

Enhancing Fusion Centre Capabilities through Brigade Investigation Approaches: A Framework for Forensic Investigations at South African State-Owned Entities

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Abstract

State-owned entities (SOEs) in South Africa face unprecedented challenges in detecting, investigating, and prosecuting complex fraud and corruption schemes. Traditional investigative approaches often operate in silos, resulting in fragmented intelligence, delayed prosecutions, and ineffective asset recovery. This paper proposes a brigade investigation approach integrated within fusion centre frameworks to enhance forensic investigation capabilities at South African SOEs. Drawing from military brigade organisational structures and intelligence fusion principles, this research presents a coordinated, multi-disciplinary investigative model that enhances information sharing, streamlines investigative processes, and improves prosecution outcomes. Through theoretical analysis and application to the South African SOE context, this paper demonstrates how brigade investigation methodologies can address systemic challenges, including institutional fragmentation, resource constraints, and sophisticated criminal networks. The proposed framework offers practical recommendations for SOE management, law enforcement agencies, and policymakers seeking to strengthen anti-corruption infrastructure and improve investigative effectiveness.

Keywords: brigade investigation; fusion centre; state-owned entities; forensic investigation; anti-corruption; intelligence sharing



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Introduction

State-owned entities in South Africa have been subject to extensive state capture and corruption, resulting in significant economic losses and erosion of public trust (Bhorat et al. 2017). The Judicial Commission of Inquiry into Allegations of State Capture (Zondo Commission 2022) documented that the state spent approximately R57 billion on activities tainted by state capture, with more than 97 per cent originating from Transnet and Eskom. The Gupta enterprise received at least R15 billion from these tainted transactions. Minister Pravin Gordhan testified that the broader economic impact of state capture could total approximately R500 billion, though this represents an estimate of wider systemic impact rather than definitively proven direct losses.

Despite numerous investigations and commissions of inquiry, successful prosecutions remain limited, and asset recovery efforts have yielded minimal results. By 2025, only approximately R10 billion has been recovered from state capture investigations, a fraction of documented losses (Corruption Watch 2023).

Traditional forensic investigation approaches at SOEs typically involve isolated units operating within organisational boundaries, limited information sharing between agencies, and sequential rather than parallel investigative processes. These limitations create significant vulnerabilities that sophisticated criminal networks exploit through compartmentalisation of activities, destruction of evidence, and obstruction of justice (Faull 2017).

This paper proposes adapting brigade investigation methodologies originally developed for military operations to create enhanced fusion centre capabilities for SOE forensic investigations. A brigade investigation approach emphasises coordinated action across specialised units, centralised intelligence analysis, unified command structures, and rapid deployment of resources (Carter 2009). When integrated within fusion centre frameworks facilitating information sharing and collaborative analysis, this approach offers significant advantages over traditional investigative models.

Literature Review

State Capture and Corruption at South African SOEs

State capture in South Africa has been extensively documented, with research highlighting systemic corruption involving political networks, business interests, and compromised institutional oversight (Bhorat et al. 2017; Chipkin and Swilling 2018). Lodge (2018) characterises state capture as the systematic extraction of state resources through the manipulation of institutional processes, procurement systems, and regulatory frameworks. At SOEs, this manifested through irregular appointments of executives and board members, manipulation of tender processes, and systematic looting of organisational resources.

The Zondo Commission findings revealed sophisticated networks involving multiple actors across public and private sectors, utilising complex financial structures including shell companies, offshore accounts, and fraudulent invoicing schemes (Zondo 2022). Transnet signed dubious contracts worth R41.2 billion over almost a decade, making it the “primary site of state capture in financial terms” (Zondo 2022). Eskom entered into irregular contracts worth R14.7 billion, mainly with entities linked to members of the Gupta family (Business Tech 2022).

These networks deliberately fragmented criminal activities across multiple entities to obscure detection and complicate investigation efforts. Prosecuting such complex schemes requires coordinated investigative approaches that can simultaneously analyse financial flows, digital communications, and documentary evidence across multiple jurisdictions.

