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The nexus between corruption and opportunistic crimes during Covid-19 in South Africa

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Abstract. Covid 19 in South Africa created opportunity for criminals to enrich themselves at the expense of the poor. Public and private sector officials benefited due to irregular tenders and overpricing of personal protective equipments in South Africa as reported on media platforms. This article explores opportunistic crimes associated with Covid 19 and their impact on the fight against the pandemic. This qualitative article adopted a non-empirical research design: Systematic review, indirect observation schedules to identify and describe available research literature ‘using systematic and explicit accountable methods and pre-specified formalised tools for searching and integrating literature. The data was collected from January-July 2021. The collected data was analysed through inductive textual content analysis. Findings revealed that public officials benefited from irregular PPE tenders as well as friends and families of politicians. The findings further indicate that billions of Rands were looted from funds which were meant to fight Covid 19 in South Africa. Lastly the findings show that law enforcement agencies are not effective in dealing with cases of Covid 19 crimes. Based on the findings, the following recommendations were developed: Law enforcement agencies should be equipped with resources to deal with Covid 19 crimes and ensure successful prosecution of those crimes, Competition Commission should investigate the companies which benefited from irregular tenders and overpricing of PPE’s so that they could be held accountable. Public participation should be strengthened to combat crime.

Keywords. Covid-19, Opportunistic Crimes, Personal Protective Equipment, Tenders and South Africa

Introduction

INTERPOL (2021) stated that the COVID-19 coronavirus outbreak that began in late 2019 evolved so rapidly and globally that it was qualified as a pandemic by the World Health Organization (WHO). The coronavirus, its circumstances and the population management methods associated with trying to limit its spread, would appear to have given rise to opportunities for the perpetration of some types of opportunistic crimes, Starbroek News (2020). This virus created opportunity for criminals to take advantage of the outbreak so that they could enrich themselves at the expense of the poor. Criminals are exploiting the current situation to find new ways to make money and they are increasing and diversifying their

activities through a wide range of crimes and scams which exploit the fear and uncertainty surrounding the virus (INTERPOL, 2021).

Opportunistic crimes are crimes that derive from particular sets of circumstances that, on account of their arrival, might create windows of opportunity for their perpetration, Stabroek News (2020). It creates disadvantages to the fight against pandemic which has killed lot of people in South Africa and Globally. Government's effort to fight the Covid 19 pandemic has been hijacked by criminals who are working in the spheres of government and private sector who have influence in terms of decision making, to ensure that friends and families close to politicians receive tenders illegally. This pandemic contributed to a high number of corruption cases as private and government officials compromised their code of ethics. Government officials were identified in news media outlets about their corrupt practices where their loved ones and their allies benefited from illegal tenders and this contributed to disorder and failure of government to fight the pandemic. Government efforts were compromised due to greedy from those who are holding key positions in government and private sector because there are laws which must be applied when appointing companies to render services on behalf of government.

According to Krsteski (2017) tenderpreneur is common corruption in South Africa, it is an individual who enriches themselves through corrupting the awarding of government tender contracts, mostly based on personal connections and corrupt relationships - although outright bribery might also take place - and sometimes involving an elected or politically appointed official (or his or her family members) holding simultaneous business interests. According to (Mogoatlhe, 2020) in South Africa, where corruption has always been rife, the spread of covid-19 has turned into a looting spree. The covid-19 pandemic has brought opportunistic crimes to the fore, the rise of corruption being key among those and corruption is rearing its ugly head as the single biggest threat to the future of South Africans (Zungu, 2020). Many people who have connections with government officials benefited or were awarded tenders illegally without following legal processes of government or Public Financial Management Act (PFMA). The aim of this article was to explore opportunistic crimes associated with Covid 19 and their impact on the fight against the pandemic, the role of private sector in preventing Covid 19 and the challenges associated with law enforcement agencies in curbing opportunistic crimes associated with Covid 19.

