice, which emphasise that expertise is best developed through participation in real-world professional environments (Lave & Wenger, 1991).

A further function of retired investigators would be the review of problematic dockets and stalled investigations. Working in collaboration with embedded legal practitioners, retired detectives can assess complex cases before they reach court, identify evidentiary weaknesses, detect procedural shortcomings, and recommend corrective action. This proactive review process can improve the quality of investigations, reduce the number of dockets returned by prosecutors, and minimise the risk of cases being withdrawn or struck off the court roll because of avoidable investigative errors. The collaboration between legal and investigative expertise creates a quality-assurance mechanism that benefits both SAPS and the National Prosecuting Authority (NPA).

Perhaps most importantly, retired detectives can teach what may be described as investigative thinking. Effective detectives do more than follow procedures; they develop the ability to analyse information critically, identify patterns, anticipate suspect behaviour, assess investigative risks, and make informed decisions under pressure. These cognitive and analytical skills are often tacit in nature and difficult to capture in training manuals. According to Nonaka and Takeuchi (1995), organisations must find ways to convert such tacit knowledge into shared organisational knowledge if they are to preserve expertise and maintain performance. By documenting lessons learned, sharing investigative experiences, and assisting in the development of practical skills-transfer programmes, retired detectives can help ensure that decades of accumulated expertise are not lost when experienced investigators retire.

Ultimately, the integration of lawyers, experienced investigators, and young detectives offers SAPS an opportunity to move beyond short-term problem-solving toward long-term organisational renewal. The model recognises that stronger dockets are important, but that sustainable improvements in criminal investigations depend on developing the people responsible for producing those dockets. By combining legal support with structured mentorship and knowledge transfer, SAPS can strengthen investigative performance, preserve institutional memory, improve prosecution outcomes, and build a new generation of detectives capable of sustaining excellence well into the future.

Key Findings from 15 Respondents

Sample (n = 15): 6 serving detectives, 3 retired detectives, 3 prosecutors, 2 station commanders, 1 legal practitioner, Western Cape.

#	Finding (illustrative placeholder)	Respondents (of 15)
1	Docket failure is driven mainly by poor statements and evidence handling	13
2	Caseloads are too high to allow thorough investigation	14
3	Junior detectives lack practical field mentoring	12
4	Embedded lawyers would improve docket quality in the short term	13
5	Benefits would fade if lawyers are temporary	11
6	Retired detectives are a valuable, underused resource	14
7	Fixed-term mentor contracts would be acceptable to retirees	10
8	Prosecutors often return dockets for basic gaps	12
9	Evidence and forensic delays weaken cases	13
10	Station-level supervision is inconsistent	11
11	Younger detectives would welcome mentoring	12
12	Clear mentor-mentee roles are needed to prevent friction	9
13	Tracking docket outcomes would improve accountability	13
14	Combined legal and mentor model preferred over lawyers alone	12
15	Cost would be justified by fewer collapsed cases	10

DISCUSSION OF FINDINGS

Summary of key findings. Respondents identify weak statements and evidence handling (13 of 15) and unmanageable caseloads (14 of 15) as the main causes of docket failure. They see retired detectives as an underused resource (14 of 15), expect short-term gains from embedded lawyers (13 of 15), and doubt that those gains will last without skills transfer (11 of 15). A combined model is preferred by 12 of 15.

Docket failure is a skills and capacity problem. If confirmed by real data, the emphasis on statements and evidence handling matches the Khayelitsha Commission's findings on poor docket management (O'Regan and Pikoli, 2014) and the large number of dockets the NPA has sent back to SAPS (The Citizen, 2024). The caseload finding is consistent with the Auditor-General's report of

some detectives holding 600 to 800 dockets (Daily Maverick, 2026). Better paperwork alone cannot overcome that workload.

Temporary support risks fading. The doubt that lawyer-only gains will last supports the central argument of the study. Social learning theory (Bandura, 1977) and situated learning (Lave and Wenger, 1991) predict that skills are retained when learners practise alongside experts on real cases, not when external experts complete the work for them.

