Skills Survey for Legal Services and Private Security Sectors in South Africa: A Qualitative Modelling

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Abstract

Global megatrends and events such as the increasing role of technology, climate change, demographic shifts, urbanisation, pandemics and the globalisation of value chains are changing the nature of work and skills demands across the labour market. Recent examples include changes brought about by the COVID-19 pandemic. Prior to the pandemic, some employees were reluctant to learn basic computer skills. Lockdowns imposed by the pandemic forced many workers to work from home, which meant learning new skills. These factors indicate that a similar situation exists in South Africa. Therefore, SASSETA commissioned this study to investigate skills requirements and skills development programmes in the Legal Services and Private Security and Investigative Activities subsectors.

This study investigated each subsector with the purpose of creating their profiles, to identify key skills issues and skills development priorities, and to determine the extent of skills mismatch in order to identify hard-to-fill-vacancies (scarce skills) and top-up skills for the subsectors. To achieve this goal, a survey was conducted. A multimethod approach was adopted as the overall research design. The study targeted 664 companies: 341 in Legal Services and 323 in the Private Security and Investigative Activities. This figure was arrived at by using Raosoft sampling software to calculate the sample size. Simple random sampling was used to select participants. An online questionnaire was sent to all 664 companies. Seventy-eight companies participated in the study: 35 in Legal Services and 43 in the Private Security and Investigative Activities.

The study revealed that most companies fall within the SMME category and have been in operation for between 10 and 20 years. Males dominate the workforce in both subsectors. The core business of Legal Services is to provide legal services to clients; the private security sector provides security services to its own clients. These two subsectors are regulated by different regulatory bodies: Legal Services by the Legal Council of South Africa and the security services subsector by PSiRA.

The study identified several knowledge and skills issues in the two subsectors. IT (computer literacy) and emotional intelligence are found to be scarce skills in both sectors. Other scarce skills have been identified as subsector specific. For example, it was found that in Legal Services, scarce skills include client retention, experience in the legal field, marketing research, networking, telephone handing, client management, knowledge of court directives, of forensic law, intellectual property matters, international trade, practice management, and tax law.

In the Private Security and Investigative Activities subsector, the following knowledge and skills were found to be scarce: drug and narcotics training, firearms training, investigation, narcotics dog handling, psychology, rapid reaction, security situational awareness, security teaching and training, social work, VIP protection, biological threat handling, critical thinking, dog handling, drone operation, intellectual skills, investigation, paralegal performance, and risk evaluation. These skills can be acquired through formal education, on the job experience, and mentoring. The study concluded that there are no skills mismatches in either of the subsectors.

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List of acronyms

3D	:	Three-dimensional
4IR	:	Fourth Industrial Revolution
AsgiSA	:	Accelerated and shared Growth Initiative for South Africa
BBC	:	British Broadcasting Corporation
CCDP	:	Continuous Professional Development Programmes
CEDEFOP	:	Center for the Development of Vocational Training
FET	:	Further education and training
FIC	:	Finance Intelligence Center
ICT	:	Information Communication Technology
ILO	:	International Labour Organisation
IoT	:	Internet of Things
IT	:	Information technology
JipSA	:	Join Initiative for Priority Skills Acquisition
LGSETA	:	Local Government Sector Education Authority
LLB	:	*Legum Baccalaureus* / Bachelor of Laws
LSSA	:	Law Society of South Africa
NASA	:	National Aeronautics and Space Administration
NCV	:	National Certificate Vocational
NQF	:	National Qualifications Framework
NSC	:	National Senior Certificate
OECD	:	Organisation for Economic Co-operation and Development
PSiRA	:	Private Security Industry Regulatory Authority
PWC	:	PricewaterhouseCoppers
RAF	:	Road Accident Fund
RPL	:	Recognition of Prior Learning
SABS	:	South African Board of Sheriffs
SAQA	:	South African Qualifications Authority
SASSETA	:	Safety and Security Sector Education and Training Authority
SETA	:	Sector Education and Training Authority
SMME	:	Small medium and micro enterprises
TVET	:	Technical and Vocational Education and Training
UK	:	United Kingdom
UN-CPC	:	United Nations-Central Product Classification
USA	:	United States of America
VIP	:	Very important person
WEF	:	World Economic Forum

Chapter 1

1.1. Introduction and background

South Africa has experienced skills shortages in the labour market over the past decade. The Department of Home Affairs (DoHA) provided a list of critical skills (Department of Home Affairs, 2021) that are needed in South Africa. According to Penxa (2009), the labour market does experience scarce or critical skills, and skills mismatches. These challenges disrupt the labour market. The government of South Africa has passed several items of legislation that aim to address knowledge and skills shortages. An example of one such legislation is the Skills Development Act 97 of 1998. Through this Act, specific knowledge and skills gaps and interventions were identified.