Current Investigative Frameworks at SOEs

South African SOEs typically maintain internal audit and forensic investigation units operating under corporate governance frameworks (King IV Report 2016). These units conduct reactive investigations following fraud detection and support external law enforcement when criminal matters are referred. However, research indicates significant limitations in this approach, including resource constraints, limited investigative powers, political interference, and inadequate coordination with law enforcement agencies (Redpath 2017).

The Hawks (Directorate for Priority Crime Investigation) serve as the primary law enforcement agency investigating serious economic crimes at SOEs, while the Special Investigating Unit (SIU) conducts civil investigations under presidential proclamation. The National Prosecuting Authority (NPA) manages prosecutions through specialised units, including the Investigating Directorate. Despite these specialised agencies, coordination challenges, information silos, and sequential handoffs between agencies create significant delays and evidence degradation (Corruption Watch 2023).

Fusion Centre Concepts and Applications

Fusion centres emerged from intelligence and law enforcement communities as collaborative environments facilitating information sharing, joint analysis, and coordinated response to complex threats (Carter and Carter 2009). Originally developed in counter-terrorism contexts, fusion centres integrate personnel, resources, and information from multiple agencies into unified operational environments (Graphia-Joyal 2010).

Key fusion centre principles include all-crimes/all-hazards approaches, public-private partnerships, multi-disciplinary analysis teams, advanced information technology infrastructure, and standardised information sharing protocols (Global Justice Information Sharing Initiative 2006). Research demonstrates fusion centres enhance

investigative effectiveness through improved situational awareness, reduced duplication of efforts, and accelerated response times.

In South Africa, fusion centre concepts have been applied primarily in crime intelligence contexts, though implementation challenges, including organisational culture, information security concerns, and resource limitations, have constrained effectiveness (Minnaar 2013).

Brigade Investigation Approaches

Brigade investigation methodologies originate from military organisational structures where specialised units coordinate under unified command to achieve operational objectives. In investigative contexts, brigade approaches involve assembling multi-disciplinary teams with complementary capabilities, establishing clear command structures and communication protocols, and executing coordinated investigative plans with defined objectives and timelines.

Key brigade investigation principles include unity of command, ensuring clear authority and accountability; specialised capability integration bringing together forensic accountants, digital forensic specialists, intelligence analysts, and legal experts; coordinated action plans with synchronised activities across investigative streams; and rapid deployment mechanisms for responding to emerging threats or opportunities (Carter 2009).

Theoretical Framework

Organisational Theory Perspectives

Contingency theory suggests organisational structures should align with environmental complexity and task uncertainty (Lawrence and Lorsch 1967). SOE corruption investigations involve high environmental complexity and task uncertainty. Contingency theory supports adopting flexible, adaptive organisational structures such as brigade approaches rather than rigid hierarchical models.

Inter-organisational network theory emphasises how collaborative relationships and information flows between organisations enhance collective capabilities beyond individual organisational capacities (Provan and Kenis 2008). Fusion centres operationalise network theory by creating structured environments facilitating inter-organisational collaboration.

Intelligence Analysis Framework

The intelligence cycle, planning, collection, processing, analysis, dissemination, and feedback, provides a structured approach to converting raw information into actionable intelligence (Lowenthal 2017). Brigade investigation approaches integrate intelligence

cycle principles by establishing centralised intelligence cells responsible for continuous intelligence production supporting investigative teams.

Criminal Investigation Theory

Problem-oriented policing frameworks emphasise understanding underlying problems rather than responding to individual incidents (Goldstein 1990). Applied to SOE corruption, this suggests investigating systemic vulnerabilities and criminal networks rather than isolated incidents.

Methodology

This research employs a qualitative, analytical approach combining literature review, theoretical analysis, and framework development through three phases:

Phase 1: Environmental Analysis involved a systematic review of academic literature, government reports, commission findings, and practitioner publications addressing SOE corruption in South Africa, forensic investigation practices, and fusion centre implementations.