Retired detectives supply tacit knowledge. Nonaka and Takeuchi (1995) distinguish tacit from explicit knowledge. Lawyers supply explicit legal knowledge. Retired investigators carry tacit knowledge of how to interview, read a scene and anticipate defence challenges, which is lost on retirement unless it is deliberately transferred.

Comparison with specialist units. The KwaZulu-Natal Political Killings Task Team shows that concentrated expertise can secure convictions, but at a cost of R435 million and with the label of a stopgap (ISS, 2025; TimesLive, 2026). A station-level mentor model aims for similar quality at lower cost by building capacity inside ordinary stations.

Implications and cautions. The findings point to a hybrid design with clear mentor-mentee roles (flagged by 9 of 15) and tracking of docket outcomes (13 of 15). Because of the small sample and the use of media-reported statistics, the conclusions should be treated as hypotheses for the pilot to test, not as proof.

ENHANCED PRACTICAL RECOMMENDATIONS

The findings of this study point towards the need for a comprehensive strategy aimed at strengthening investigative capacity, improving prosecution outcomes, preserving institutional knowledge, and restoring public confidence in the criminal justice system. The following recommendations are directed towards SAPS, the justice sector, policymakers, and communities.

Recommendations for SAPS

Establish a National Retired Detective Mentorship Programme

SAPS should establish a formal Retired Detective Mentorship Programme that recruits experienced retired investigators on fixed-term contracts to mentor detectives with five years of service or less. Priority should be given to stations experiencing severe detective shortages, high turnover rates, and poor prosecution outcomes. Mentors should be paired with junior detectives for a minimum of 12 to 24 months, with performance measured through improvements in docket quality, case progression, and conviction outcomes. This programme would allow SAPS to retain institutional memory while accelerating the development of investigative competence.

Institutionalise the Lawyer-Experienced Investigator-Young Detective Model

The proposed hybrid model should be adopted as a structured capacity-building intervention rather than a temporary support mechanism. Every police station participating in the programme should have access to embedded legal support, experienced investigative mentors, and junior detective trainees. This model ensures that legal knowledge and investigative expertise are transferred simultaneously, producing sustainable improvements in detective performance.

Implement Mandatory Docket Quality Assurance Reviews

SAPS should introduce a national quality-assurance system whereby complex and priority-crime dockets are reviewed before submission to prosecutors. Reviews should be conducted jointly by experienced detectives, legal practitioners, and supervisors to identify weaknesses related to evidence, witness statements, forensic requests, chain of custody, and procedural compliance. Early intervention can reduce the number of dockets returned by the NPA and prevent avoidable case failures.

Introduce Caseload Management Standards

Detectives cannot deliver quality investigations while carrying excessive workloads. SAPS should establish evidence-based caseload thresholds and introduce workload-monitoring systems to identify stations where detectives are overloaded. Resources and personnel should then be redistributed accordingly. Special consideration should be given to detective units investigating murder, organised crime, gender-based violence, corruption, and commercial crimes, where investigations are particularly complex and time intensive.

Develop a National Investigative Knowledge Repository

A central digital repository should be created where experienced investigators document best practices, lessons learnt, common investigative mistakes, successful case studies, interview techniques, crime-scene management approaches, and prosecutorial recommendations. This knowledge base should be accessible to all detectives and integrated into detective training programmes.

Strengthen Detective Leadership and Supervision

Effective mentorship must be accompanied by strong leadership. SAPS should provide specialised supervisory training for detectives at sergeant, warrant officer, and commissioned ranks, focusing on case oversight, coaching, professional accountability, ethical leadership, and investigative performance management.

Recommendations for the Justice System (SAPS, NPA and Courts)

Establish Joint SAPS-NPA Docket Ownership

Serious and violent crime dockets should be jointly managed by SAPS investigators and prosecutors from the earliest stages of investigation. Early prosecutorial involvement can assist detectives in identifying evidentiary requirements before cases are enrolled, reducing delays, withdrawal rates, and prosecutorial returns.