Problem Statement

The inability of government officials to apply code of ethics in awarding tenders to private sector is a major problem in South Africa which create lot of crime opportunities in all spheres of government. Every government department and private sector organisations have got code of ethics which apply to all the employees or officials in that particular institution but in most cases these ethics are being compromised due to corruption which is very rife in government spheres and private sector. 500 billion rand which was meant to fight Covid 19 in South Africa was looted by government officials and private sector companies and benefited unduly because the money was supposed to buy PPE's and vaccines to ensure that the people of South Africa are protected from the virus.

The researchers are of the view that Covid 19 made things worse in terms of corruption because before the pandemic corruption was not rife as compared during the pandemic. Officials saw the opportunity in the pandemic and they used it to enrich themselves and their close allies while the masses on the ground are suffering due to job losses and unaffordability to buy PPE's on their own as the money meant for that was looted by officials who do not

comply with laws of this country in terms of procurement processes. The PFMA (Public Financial Management Act of 1999) enables accounting officers to manage but, at the same time, holds them accountable for the resources they use. It establishes clear lines of accountability and broad frameworks of best practices that managers can adopt or, where necessary, adapt. It regulates financial management in the national government and it also ensure that all revenue, expenditure, assets and liabilities of that government are managed efficiently and effectively and lastly to provide for the responsibilities of persons entrusted with financial management in that government.

All public officials who are entrusted with the responsibility of treasury must adhere to PFMA and execute their mandates in line with this legislation. South Africa is a democratic country where rule of law applies to everyone and it is important for law enforcement agencies investigate the rampant looting of state money which was meant to fight Covid 19 and alleviate the burden on unemployed people to get basic services from government. It's of paramount importance to ensure that law enforcement agencies work with all major stakeholders to ensure that they arrest and prosecute those who benefited unlawfully from Covid 19 tenders.

Theoretical framework: Criminal opportunity theory

Hannon (2011:364) suggests that offenders make rational choices and thus choose targets that offer a high reward with little effort and risk. The occurrence of a crime depends on two things: the presence of at least one motivated offender who is ready or willing to engage in a crime, and the conditions of the environment in which that offender is situated, to wit, opportunities for crime. All crimes require opportunity but not every opportunity is followed by crime. Similarly, a motivated offender is necessary for the commission of a crime but not sufficient (Cohen & Felson, 1979). A large part of this theory focuses on how variations in life-style or routine activities affect the opportunities for crime (Cohen & Felson, 1979).

Opportunity thus becomes the limiting factor that determines the outcome in environments prone to crime because the offender generally has little or no control over the conditions of the environment, and the conditions that permit particular crimes are often rare, unlikely or preventable, Hannon (2011:364). The criminal opportunity perspective extends some of these traditional ideas by emphasizing that a criminal event requires more than an initially motivated and unrestrained offender. It also requires a suitable victim. Thus, the criminal- opportunity theory of crime elaborates on previous theories of criminal involvement by simultaneously examining characteristics of both offenders and victims and the characteristics of the space in which offenders and victims are likely to interact (Robinson, 1999). This dual emphasis on offenders and victims has led to the assertion that economic deprivation has two countervailing effects on crime, particularly property crime (Van Dijk, 1994). Poverty causes social-strain and disorganisation, which may encourage some individuals to offend. But, it also simultaneously weakens criminal opportunity by reducing the supply of worthwhile targets in the community (i.e., victims with resources worth taking given the inherent risks of criminal behaviour). In south Africa public officials took advantage of the system and enrich themselves using Covid 19 pandemic, it is of paramount importance for public officials to refrain from enriching themselves from state money while majority of the people are suffering due to poverty, unemployment and inequality. It is important to use the allocated funds for their intended purposes than looting it for personal benefits. Law enforcement agencies need to be well capacitated to investigate and apprehend the looters of state funds. Felson and Clarke (1998) suggest that crime can be prevented by reducing opportunities. The opportunity-reducing methods of situational crime prevention fit systematic

patterns and rules which cut across every walk of life, even though prevention methods must be tailored to each situation. These methods derive from rational choice theory and aim,

- (i) to increase the perceived effort of crime,
- (ii) to increase the perceived risks,
- (iii) to reduce the anticipated rewards, and
- (iv) to remove excuses for crime. Thus situational crime prevention is not just a collection of ad hoc methods, but is firmly grounded in opportunity theory.