Phase 2: Framework Development synthesised insights from environmental analysis with theoretical frameworks to design an integrated brigade investigation-fusion centre model adapted to South African SOE contexts.

Phase 3: Implementation Planning translated the conceptual framework into practical recommendations, including organisational structures, operational procedures, technology requirements, and change management strategies.

The research adopts a design science approach, developing an artifact (the integrated framework) intended to address identified practical problems through rigorous theoretical grounding and environmental analysis (Hevner et al. 2004).

Current Challenges in SOE Forensic Investigations

Institutional Fragmentation

SOE investigations involve multiple organisations, including internal audit units, external auditors, law enforcement agencies (Hawks SIU), prosecuting authorities (NPA), and oversight bodies (Public Protector, Auditor-General). These organisations operate under different legislative mandates, report to different authorities, and maintain separate information systems. Fragmentation results in duplicated efforts, inconsistent evidence standards, and gaps in investigative coverage.

Information sharing between organisations faces legal, technical, and cultural barriers. Restrictive interpretation of information protection legislation limits lawful information

exchange. Incompatible information systems prevent technical integration. Organisational cultures emphasising confidentiality and institutional autonomy resist collaborative approaches.

Resource Constraints

SOE forensic investigation units typically operate with limited budgets, inadequate personnel, and insufficient technological capabilities. The Hawks reported vacancy rates exceeding 30 per cent and limited access to advanced forensic technologies (Parliament of South Africa 2022). Skilled forensic investigators command premium salaries often exceeding SOE compensation frameworks.

Sophisticated Criminal Networks

State capture investigations reveal criminal networks demonstrating high levels of sophistication, including compartmentalisation of activities across multiple entities, use of professional intermediaries, complex financial structures obscuring beneficial ownership, and systematic evidence destruction (Zondo 2022).

Evidentiary Challenges

Successful prosecutions require evidence meeting criminal standards. However, SOE investigations frequently struggle to secure admissible evidence due to delayed investigation commencement, allowing evidence destruction, digital evidence complexity, international evidence location requiring mutual legal assistance treaties, and witness reluctance due to intimidation or complicity.

Political Interference

SOE governance structures create vulnerabilities to political interference in investigations. Research documents instances of investigations being terminated, investigators being removed, and evidence being suppressed through political pressure (Lodge 2018).

The Brigade Investigation Approach

Organisational Structure

Brigade investigation structures consist of:

Command Element: Provides unified leadership, strategic direction, and resource allocation. The command element maintains authority over all investigative streams, ensures coordination across activities, and serves as the primary interface with senior management and external stakeholders.

Intelligence Cell: Serves as the analytical centre of brigade operations. The intelligence cell collects information from all investigative streams and external sources, conducts

pattern analysis identifying relationships between entities and transactions, produces intelligence assessments guiding investigative priorities, and maintains comprehensive investigation databases.

Specialised Investigation Units: Execute focused investigative tasks aligned with their expertise, including financial investigation teams, digital forensics teams, witness management teams, evidence management teams, and legal support teams.

Support Functions: Provide operational enablement, including administrative support, technical support, and security functions.

Operational Principles

Brigade investigations operate according to core principles, including:

- **Unity of Command:** All investigative elements report to a single commander, ensuring a coherent strategy
- **Coordinated Action:** Investigation activities are synchronised through detailed operational planning
- **Intelligence-Led Investigation:** Intelligence analysis drives investigative priorities and resource allocation
- **Flexibility and Adaptability:** Brigade structures maintain flexibility to respond to emerging intelligence
- **Integrated Legal Strategy:** Legal considerations are embedded throughout investigation planning and execution

Investigation Lifecycle

Brigade investigations follow a structured lifecycle comprising five phases:

1. **Mobilisation:** Establishing command structures, assembling specialised teams, and conducting initial intelligence assessment.
2. **Systematic Evidence Collection:** Coordinated collection activities across all relevant sources.
3. **Pattern Analysis and Network Mapping:** Understanding criminal networks and mapping relationships.
4. **Prosecution Preparation:** Assembling evidence packages and preparing witness testimony.