Create Provincial Investigation-Prosecution Review Panels

Provincial review panels comprising senior detectives, prosecutors, forensic experts, and legal practitioners should analyse collapsed cases, acquittals, and returned dockets. Lessons learned should inform detective training, prosecution strategies, and policy reforms.

Develop a National Court-Ready Docket Framework

A standardised court-ready docket checklist should be implemented nationally. This checklist should include minimum standards for witness statements, forensic evidence, expert reports, crime-scene documentation, chain-of-custody compliance, and prosecutor sign-off requirements before court enrolment.

Improve Performance Measurement Across the Criminal Justice Pipeline

Government should move beyond measuring conviction rates only among cases reaching trial. Performance reporting should include:

- Docket return rates.
- Detection rates.
- Case-withdrawal rates.
- Cases struck off the roll.
- Convictions as a percentage of reported crimes.
- Time taken from case registration to finalisation.

Such measures will provide a more realistic assessment of criminal justice effectiveness.

Expand Forensic and Investigative Support Services

Improved detective performance must be supported by efficient forensic services. Investment in forensic laboratories, digital evidence analysis, DNA processing capacity, and cybercrime investigation support is essential if stronger investigations are to translate into stronger prosecutions.

Recommendations for Communities and Victims

Establish Community-Based Justice Support Forums

Community Policing Forums (CPFs), civil society organisations, and victim-support structures should work more closely with detectives to improve witness cooperation, victim support, and community trust. Many investigations fail because witnesses become unwilling to participate or lose confidence in the process.

Strengthen Witness Support and Protection Mechanisms

Victims and witnesses should receive regular feedback regarding investigation progress. Dedicated witness liaison officers should be appointed in high-crime precincts to improve communication, protect vulnerable witnesses, and reduce witness attrition.

Improve Transparency and Community Accountability

Police stations should publish annual detective performance indicators, including docket-return rates, average caseloads, conviction outcomes, and detective vacancy rates. Increased transparency can strengthen accountability and improve public confidence in policing institutions.

Build Community Confidence Through Visible Successes

SAPS should publicise successful investigations, conviction outcomes, and mentorship successes to demonstrate organisational improvement and restore public trust. Communities are more likely to cooperate with police when they believe investigations lead to meaningful results.

RECOMMENDATIONS FOR GOVERNMENT AND POLICYMAKERS

Develop a National Detective Capacity Recovery Strategy

Government should introduce a long-term Detective Capacity Recovery Strategy aimed at reducing vacancies, strengthening recruitment, improving retention, and preserving investigative expertise. Such a strategy should include succession planning, mentorship frameworks, and specialised detective career paths.

Create Incentives for Detective Retention

Retention allowances, specialist career progression opportunities, recognition programmes, and flexible post-retirement mentorship contracts should be introduced to reduce the loss of experienced investigators.

Fund Evidence-Based Pilot Projects

Before national implementation, the proposed Lawyer-Experienced Investigator-Young Detective Model should be piloted in selected high-crime precincts in the Western Cape and other provinces. Results should be rigorously evaluated using measurable indicators such as docket quality, conviction rates, prosecutor-return rates, and cost-effectiveness.

Introduce a National Investigative Excellence Framework

A formal framework should be developed to define standards for investigative competence, mentoring, supervision, knowledge retention, professional development, and detective performance measurement across SAPS.

Treat Investigative Capacity as a National Security Priority

Weak investigations do not only affect policing; they influence public safety, economic stability, investor confidence, anti-corruption efforts, and citizen trust in government institutions. Strengthening detective capacity should therefore be recognised as a strategic national priority requiring sustained political, financial, and institutional commitment.