Law enforcement agencies as well as other major stakeholders should ensure that work together to apprehend those who are responsible for stealing or awarding of illegal tenders and held them accountable for their actions because people lost lives due to their selfish actions. Government need to strengthen their systems, procedures and regulations to guard against criminals in their institutions as their actions impact negatively on the people of South Africa and their basic needs as prescribed in the constitution. Public Financial Management Act must be respected by all public officials and be implemented without corrupt activities because this legislation governs public treasury and it must be respected so that basic service delivery could be maintained and save lives during this pandemic.

Methodology

The methodology utilised in this study was qualitative in nature. The collected data was sourced from relevant sources and also analysed contextually without necessarily involving any quantitative techniques. The researchers read an overview of the literature on this subject from January to July 2021 (six months' projection), this was done to examine the following facets; to explore opportunistic crimes associated with Covid 19 and their impact on the fight against the pandemic, the role of private sector in preventing Covid 19 and the challenges associated with law enforcement agencies in curbing opportunistic crimes.

Predicated on the nature of data required in this study; the presented discourse relied mainly on secondary data sources in the process of gathering relevant information. In this process, documented and archival data were extracted from regime gazettes, texts, periodicals and other pertinent sources. Data generated from these sources were condensed and critically analysed through content and context analysis where germane and concrete information were distilled from the collections. The deductive synthesis was consequently applied in this process. Synthesised outputs from the analysis are presented as different sections in this study in accordance with the set-out objectives of the discourse.

Coronavirus in South Africa

The coronavirus disease (Covid-19) had its origin from China and was declared a pandemic on March 11 by the World Health Organization (Statistics South Africa, 2020). The number of Covid 19 infection in South Africa stand at 2.3 million with 2.09 million recoveries by the time the article was written. Muvunyi (2020) noted that the number of coronavirus cases increase in South Africa, there are growing concerns over widespread corruption involving funds meant to deal with the COVID-19 pandemic. The virus is taking a toll on the southern African nation's health sector, which being overwhelmed by a growing number of patients, Muvunyi (2020). Gauteng, Western Cape and Eastern Cape are the worst affected provinces, exhibition venues, temporary field hospitals and convention centres are being turned into emergency hospitals. Lack of vaccines in the country contribute to high number of infections as most of the people are not adhering to lockdown regulations such as wearing facemask covering nose and mouth, social distancing and washing of hands frequently or

sanitising. Many people are in hospitals due to this virus while more and more are being killed by this virus. South Africa as a developing state has got limited resources and unable to manufacture vaccines to protect its people while developed countries are protecting their people because they have all the resources. The number of infections are going up each and every day due to lack of vaccines and not complying to the regulations governing Covid 19 in South Africa.

The COVID-19 Pandemic has changed the world as we knew it. *In the words of the Secretary General of the United Nations “We have been brought to our knees – by a microscopic virus... It has laid bare risks we have ignored for decades: inadequate health systems; gaps in social protection; structural inequalities; environmental degradation; the climate crisis.”* South Africa has a high number of inequality, unemployment and poverty in the world and Covid 19 made it worse to the people of South Africa as they are crippling to make it during this pandemic. With limited resources such as personal protective equipments and inadequate health care systems South Africa is losing many people due to the ineffectiveness of government to deal with the pandemic. The consequences born of the COVID-19 outbreak are likely to further exacerbate poverty and inequality in South Africa while unemployment threatens to become further precarious with the highest risks for informal workers and female headed households (UNDP South Africa 2020). The impacts of COVID-19 on gender issues are very worrying and can curtail the gains made on advancing gender equality and women empowerment in the past few decades unless concerted efforts are taken to curtail these consequences (UNDP South Africa, 2020).