5. **Asset Recovery and Prevention:** Maximising asset recovery and implementing preventive measures.

Fusion Centre Integration

Integrating brigade investigation approaches within fusion centre frameworks creates synergies through:

- **Multi-Agency Information Sharing:** Fusion centres establish information sharing protocols enabling brigade investigations to access information from multiple agencies.
- **Collaborative Analysis Environment:** Fusion centres provide physical and virtual environments where analysts collaborate on complex analytical problems.
- **Standardised Processes and Methodologies:** Fusion centres develop standardised analytical methodologies facilitating collaboration.
- **Advanced Technology Infrastructure:** Fusion centres invest in advanced analytical software and data integration platforms.
- **Training and Professional Development:** Fusion centres provide training, exposing personnel to multi-agency perspectives.

Proposed Framework for South African SOEs

Structural Architecture

The proposed framework establishes a National SOE Forensic Investigation Fusion Centre operating as a permanent multi-agency platform with brigade investigation capabilities. The Centre would operate under enabling legislation providing statutory authority, investigative powers, and budget guarantees, ensuring independence.

Organisational Structure:

- **Governance Board:** Multi-stakeholder board providing strategic oversight while ensuring operational independence.
- **Executive Director:** Statutory appointment with security of tenure leading Centre operations.
- **Intelligence Division:** Permanent analytical unit maintaining SOE corruption intelligence database.

- **Brigade Investigation Pool:** Roster of pre-vetted, security-cleared investigation specialists.
- **Technology Division:** Develops and maintains information systems.
- **Legal Division:** Provides legal support, ensuring investigations comply with legal requirements.
- **Training Academy:** Delivers specialised training in brigade investigation methodologies.

Operational Procedures

Investigation Activation: Brigade investigations are activated through referrals from SOE Audit Committees, law enforcement agencies, or strategic intelligence assessments. Activation decisions rest with the executive director following triage team review.

Team Assembly: Brigade commanders designated, and team composition approved. Typical brigade investigations include 15–25 personnel operating for three to six months.

Investigation Planning: Comprehensive investigation plans developed collaboratively with intelligence analysts, legal advisors, and prosecuting authorities.

Execution and Coordination: Brigade investigations executed according to established plans with regular coordination meetings. The intelligence cell maintains continuous situational awareness.

Handover and Prosecution: Upon completion of evidence collection, comprehensive prosecution packages prepared. Formal handover to prosecuting authorities through structured briefings.

Post-Investigation Assessment: Following case conclusion, after-action reviews assess investigation effectiveness and update standard operating procedures.

Legal and Regulatory Framework

For the National SOE Forensic Investigation Fusion Centre to operate effectively, it must be established within a clear and robust legal framework that grants authority, ensures operational feasibility, and safeguards procedural integrity. This framework consists of three interdependent pillars:

Enabling Legislation

The Centre must be established as a statutory body with unambiguous powers.

This can be achieved through:

- The promulgation of a dedicated National SOE Forensic Investigation Fusion Centre Act, or
- Significant amendments to existing legislation, such as the Special Investigating Units and Special Tribunals Act (74 of 1996) and the Public Finance Management Act (1 of 1999).

Core Provisions: The legislation must explicitly grant the Centre the powers to compel cooperation from SOEs, secure and preserve evidence, requisition information, and subpoena witnesses. Crucially, it must provide a permanent, ring-fenced funding mechanism to guarantee operational independence.

Information Sharing Amendments

Operational efficacy depends on seamless, lawful information exchange between the Centre, SOEs, law enforcement, and financial intelligence bodies. This requires a specific amendment to the Protection of Personal Information Act (4 of 2013) - POPIA.