This Act established Sector Education and Training Authorities (SETAs) to provide training and learnerships to address skills gaps. The Safety and Security Sector Education and Training Authority (SASSETA) is one such authority. SASSETA has grouped its constituencies into seven subsectors (also known as chambers); these are Policing, Corrections, Defence, Justice, Intelligence Activities, Legal Services, as well as Private Security and Investigation Activities (SASSETA, no date). SASSETA has commissioned this study to investigate the activities of the Legal Services and Private Security and Investigative Activities with special focus on skills shortages and skills mismatch in the two subsectors.

1.2. Background to the study

The nature of work has changed from what it was decades ago. The changes have been influenced by several factors, such as climate change, urbanisation, the Fourth Industrial Revolution (4IR), to list but a few factors (Marr, 2018; Lieberman, 2019; Kuddus, Tynan and McBryde, 2020). The 4IR is presumed to bring about huge changes in the labour market. This is because of its heavy reliance on information technology (IT) skills. The recent global pandemic COVID-19 has not only brought unemployment, but also dramatic changes in world economics and the nature of work (United Nations Development Program (UNDP), 2021). Changes in the nature of work affect the knowledge and skills requirements needed in the workplace. An example is the COVID-19 pandemic that required many workers to work virtually from home, thus forcing many to acquire information technology (IT) skills (Yang et al., 2020).

The Republic of South Africa (RSA) has experienced skills shortages since the dawn of democracy in 1994. In the early-2000s, the government identified knowledge and skills shortages in many sectors of the economy. Some of the identified knowledge and skills shortages include doctors, nurses, educators, artisans, IT specialists, to list a few (Daniels, 2007; Mateus, Allen-Ile and Iwu, 2014).

In South Africa, these skills shortages are caused by several factors, including the ones briefly highlighted above. Rasool and Botha (2011, p. 2) and Mateus, Allen-Ile and Iwu (2014, p. 63) have identified factors such as a weak education system, emigration, and high crime levels as causes of knowledge and skills shortages.

Knowledge and skills shortages greatly affect the labour market and can lead to unemployment and skills mismatches. In the Legal Services and Private Security and Investigative Activities subsectors in South Africa, it is not known if required skills are sufficiently available and whether there are skills mismatches in the two subsectors.

1.3. Aim of the Study

This study aimed to investigate skills requirements, skills shortages and skills mismatches and skills development priorities in the Legal Services and Private Security and Investigative Activities subsectors in South Africa.

1.4. Objectives of the study

The study aimed to achieve the following objectives:

- Conducting research per subsector with a focus on the sector profile,
- Identifying key skills issues and skills development priorities per subsector, and
- Determining the extent of skills mismatch in order to identify hard-to-fill-vacancies (scarce skills) and top-up skills (skills gaps) in the subsectors under review.

1.5. Research Questions

The study answered the following research questions:

- What are the core activities of the legal services and private security and investigative services subsectors in South Africa?
- What are the knowledge and skills requirements in the two subsectors?
- Are there scarce skills and skills shortages in the two subsectors?
- Is there a skills mismatch in the two subsectors?

- How are knowledge and skills acquired in the two subsectors?

1.6. Significance/ Rationale of the study

The above-mentioned global changes and the identification of knowledge and skills shortages in South Africa have necessitated research to be conducted in the two subsectors to investigate knowledge and skills shortages and skills mismatches. This is because to succeed in the 21st century labour market, one needs a comprehensive skillset composed of cognitive, socio-emotional, technical, and digital skills (The Safety and Security Sector Education and Training Authority (SASSETA, no date). This study will identify whether the above-mentioned challenges occur in the two subsectors so that interventions are implemented if need be.

<div align="center">**Chapter 2**</div>

Conceptual framework and literature review

2.0 Introduction

This chapter presents a conceptual framework and review of the literature relevant to the study. This study aimed to investigate knowledge and skills requirements and skills development priorities in the Legal Services and Private Security and Investigative Activities subsectors in South Africa. The first section of the chapter is the conceptual framework which will be followed by the literature review.