It is important for government to provide support to women who are mainly headed household especially in rural areas to ensure that they are safe during this pandemic as often they are the ones who are providing for their families and as a result it put them at risk of being infected by the virus. At an early stage South African government to took a decision to place the nation under level 5 lockdown to decrease the curve of high number of infections. Measures were provided to counteract the virus especially on movement of people as the virus is moving and it was important for government to restrict movements of people and the following were measures under level 5 lockdown on movement of people (Department of Health, 2021):

1. Interprovincial travel is not permitted except to return to work with proof of employment; for movement of learners, with permit; in exceptional circumstances such as funerals (with approval) or essential services.
2. Stay at home, other than essential travel for work and to purchase essential goods.
3. No recreational travel or to meet friends or family.
4. Mandatory use of cloth masks (including home-made ones to cover nose and mask) and ensure hand hygiene when in public and at workplace.
5. Emergencies for medical reasons.
6. Those who have an exemption to travel for funerals
7. South Africans returning home and foreign nationals leaving South Africa
8. Elderly and persons with co-morbidities are encouraged to self-isolate and only leave home for exceptional reasons.
9. Social distancing (2m away from other persons) to be applied in public when, shopping, and visiting health facilities (pharmacies, clinics etc.)
10. Social distancing when using public and private transport, as per transport guidelines
11. All public gatherings are prohibited.
12. Stores to ensure that there is temperature screening of patrons, hand sanitisers available and measures to facilitate social distancing. Where the number of customers cannot be

accommodated at once then measures such a ticket system and defined limit of time in the store per customer should be implemented instead of the physical queuing of customers.

13. Curfews will be implemented between 8pm and 5am, unless for essential service workers returning from or going to work

The role of government in response to Covid 19

Government as the primary bearer of the responsibility to govern, it need to provide political, economic, social and technological goods and services to its people. Lessons emerging from the Covid 19 pandemic in Africa demonstrate that without capable, accountable, accountable, inclusive and participatory government, effectively addressing contemporary challenges such as pandemics will remain a pipeline dream (Wachira, 2020).

Organisation for Economic Co-operation and Development (OECD, 2020) stated that countries all over the world are faced with an unprecedented public health crisis and its dire cascading economic and social consequences, governments across the world have been tasked with responding rapidly, efficiently and coherently to a series of challenges from co-ordinating emergency responses to managing the immediate economic fallout due to lockdown measures, and determining a timeline and scope for lifting lockdown measures. Political leadership is at the centre of governance to sustain the complex political, social and economic balance of adopting containment measures to reduce the impact of the pandemic while ensuring the provision of health services (OECD, 2020). It is of paramount importance for government to come up with measures to curb the spread of Covid 19 as it is stipulated above on movements of people. The major problem in South Africa with regard to response to Covid 19 was ethical leadership because many of the members of the ruling political party (ANC) were caught benefiting from the awarding of tenders as well as their friends and families while South Africans were suffering due to the impact of the virus on their daily lives. Instead of government providing health care services to the people, their attention was on corruption which was committed by public officials and it made things worse as the infection rate was going up on daily basis. Government officials were in cahoots with private sector officials to benefit from the pandemic through illegal tenders. It is important for government officials to adhere to code of ethics in their departments in order to provide quality services to the people especially during the pandemic.

Department of Health is an institution responsible to provide health care services to the people of South Africa which is in line with Chapter 2 of the constitution (Bill of rights) as it is stated that everyone has a right to basic services which must be provided by government. Government response to Covid 19 was derailed by corruption which led to people losing their lives due to limited resources at hospitals and failure of government to provide personal protective equipments at the early stage of the pandemic. It is important for government to work with all law enforcement agencies to apprehend those responsible for looting government funds for Covid 19 and prosecute them.

The role of private sector in response to Covid 19

Global Citizen (2020) stated that in South Africa, where corruption has always been rife, the spread of COVID-19 has turned into a looting spree. According to media reports, almost R500 billions of money earmarked for the country's COVID-19 response has been stolen and in some instances, companies with links to high-ranking government officials and senior members of the ruling African National Congress (ANC), were awarded multi-million rand contracts to

provide services like personal protective equipment and other medical supplies (Global Citizen, 2020).