GOVERNMENT RECOMMENDATIONS

The South African Government should develop and implement a National Detective Capacity Recovery Strategy aimed at rebuilding investigative capability across SAPS over the next five to ten years. The strategy should address detective shortages, succession planning, recruitment, retention, mentorship, specialised training, and knowledge management. Given the national shortfall of more than 8,500 detectives and increasing attrition rates, detective capacity should be treated as a strategic national asset rather than simply a human resource concern. The strategy should establish measurable targets for detective recruitment, competency development, vacancy reduction, and conviction improvements.

Recognise Investigative Capacity as a National Security Priority

Government should formally recognise detective capacity as a critical component of national security, economic development, and public governance. Weak investigations undermine crime prevention, anti-corruption efforts, investor confidence, gender-based violence interventions, and public trust in the state. Just as resources are allocated to intelligence, border security, and national defence, sufficient investment should be directed toward strengthening investigative capability within the criminal justice system.

Establish a National Detective Knowledge Preservation Programme

The Department of Police, in partnership with SAPS and the Civilian Secretariat for Police Service, should establish a National Detective Knowledge Preservation Programme. This programme should identify experienced detectives approaching retirement and create mechanisms to capture their expertise through mentorship, case studies, training manuals, digital repositories, and structured knowledge-transfer initiatives. Without such interventions, decades

of investigative experience will continue to leave SAPS annually with little or no institutional retention.

Introduce Post-Retirement Specialist Contracts

Government should create legislative and policy mechanisms that allow retired detectives with specialised expertise to be re-employed on fixed-term contracts as mentors, trainers, investigators, and quality-assurance specialists. Similar models have been successfully utilised in other public-sector environments where scarce skills need to be retained. Such contracts would be significantly more cost-effective than repeatedly recruiting and training new personnel while simultaneously preserving valuable institutional memory.

Establish a Dedicated Detective Development Fund

The National Treasury should establish a dedicated Detective Development and Investigative Excellence Fund to support mentorship programmes, advanced detective training, forensic support systems, digital investigative tools, and pilot projects aimed at improving investigative performance. Investment in investigative capability should be viewed as an investment in safer communities, stronger justice outcomes, and reduced future criminal justice costs.

Strengthen Oversight and Accountability Mechanisms

Parliament, the Civilian Secretariat for Police Service, the Independent Police Investigative Directorate (IPID), and Portfolio Committees should strengthen oversight of detective services by introducing performance measures focused on:

- Docket quality.
- Docket return rates.
- Conviction rates relative to crimes reported.
- Detective vacancy rates.
- Caseload management.
- Investigative turnaround times.

Oversight should move beyond measuring activities and focus on actual criminal justice outcomes.

Modernise Detectives Through Technology and Innovation

Government should accelerate investment in technology that improves investigative effectiveness. This includes:

- Digital docket management systems.
- Artificial intelligence-assisted case analysis.
- Integrated criminal justice databases.
- Automated evidence-tracking systems.
- Digital chain-of-custody management.
- Advanced crime intelligence tools.
- Mobile investigative platforms for detectives.

Modern policing increasingly depends on technology-driven investigations. Detectives should be equipped with tools that improve efficiency and reduce administrative burdens.

Integrate SAPS, NPA and Justice Sector Planning

Government should establish a permanent interdepartmental investigative performance forum involving SAPS, the National Prosecuting Authority, the Department of Justice and Constitutional Development, forensic services, and the judiciary. This body should focus on:

- Reducing case attrition.
- Improving docket quality.
- Monitoring prosecution outcomes.
- Addressing systemic bottlenecks.
- Aligning performance indicators across institutions.

Criminal justice outcomes should be viewed as a shared responsibility rather than the sole responsibility of SAPS or the NPA.

Introduce a National Investigative Excellence Framework

Government should develop a formal Investigative Excellence Framework that establishes national standards for:

- Detective competency.
- Continuous professional development.
- Supervisory responsibilities.
- Mentorship requirements.
- Knowledge management.
- Docket preparation.
- Investigative ethics.
- Performance evaluation.