2.1.   Conceptual framework

A conceptual framework defines and explains the main concepts of a study (Grant and Osanloo, 2014, p.17). According to Ngulube, Mathipa and Gumbo (2015) a conceptual framework defines study concepts, models and theories. There have been many debates about the differences between theoretical and conceptual frameworks. This section of the study does not intend to continue that debate but adopts a conceptual framework as a suitable theoretical foundation of the study. A conceptual framework guides the researcher to select and justify concepts relevant in the study and link them to the research question (Tamene, 2016, p.51). This subsection will define the following concepts: legal services, legal firms, private security companies, occupations, knowledge and skills (hard and soft skills), scarce skills, critical skills, and skills mismatch. These concepts form the conceptual foundation of the study.

2.1.1.   Legal services

Bourke, Roper and Love (2020, p.142) define legal services as a sector that provides "advice, assistance or representation in connection with the application of the law and the resolution of disputes, determining the nature of a person's legal rights or liabilities". Market Line Industry Profile (2019) states that the legal services sector includes law practitioners operating in every sector of the legal spectrum and include commercial, criminal, legal aid, insolvency, labour/industrial, family and taxation law.

The Standard Industrial Classification (2007) defines legal services as a sector that provides legal representation to one party against another before a court of law or other judicial bodies. Legal services provide legal advice and representation in criminal actions, civil cases and in connection with labour disputes.

Citing the United Nations' (UN) Central Product Classification (CPC) Group 181 for legal services, Collins (2018, p.5) states that legal services are classified into four categories:

a)   legal advisory and representation services in the different fields of law,

b) legal advisory and representation services in statutory procedures of quasi-judicial tribunals, boards, etc.,

c) legal documentation and certification services, and

d) other legal advisory and information services.

What is deduced from the literature is that this is a sector that provides all kinds of legal services to the community. The study will adopt this definition from the literature. It therefore defines legal services in South Africa as a sector that provides all sorts of legal services to those who need them.

2.1.2.   Law firms

The term firms and company or organisation are used interchangeably. It depends on each sector which term is adopted. Collins (2018) states that legal services companies provide legal advice (legal rights and obligations) to clients (individuals or corporations). Legal services companies represent clients in civil and criminal cases as claimants and defendants respectively. Lexico (2021) defines a law firm as a business that is engaged in the practice of law. The Merriam-Webster Dictionary (2021) defines law firms as a group of lawyers working together as a business. The definitions provided indicate that legal firms/companies provide legal services. The study defines legal firms as legally registered firms that provide legal services. For the purposes of the study, the term 'firm' will be adopted to mean legal companies. This is because the Law Society of South Africa 2019/2020 Annual Report (2021) refers them as law firms.

2.1.3.   Private security

Private security is defined as a profit-making industry that provides personnel, equipment, and procedures to prevent criminal action (De Waard, 1999; Hess, 2009). Private security services provide internal security that focuses on police activities, such as guarding, access control and surveillance (Diphoorn, 2017, p. 90). Mentis Security (2020) is of the view that "private security is contracted services to companies, people or organisations for the protection of personnel and property".

Van Riet (2020, p.86) distinguishes between two types or private security services: private security companies or firms and private military services. According to van Riet (2020, p.86) private military companies are called 'mercenaries' while private security companies provide guarding services in urban areas. Adams (2002, p.56) states that private military companies are businesses that are involved in military activities such as military operations and leadership and operating military equipment. They are often hired by governments to carry out military services on their behalf. Diphoorn (2017, p.90) describes mercenaries as private military companies that are directly involved in a conflict.

The definitions provided indicate that private security services provide security services within the borders of a country. They are different from private military companies who are hired by governments and are directly

involved in conflicts. This study views the private security services subsector as providers of security services that protect citizens and property within the borders of a country (South Africa in this case).

2.1.4. Private security companies

De Waard (1999, p.144) states that private security firms or companies perform security tasks for third parties. Hess (2009, p.3) states that private security companies provide personnel, equipment, and procedures to prevent criminal action. Hess (2009, p.3) further states that they meet the needs of individuals, organisations, and societies that require more protection that is not provided by state police officers.

Private security companies operate within the borders of a country and help in providing general security services. They provide internal security that focuses on police activities, such as guarding, access control and surveillance (Diphoorn, 2017, p.90).

The study adopted the term 'private security company' instead of 'private security firm'. This is because the literature (De Waard, 1999; Hess, 2009, and others) refer to them as private security companies instead of private security firms.