These are the institutions manufacturing personal protective equipments and supplying all other medications to fight Covid 19. These institutions their primary objective is to maximise profit as they are in business and it is important to do so while applying the laws of the country. Unscrupulous government officials may seek to enrich themselves, or those connected to them, through the procurement process by demanding kickbacks from suppliers, (United Nation Office on Drugs and Crime, 2021). Many of the companies in South Africa benefited unduly due to their influence or connection with political leaders during the allocation of tenders to provide health care services to the people of South Africa. United Nation Office on Drugs and Crime, 2021 stated that under normal circumstances, the public procurement process poses one of the greatest risks for corruption among all government functions as they do business with private sector to provide services to the people. The large volumes that are involved in public procurement make it highly vulnerable to corruption risks and in a public health crisis, corruption risks in procurement are amplified by the urgency of needs, required flexibility and requested speed and this may create opportunities for individual discretion that can further increase the risk of corruption (United Nation Office on Drugs and Crime, 2021).

Group of Twenty (G20, 2020) noted that Suppliers, on the other hand, exploit shortages to demand grossly inflated prices from government purchasers and collude with other suppliers to their advantage. Kohler and Wright (2020) If suppliers bribe government officials to circumvent regulatory controls, there is also a risk that governments may purchase substandard or falsified products, undermining the health of their populations and reducing their citizens' trust and confidence in public institutions as well as in the government's response to the pandemic, Taryn (2020). Businesses need to help government by conducting their businesses in line with the rule of law and do away with corrupt activities especially during this pandemic where many people are losing their lives. It is time for private sector to play their role efficiently and effectively in supporting government to counteract Covid 19 and save lives.

Covid 19 corruption in South Africa

The Washington Post (2020) noted that South Africa's COVID-19 response is marred by corruption allegations around its historic \$26 billion economic relief package, as the country with the world's fifth highest number of COVID-19 cases braces for more. President Cyril Ramaphosa has announced a wide-ranging investigation into claims that unscrupulous officials and private companies are looting efforts to protect the country's 57 million people. Public officials benefited from illegal tenders as they are responsible for procurement of PPE's and other medications to fight the Covid 19. Those committing the crimes are generally senior public officials, administrators, doctors and nurses, and companies bidding to do business or already providing services and products (BusinessTech, 2020)

AREAS OF CONCERN	2019	2020
South African Police Service	9.2%	13%
Municipalities	6.4%	5%
Traffic and licensing centres	3.4%	5%
Schools	8.4%	5%
Health	3.6%	4%

Table 1: Areas of concern on corruption in South Africa (BusinessTech, 2020)

In all the reports received, Corruption Watch said that the trending forms of corruption during this six-month period are: **Maladministration** – the mismanagement and deliberate delaying and bundling up of legal and official government processes. This form counts for 19% of the corruption cases; **Misappropriation of resources** – the theft, misuse, abuse and wasteful spending of state vehicles, equipment, time and funds. These corruption cases account for 14% of reports received and **Procurement irregularities** – typically relating to the flouting of the awarding of tenders and related processes, these account for 14% of corruption cases.

Those working on the frontline of fighting the virus face a stiff challenge caused by issues with personal protective equipment (PPE). Muvunyi (2020) stated that massive corruption surrounding the purchasing and supply of PPE puts the workers at risk when taking care of patients. The graft involves overpricing, substandard products and services, and giving tenders to those connected to the government and the ruling party, Muvunyi (2020). Herbert and Marquette (2021) stated that the combination of the breadth and complexity of the crisis, the need for a rapid response, and a lack of sufficient state capacity has led to a perfect storm for increased opportunities for corruption while much of this activity is often covert, the effects of this are financial, political, social, and health are likely to become more visible as the crisis continues. While nurses and others plead for more protection, overpricing scams for badly needed supplies are on the rise. After inflating face mask prices by up to 900%, companies Sicuro Safety and Hennox Supplies admitted guilt and were fined (Washington Post, 2020).