Such a framework would provide consistency across provinces and police stations while promoting a culture of professionalism and excellence.

Prioritise Investment in High-Crime Communities

Government should prioritise the deployment of experienced detectives, mentors, prosecutors, forensic specialists, and embedded legal practitioners to high-crime areas where investigative shortcomings have the greatest social impact. Provinces and precincts experiencing high levels of murder, organised crime, gang violence, corruption, and gender-based violence should be prioritised for pilot projects and additional resources.

Create a National Victim-Centred Investigation Policy

Government should adopt policies that place victims at the centre of investigative processes. Performance should not only be measured by arrests and convictions, but also by:

- Victim satisfaction.
- Timeliness of investigations.
- Communication with victims.
- Case progression.
- Access to justice.

A victim-centred approach can improve public trust and encourage greater community cooperation with investigators.

Commission a National Study on Detective Attrition and Skills Loss

Given the significant disparities in reported detective numbers and vacancy statistics, Government should commission a comprehensive national study examining:

- Detective attrition trends.
- Retirement patterns.
- Skills shortages.
- Capacity gaps.
- Knowledge loss.
- Recruitment challenges.
- Retention strategies.

Evidence-based policy reforms require accurate and reliable workforce data.

Strategic Government Recommendation

The most important recommendation for Government is to shift from a reactive crime-response model to a proactive capacity-building model. Rather than repeatedly investing in temporary task teams, emergency interventions, and crisis management initiatives, Government should invest in the long-term development of investigative excellence. The future effectiveness of South Africa's criminal justice system depends not only on increasing the number of detectives, but on preserving expertise, strengthening investigative competence, institutionalising mentorship, and ensuring that every generation of detectives leaves the organisation stronger than the one before it. In this regard, detective capacity should be viewed not as an operational issue, but as a strategic national development priority essential for justice, public safety, governance, and public trust.

LIMITATIONS OF THE STUDY

While this study seeks to provide a practical and evidence-based framework for strengthening investigative capacity within the South African Police Service (SAPS), several limitations should be acknowledged. Firstly, the study relies on a relatively small purposive sample of 15 participants, comprising serving detectives, retired detectives, prosecutors, station commanders, and legal practitioners. Although this sample is appropriate for generating rich qualitative insights, it limits the generalisability of the findings to the broader SAPS environment. The views and experiences of participants may not fully reflect conditions across all provinces, police stations, or specialised investigative units.

Secondly, several of the statistical indicators used in the study are derived from parliamentary responses reported through media sources rather than directly from primary SAPS or National Prosecuting Authority (NPA) datasets. Furthermore, workforce and detective-capacity figures vary between sources, creating challenges for data consistency and interpretation. Although such information provides valuable contextual insight, future studies should seek to verify these statistics through official departmental records and independent oversight reports to strengthen reliability and validity.

A further limitation is the study's geographical focus on the Western Cape. While the province provides a useful setting because of its documented detective shortages, vacancy rates, and crime challenges, conditions in the Western Cape may differ significantly from those in provinces such as Gauteng, KwaZulu-Natal, Limpopo, or the Eastern Cape. Consequently, the findings should not automatically be assumed to represent circumstances throughout South Africa without further comparative research.

The proposed use of retired detectives as mentors also presents practical limitations. Not all retired investigators may be willing, available, or physically capable of participating in mentorship programmes. In addition, retired detectives would require appropriate vetting, performance monitoring, and conflict-of-interest management to ensure that they continue to uphold professional standards and do not compromise ongoing investigations. The success of the proposed model is therefore partly dependent on the availability and suitability of experienced retirees willing to contribute to capacity-building initiatives.

Another limitation relates to measuring the direct impact of the intervention on conviction rates. Convictions are influenced by numerous factors beyond detective performance, including prosecutorial decisions, witness cooperation, forensic turnaround times, judicial processes, and court capacity. Consequently, establishing a direct causal relationship between embedded legal support, detective mentorship, and conviction outcomes would require a longer-term, controlled pilot study capable of isolating these variables more effectively.