Core Provisions: An amendment must create a clear, lawful basis for processing and sharing personal information for the purpose of investigating serious offences, fraud, and corruption within SOEs. This legal exception would override general confidentiality restrictions, enabling the integrated data fusion that is central to the brigade investigation model.

Supporting Regulatory Frameworks

To ensure consistency, professionalism, and judicial admissibility of findings, detailed regulations must be issued under the primary enabling Act.

Core Provisions: These regulations must establish:

- **Standardised Investigative Protocols:** Governing multi-agency teamwork, evidence handling, and forensic accounting procedures.
- **Evidentiary and Chain of Custody Protocols:** Ensuring all evidence meets the admissibility standards of South African courts.
- **Governance and Oversight Regulations:** Defining the Centre's reporting lines, accountability structures, and performance metrics.

This tripartite framework provides the necessary legal foundation, operational permission, and procedural rigour to transform the proposed Centre from a theoretical model into a functional, authoritative institution.

Technology Infrastructure

Framework requires investment in:

- **Case Management System:** Comprehensive platform managing investigation workflows and evidence tracking.
- **Analytical Platforms:** Software supporting financial analysis, digital forensics, and intelligence analysis.
- **Information Integration:** Data warehousing aggregating information from multiple sources.
- **Secure Communications:** Encrypted communication platforms supporting geographically dispersed teams.

Cybersecurity Infrastructure: Comprehensive security measures protecting investigation information.

Human Resource Strategy

Success depends on:

- **Compensation Framework:** Competitive packages equivalent to private sector forensic investigation positions.
- **Career Development:** Clear career progression pathways ensuring retention.
- **Security Vetting:** Comprehensive background investigations and ongoing security monitoring.
- **Wellness Support:** Comprehensive wellness programmes addressing occupational stress.

Stakeholder Engagement

Framework requires engagement with:

- **SOE Leadership:** Regular briefings, building trust and ensuring cooperation.
- **Law Enforcement Agencies:** Formal partnerships establishing protocols for case referrals.
- **Prosecuting Authorities:** Close collaboration ensuring investigation approaches align with prosecutorial requirements.

- **Private Sector:** Partnerships with forensic firms, technology providers, and professional bodies.
- **Civil Society:** Engagement with anti-corruption organisations and academic institutions.

Sustainability Mechanisms

Long-term sustainability requires:

- **Statutory Independence:** Enabling legislation providing security of tenure and guaranteed budget allocations.
- **Performance Metrics:** Clear performance indicators demonstrating Centre effectiveness.
- **International Partnerships:** Collaboration with international anti-corruption organisations.
- **Funding Diversity:** Multiple funding sources, reducing vulnerability to budget manipulation.

Implementation Roadmap

Phase 1: Foundation Building (Months 1–12)

- Political consensus-building, engaging executive and legislative stakeholders.
- Legal reform finalising enabling legislation.
- Governance establishment through transparent, merit-based appointments.
- Physical infrastructure securing the facility and installing basic technology.

Phase 2: Capability Development (Months 13–24)

- Human resource recruitment attracting investigation specialists.
- Technology deployment implementing case management systems and analytical platforms.
- Training programme development delivering specialised brigade investigation training.
- Standard operating procedures development incorporating international best practices.

- Pilot investigations demonstrating capabilities and refining procedures.

Phase 3: Full Operational Capacity (Months 25–36)

- Scale operations to multiple concurrent brigade investigations.
- Information system integration with external databases and platforms.
- Regional node establishment in major centres.
- International partnerships with law enforcement and anti-corruption organisations.
- Research and development programmes developing advanced investigative methodologies.

Phase 4: Maturation and Optimisation (Ongoing)

- Continuous improvement through formal quality management systems.
- Knowledge management, capturing investigation lessons and analytical methodologies.
- Prevention programmes extending beyond reactive investigations.
- Policy influences leveraging investigation insights to inform reforms.

Discussion

Framework Advantages

Enhanced Coordination: Brigade structures eliminate institutional fragmentation through unified command and coordinated action. Rather than sequential handoffs, investigations proceed with parallel activities across specialised units.