Herbert and Marquette (2021) stated that extensive evidence has emerged about the ways in which corruption is both affected by and affecting the COVID-19 response, across public and private sectors, across countries with different income and state capacity levels. South Africa is seen as the best-prepared of any country in sub-Saharan Africa for COVID-19, but years of rampant corruption have weakened institutions, including the health system. In October, the head of the government's Special Investigating Unit said fraud, waste and abuse in health care siphoned off \$2.3 billion a year (The Washington Post, 2020). BusinessTech (2020) stated that doctors use state equipment in their own practices, hospital officials use public money to fund exorbitant lifestyles or claim time for work not done. A new report from almost 700 whistle-blowers points to the life-threatening extent of corruption in the state health care system (BusinessTech, 2020). In some cases, personal protective equipment (PPE) and other medical equipments were bought for five times more than the price the national treasury had advised. This was as the result of corrupt activities from private sector companies as they were seeing the opportunity to steal from government by charging them more and putting all the efforts by government at jeopardy.

Politicians accused of corruption, particularly those within the governing ANC, were told to resign and open themselves up for investigation by law enforcement agencies who have started to investigate many illegal transactions which took place (BBC News, 2020). The allocated funds were meant to assist vulnerable households with food parcels, unemployment grants, support small business, farmers, erecting of temporary hospitals, temporary employment relief fund (UIF) and to also procure personal protective equipment. The abuse of power by public officials compromised the efforts of government to fight Covid 19 and save lives as public officials were on looting spree with their friends and families who are owning companies which were awarded tenders. The money raised in the solidarity fund was intended for the procurement of and provision of contracts for PPE necessary to respond to Covid-19 in South Africa, funds intended for construction and/or development of hospitals and quarantine sites, catering services for food parcels, ventilators, disinfecting equipment, as well as other modes of uplifting communities during this difficult times. It was alleged that the procurement did not

comply with Section 217(1) of the [Constitution](#), as well as other relevant measures that had been announced by National Treasury as prerequisites for COVID-19 related procurement. Suppliers and/or service providers that had been contracted had been paid in the absence of proof of delivery of goods or services. The pandemic has created an opportunity for criminals in government and private sector to steal resources from the poor and benefit themselves and those who are associated with them.

Table 2: Categories of corruption

Categories of corruption	Description
Bribery	The act of dishonestly persuading someone to act in one's favour by a payment or other inducement. Inducements can take the form of gifts, loans, fees, rewards or other advantages (taxes, services, donations, etc.). The use of bribes can lead to collusion (e.g., inspector's under-reporting offences in exchange for bribes) and/or extortion (e.g., bribes extracted against the threat of over-reporting).
Embezzlement	To steal, misdirect or misappropriate funds or assets placed in one's trust or under one's control. From a legal point of view, embezzlement need not necessarily be or involve corruption.
Facilitation payment	A small payment, also called a "speed" or "grease" payment, made to secure or expedite the performance of a routine or necessary action to which the payer has legal or other entitlement.
Fraud	The act of intentionally and dishonestly deceiving someone in order to gain an unfair or illegal advantage (financial, political or otherwise).
Collusion	An arrangement between two or more parties designed to achieve an improper purpose, including

	influencing improperly the actions of another party.
Extortion	The act of impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to influence improperly the actions of a party.
Patronage, clientelism and nepotism	Patronage at its core means the support given by a patron. In government, it refers to the practice of appointing people directly.

Sources: (Anderson, 2015)

Law enforcement agencies response to Covid 19 corruption

G20 (2020) stated that the rapid spread of the COVID-19 pandemic and its ensuing consequences have affected almost every aspect of society and created opportunities for corruption to thrive and grow, as actions taken to quickly address the needs presented by the crisis may lead to sacrifices in transparency and accountability. The primary role of law enforcement agencies is to combat crime and during the pandemic law enforcement were caught by a rapid thrive of corruption from those who are responsible to address the Covid 19 pandemic in South Africa. Many people who are connected to the ruling political party (ANC) in South Africa were awarded tenders to provide PPE's and other medical supplies in response to Covid 19 and most of the tenders were not awarded in ethical manner or according to the public financial management act (PFMA).