Finally, the study relies in part on self-reported perceptions and experiences obtained through interviews and focus groups. Such data may be influenced by personal bias, organisational culture, selective recall, or concerns regarding professional reputation. Serving police officials, in particular, may underreport organisational weaknesses or overstate challenges due to concerns about accountability and institutional image. Although steps can be taken to ensure anonymity and encourage candid participation, self-reported data inherently carries a degree of subjectivity.

Despite these limitations, the study provides an important foundation for exploring innovative approaches to investigative capacity development, knowledge retention, and organisational learning within SAPS. The findings should therefore be viewed as a basis for further empirical testing through larger-scale, longitudinal, and multi-provincial research aimed at validating and refining the proposed Lawyer-Experienced Investigator-Young Detective Model.

IMPACT OF THE STUDY ON POLICE, JUSTICE, DETECTIVES AND CONVICTION RATES

Area	Expected impact
Police (SAPS)	Retention of institutional memory; lower attrition-related knowledge loss; stronger station-level supervision
Justice system	Fewer dockets referred back (over 1.8 million since 2018) and fewer collapsed prosecutions
Detectives	Practical mentoring, confidence, career development and manageable caseloads
Conviction rates	Better statements and evidence management should increase the proportion of reported cases that reach a successful verdict, to be measured through the pilot
Public trust	Visible, measurable improvement for victims and communities

OVERALL IMPACT OF THE STUDY

Horizon	Expected impact
Short term (0 to 2 years)	Better-prepared dockets in pilot stations, fewer dockets returned by the NPA, and a validated docket-quality checklist.
Medium term (2 to 5 years)	Junior detectives working independently, higher conviction rates as a share of cases reported, and a costed model SAPS can scale to other provinces
Long term (5 years and beyond)	A standing culture of mentorship and knowledge capture in SAPS, lower dependence on temporary interventions, and stronger public trust in policing and the justice system

The overall impact is a shift from fixing individual dockets to building detectives, so that each intervention leaves lasting institutional capacity.

CO-IMPACT OF THE STUDY (WIDER CO-BENEFITS)

Beyond its direct contribution to improving investigative capacity and conviction outcomes, this study has the potential to generate a range of wider benefits across the criminal justice system and society. For retired detectives, the proposed mentorship model offers meaningful opportunities for continued public service through fixed-term contracts that recognise and utilise their extensive professional experience. Rather than allowing decades of investigative expertise to leave the organisation upon retirement, the model creates a mechanism for preserving institutional knowledge while providing retirees with an opportunity to remain professionally engaged and contribute to the development of the next generation of investigators.

The study also has important implications for the National Prosecuting Authority (NPA) and the courts. By improving docket quality, strengthening investigations, and ensuring that evidentiary requirements are addressed early in the investigative process, the proposed model could reduce the number of dockets returned for further investigation, minimise delays in case finalisation, and decrease the number of cases withdrawn or struck off the court roll because of investigative shortcomings. This would improve the efficiency of the criminal justice system, reduce wasted court time, and allow prosecutors to focus on trial preparation rather than addressing avoidable deficiencies in police investigations.

For the legal profession, the intervention provides a structured mechanism through which legal practitioners can contribute to public-interest work while simultaneously gaining a deeper understanding of the practical realities of criminal investigations. Embedded lawyers would not only assist with improving the legal quality of dockets but would also benefit from closer collaboration with investigators, prosecutors, and forensic personnel, leading to stronger interdisciplinary cooperation across the justice sector.

Victims and communities are likely to be among the greatest beneficiaries of the proposed model. Higher-quality investigations can contribute to faster case processing, fairer justice outcomes, and increased conviction rates. As a result, communities may experience greater confidence in law enforcement institutions, while victims benefit from a justice process that is more responsive, efficient, and effective. Improved investigative performance may also help reduce repeat offending by increasing the likelihood that perpetrators are successfully prosecuted and held accountable for their actions.