Resource Optimisation: Pooling investigation resources across multiple SOEs achieves economies of scale. Specialised capabilities require significant investment, justifiable only with high utilisation rates.

Intelligence Sophistication: Permanent intelligence cells conducting continuous analysis develop deep expertise in SOE corruption patterns, impossible with episodic investigations.

Legal Robustness: Integrated legal support from investigation inception ensures evidence meets admissibility standards and investigative actions comply with legal requirements.

Political Insulation: Statutory independence mechanisms protect investigations from political interference more effectively than corporate reporting structures.

Implementation Challenges

Political Resistance: The framework threatens interests benefiting from current ineffective investigation arrangements. Overcoming political resistance requires sustained advocacy and coalition building.

Organisational Culture: Brigade investigations require cultural shifts towards collaboration conflicting with traditional organisational cultures, emphasising autonomy and confidentiality.

Resource Requirements: Implementing the framework requires significant upfront investment in infrastructure, technology, and human resources.

Skills Shortages: South Africa faces shortages of specialised investigation skills. Competition from private sector firms offering higher compensation complicates recruitment.

Legal Complexity: Navigating complex legal frameworks governing investigations requires sophisticated legal expertise.

Recommendations

For Government and Policymakers

- Expedite development and enactment of enabling legislation establishing the National SOE Forensic Investigation Fusion Centre.
- Allocate sufficient budget for Centre establishment, recognising significant upfront investment requirements.
- Design governance structures and appointment processes insulating Centre operations from political interference.
- Support international cooperation through negotiating mutual legal assistance agreements.

For SOE Leadership

- Embrace external investigation capacity recognising individual SOE units lack capacity for complex investigations.
- Strengthen internal controls addressing identified vulnerabilities.

- Foster transparency cultures encouraging disclosure of irregularities.
- Invest in fraud prevention through risk management and ethics training.

For Law Enforcement Agencies

- Embrace multi-agency collaboration through Centre participation.
- Contribute experienced investigators to the brigade investigation pool.
- Adopt standardised investigation methodologies facilitating collaboration.
- Invest in advanced investigation technologies.

For Academic and Research Institutions

- Conduct evaluation research on Centre effectiveness following implementation.
- Develop specialised training in complex corruption investigations.
- Foster knowledge exchange between practitioners and researchers.
- Document investigation best practices and organisational practices.

For International Partners

- Provide technical assistance supporting Centre establishment.
- Fund training programmes and infrastructure development.
- Facilitate cross-border cooperation through expedited mutual legal assistance.
- Share best practices through communities of practice.

Conclusion

State-owned entities in South Africa face unprecedented corruption challenges requiring innovative investigative approaches. Traditional investigation models involving fragmented organisational structures, limited information sharing, and sequential processes prove inadequate for sophisticated criminal networks exploiting institutional vulnerabilities.

The brigade investigation approach, adapted from military organisational principles, emphasises unified command, multi-disciplinary teams, intelligence-led operations, and coordinated action. When integrated within fusion centre frameworks facilitating multi-agency information sharing and collaborative analysis, brigade approaches offer

significant advantages, including enhanced coordination, resource optimisation, intelligence sophistication, legal robustness, and political insulation.

Implementation faces significant challenges, including political resistance, organisational culture barriers, resource constraints, legal complexity, and skills shortages. Overcoming these challenges requires sustained political commitment, adequate resourcing, patient capability building, and realistic expectations about implementation timelines.

South Africa stands at a critical juncture in confronting state capture and corruption legacies. Rebuilding institutional integrity and recovering public trust requires demonstrating that corruption has consequences through effective investigations and successful prosecutions. The brigade investigation-fusion centre framework offers a practical pathway towards enhanced investigation capabilities, addressing systemic weaknesses in current approaches.

While implementation challenges remain significant, the alternative, continued ineffective enforcement, enabling ongoing corruption, is unacceptable. The time for innovative, evidence-based reform in SOE forensic investigations is now.

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