As it was reported on daily basis on media platforms, law enforcement did not act on those who are responsible for looting Covid 19 funds. G20 (2020:13) stated that the South African government reported that following a pre-COVID-19 health sector risk assessment conducted in March 2018, the following risks were identified in the health sector:

- Non-compliance with procurement regulations.
- Counterfeit medical equipment.
- Pharmaceutical companies engaging in collusion / price fixing.
- Issuing medical waste disposal contracts to unqualified companies.
- Regulatory weaknesses in health sector compliance enforcement.
- Unregistered medical practitioners.
- Fraud related to medical aid supplies.

One of the key strategic interventions that was identified to mitigate these risks was the establishment of the "Health Sector Anti-Corruption Forum (HSACF)," which was officially launched by the President of South Africa in 2019.

The main objective of the HSACF was to collaborate in the fight against corruption and identify areas of cooperation to enhance prevention, detection and prosecution of corruption in the health sector, (G20, 2020:13). The health sector - public and private - is vulnerable to fraud and corruption because of large and varied numbers of transactions on goods and services in terms of fraudulent orders, tender irregularities, fiscal dumping by government departments

through non-governmental organisations, bribery, over-pricing, poor governance, transfer of liabilities to the state, and bogus and fraudulent qualifications (The Presidency Republic of South Africa, 2020). The law enforcement agencies failed to prevent Covid 19 corruption in spite of risk assessment in the health sector.

The criminals exploited those risks and benefited out of them as it was a looting spree during the pandemic while poor of the masses were left stranded without personal protective equipments. The major problem with relation to the opportunistic crimes due to Covid 19 in South Africa is the involvement of high ranking officials in government and in the ruling political party and as a result it gives a problem to law enforcement agencies to act on their superiors as some are holding powerful positions. It is important for law enforcement agencies to be independent, impartial and fair to all criminal matters in the country in respect of status that one occupy, race and gender. Up to so far no one has been arrested for Covid 19 corruption in South Africa and lot of money was stolen from the poor. It shows that law enforcement agencies need to be credible and investigate crime thoroughly and ensure successful prosecution of criminals.

The following stakeholders need to play a vital role in prosecuting those who benefited unlawful from the pandemic, the Special Investigating Unit, the National Department of Health, the Council for Medical Schemes, the Directorate for Priority Crime Investigation, the Financial Intelligence Centre, the Health Funders Association, the Health Professions Council of South Africa, Corruption Watch, the National Prosecutions Authority, Section 27, the board of Healthcare Funders of Southern Africa and all other Civil Society Organisations. It is only through collaborative effort to combat crime and if the law enforcement agencies work with the community and all other major stakeholders mentioned above, crime could be reduced in South Africa and be able to rebuild the economy and save lives.

Recommended interventions to combat opportunistic crimes in South Africa

Poverty, inequality and unemployment contribute a lot to manifestation of crime in any country all over the world and South Africa is a prime example of inequality society in the world. These factors contribute to high rate of crime in South Africa and it is important for government to find a way to address these factors to ensure that they eliminate them so that South Africa could be free of crime. Covid 19 exposed lot of things about this country especially with regard to the factors mentioned above. Unethical leadership contribute to greed and self-serving public officials and private sector officials at the expense of the poor and more should be done to deal with unethical conduct by public representatives in order to combat crime.

Fortify Civil Society Organisations participation

In the midst of ongoing Covid 19 pandemic in South Africa, it's important for Civil Society Organisations to play their role in ensuring that there is a transparency and accountability in the affairs of government in terms of how they execute their policies. Due to high level of corruption on Covid 19 pandemic, all Civil Society Organisations need to play active role in holding those in power accountable for their actions in order to prevent misuse of state funds. Civil Society Organisations should be at the forefront in advocating for free corruption society and help communities to receive quality services from government at national, provincial and local spheres. Civil Society Organisations should participate in decision making processes and ensure that there is fairness especially on Covid 19 tenders and those who are found to be in the wrong side of the law be held accountable regardless of their socio-economic and political status. Decisions that come from well-organised public participation, in

alliance with an engaged civil society, will be instrumental in the reorientation of public administration and the ongoing problems of corruption and inefficiency in national, provincial and local government could be remedied if a strong democratic foundation is built (Buccus, 2021).