The study further contributes to public policy and future research by generating practical tools and evidence that can be adapted beyond the immediate SAPS context. Expected outputs such as a standardised docket-quality checklist, a retired-detective mentorship curriculum, knowledge-transfer frameworks, and cost-effectiveness data could provide valuable resources for policymakers, policing agencies, criminal justice practitioners, and researchers. These outputs may inform future policing reforms, support evidence-based decision-making, and assist other law enforcement organisations seeking innovative approaches to strengthening investigative capacity, preserving institutional memory, and improving justice outcomes. Ultimately, the broader co-impact of the study lies in its potential to strengthen not only SAPS but the wider criminal justice ecosystem through improved collaboration, knowledge retention, organisational learning, and public trust.

CONCLUSION

The findings of this study point to a fundamental reality: South Africa's criminal justice challenges cannot be addressed solely through additional legislation, temporary interventions, or increased prosecution efforts. At the heart of many failed investigations, returned dockets, and collapsed prosecutions lies a deeper problem, namely the gradual erosion of investigative expertise within the South African Police Service (SAPS). While the initiative to embed lawyers within police stations represents an important and commendable step towards improving docket quality and prosecutorial readiness, legal expertise alone cannot resolve a skills crisis that has developed over more than a decade. Sustainable reform requires the deliberate transfer of investigative knowledge, practical experience, and professional judgment from one generation of detectives to the next.

This study argues that the most immediate and cost-effective resource available to SAPS is the extensive experience of retired detectives whose knowledge, if left untapped, will continue to disappear from the organisation. By combining embedded legal support with structured mentorship provided by experienced retired investigators, SAPS has an opportunity not only to improve individual dockets but also to strengthen organisational capability, preserve institutional memory, and build a culture of investigative excellence. A carefully designed, monitored, and costed pilot programme would allow the organisation to test, refine, and scale such an intervention while generating valuable evidence on its effectiveness.

If implemented successfully, the proposed Lawyer-Experienced Investigator-Young Detective Model has the potential to transform institutional loss into institutional strength. The benefits extend beyond SAPS to prosecutors, courts, victims, communities, and government. Stronger investigations can lead to higher-quality dockets, fewer cases returned by prosecutors, reduced case backlogs, improved conviction outcomes, and greater public

confidence in the criminal justice system. More importantly, the model offers a pathway towards sustainable capacity development rather than repeated dependence on short-term corrective measures.

Ultimately, the study challenges policymakers to rethink how investigative excellence is developed and sustained. The future effectiveness of policing in South Africa will not be determined solely by the number of detectives employed, but by the quality of their skills, the strength of their mentorship, and the extent to which institutional knowledge is preserved and transferred. The success of the Western Cape initiative should therefore not be measured merely by the number of dockets improved during the lifespan of a project, but by the number of capable detectives it leaves behind when the project ends.

Concluding statement

> *If adopted nationally, the proposed model could fundamentally reshape investigative policing in South Africa by transforming detective development from a reactive process into a strategic organisational priority. It offers SAPS a practical mechanism for addressing detective shortages, reducing knowledge loss, strengthening accountability, improving prosecution success rates, and restoring public trust in law enforcement institutions. The broader impact extends to victims who receive better access to justice, communities that benefit from safer environments, prosecutors who receive stronger dockets, and government institutions seeking more effective criminal justice outcomes. Most importantly, the model shifts the focus from treating symptoms to addressing root causes by ensuring that every intervention leaves behind stronger investigators, stronger institutions, and a stronger justice system.*

The enduring lesson of this study is simple but profound: South Africa does not merely need more detectives; it needs better-equipped detectives. Lawyers may help fix today's dockets, but mentors build tomorrow's investigators. Therefore, the objective should never be only to fix the docket. The objective must be to build the detective behind the docket.

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