Protection of whistleblowers

Within the South African context, it is averred that whistle-blowers and whistleblowing are a necessary check and balance, ensuring accountability, a core value of democracy, within our democratic society; and further that in terms of section 16(1)(b) of the Constitution that everyone has the right to freedom of expression, which includes the freedom to receive or impart information or ideas, Isparta (2020). Due to highly level of corruption being exposed on media and by whistleblowers, it is important for anti-corrupt government to protect whistleblowers as they exposed those who are corrupt or involved in criminal activities in government and private sector.

Whistleblowers need to be appreciated and applauded for their contributions to society instead of being demonized and treated as deviants. They are playing a critical role in exposing criminal activities in government and private sector and in doing so they help law enforcement agencies to act swiftly to apprehend and prosecute those are involved in illegal activities. Government institutions need to ensure that they empower the public with information about whistleblowing so that people can report criminal activities and also ensure their safety from criminals.

Incorporated Anti-Corruption strategies

Anti-corruption strategies of government institution must comprehend each other in order to counteract corruption in the public institutions and private sector. Anti-corruption measures are about changing human behaviour and restore ethical conduct in the public and private sector where corruption is very rife. There should be ministerial committee on corruption in South Africa and their primary aim should be advocating for anti-corruption state and ensure transparency and accountability. The necessity for coordinated anti-corruption committee should involve the South African Police Services, National Prosecuting Authority, The Asset Forfeiture Unit, Special Investigative Unit, South African Revenue Services, Auditor General, Chief Procurement Officer in the National Treasury, the Financial Intelligence and all other major stakeholders working together to counteract corruption in South Africa with the endorsement by the Presidency. It is important to gather all support from all role players to ensure successful implementation of anti-corruption strategies in South Africa.

Paying attention to resource constraints is important, but the principal obstacle to effective implementation of anti-corruption reforms is usually not technical or resource-based, but political. Individuals and organizations profiting from corruption will resist changes that leave them worse off, and they will therefore try to thwart the implementation of an anti-corruption strategy (United Nations Office on Drugs and Crime, 2015). Therefore, it is of paramount importance to build a corrupt free government and ensure that all the anti-corruption strategies are implemented and monitored as well as being evaluated to check whether they are working or not.

Strengthening competition commission

To provide for the establishment of a Competition Commission responsible for the investigation, control and evaluation of restrictive practices, abuse of dominant position, and

mergers; and for the establishment of a Competition Tribunal responsible to adjudicate such matters; and for the establishment of a Competition Appeal Court; and for related matters. As the act provided above, it is important for competition commission to be capacitated with funds or resources to investigate cases of price-fixing and inflating prices during Covid 19 as most of the pharmaceutical companies were caught compromising their business regulations in terms of how they must conduct themselves. Private sector institutions should play active role in helping the competition commission in combating illegal practices from companies so that they could ensure fairness and equal opportunities in business. The competition commission should ensure that the interests of consumers, emerging entrepreneurs and other corporate competitors are protected against those who are dominant in the business sector or who have political connections to win tenders illegally and inflate prices due to greed and self-serving interests.

Conclusion

The article demonstrated opportunistic crimes associated with Covid 19 and their impact on the fight against the pandemic, the role of private sector in preventing Covid 19 and the challenges associated with law enforcement agencies in curbing opportunistic crimes associated with Covid 19. The response to Covid 19 pandemic was hijacked by corruption from public officials and private sector in terms of benefiting through illegal means. The allocated funds were meant to assist vulnerable households with food parcels, unemployment grants, support small business, farmers, erecting of temporary hospitals, temporary employment relief fund (UIF) and to also procure personal protective equipments. South African government need to ensure that anti-corruption strategies are implemented in line with the laws of this country. The laws are there, they just need to be implemented consistently by ethical public servants and protect the vulnerable people against corrupt public and private sector officials who benefit unlawful at the expense of the poor.

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