2.1.5. Occupations

Indeed.com (2021) defines an occupation as work that is held by a person with distinct skills and interests in a specific field. According to the International Labour Organisation (ILO) (no date) an occupation is a "set of jobs whose main tasks and duties are characterised by a high degree of similarity". ILO (no date.) further states that a person can be associated with an occupation through the main job held or future jobs within the industry. The Department of Higher Education and Training (2013, p.6) defines an occupation as a "set of jobs whose main tasks and duties are characterised by a high degree of similarity (skill specialisation)". According to the Local Government Sector Education and Training Authority (LGSETA) (2016, p.8), "an occupation refers to a set of jobs or specialisations whose main tasks are characterised by such a high degree of similarity that they can be grouped together for the purposes of the classification".

The given definitions indicate that an occupation is a group of similar jobs within an industry or sector. An example is teaching. It is an occupation in the education sector. This study regards an occupation as such.

2.1.6. Knowledge

Occupation and jobs are characterised by knowledge and skills that are required in that industry or sector. This study differentiates between knowledge and skills.

According to Mendez, Gomes and Batiz-Lazo (2004) knowledge is our perspectives and concepts, root causes, talents, ideas, and judgments. Tsai, Chang and Chen (2006, p.61) state that knowledge includes, intuition,

vision, value, structured experience, and judgement. Nonaka and Takeuchi (1995), state that knowledge can be technical and/or cognitive. Technical knowledge encompasses personal skills and craft. It is referred to as know-how. Cognitive knowledge consists of beliefs, values, mental models, and ideals which are deeply ingrained in human beings and are often unnoticed or taken for granted.

The study adopted Nonaka and Takeuchi's (1995) definition of knowledge. It views knowledge as cognitive and technical. It is a state of mind or abilities that can be processed by an individual.

2.1.7. Skills

A skill is defined as the ability to carry out tasks and duties of a given job (ILO) (no date). According to The Organisation for Economic Co-operation and Development (OECD) (2017), skills are cognitive and non-cognitive abilities. Cognitive skills are the abilities to understand complex ideas, learn from experience, reason, and adapt effectively to the work environment. They include literacy, numeracy, and the ability to solve abstract problems (Brunello and Wruuk, 2019, p.4). Non-cognitive skills include social, emotional, and behavioural skills. Examples are work habits, behavioural traits, and physical characteristics (Brunello and Wruuk, 2019, p.4).

Two dimensions of skills are used to arrange occupations into groups (Department of Higher Education and Training, 2013, p. 6). They are hard and soft skills. Laker and Powell (2011) state that hard skills are technical skills and soft skills are interpersonal and intrapersonal skills. Examples of soft skills are leadership, self-management, conflict resolution, communication, and emotional intelligence. Operating equipment is an example of hard skills (Laker and Powell, 2011, p. 113). Gale, Duffey, Park-Gates and Peek (2017, p. 52) identified the following as examples of soft skills: work ethic, paying attention to details, interpersonal, communication, and time management skills. Gale *et al.* (2017, p. 52) further identified computer skills, efficiency, product knowledge, experience, and 3D modelling as hard skills.

The study adopted Laker and Powell (2011) and Gale *et al.*'s (2017) definition of soft and hard skills. This study views technical skills as hard skills and cognitive skills as soft skills

2.1.8. Skills shortages

There is no agreed upon definition of skills shortage. The difficulty associated with defining skills shortages makes it difficult to measure skills shortages (Richardson, 2007; Rasool and Botha, 2011). Barnow, Trutko and Lerman (1998, p. 5) state that it refers to a mismatch between workers and jobs in a country and sometimes refers to a shortfall in the total number of workers in the labour force. According to Richardson (2007, p. 12), it is a situation whereby there are unfilled vacancies in the labour market. In such a situation, the salaries and wages paid are competitive, but there are scarce skilled workers to take up available positions. It is "a disequilibrium condition where the amount of labour workers willing to supply their labour is less than employers are willing to buy at the prevailing wage" (Barnow, Trutko and Lerman, 1998, p. 5). Brunello and Wruuk (2019, p. 4) are of the

view that this situation "arise when employers are unable to recruit staff with the required skills in the accessible labour market and at the ongoing rate of pay".

The definitions state that skills shortages happen when the number of skilled employees are less than the amount of jobs available in the job market. This situation leads to unfilled vacancies. This study adopts all definitions presented in this section.

2.1.9. Scarce and critical skills

Scarce skills refer to those occupations in which there is a scarcity of qualified and experienced people currently or anticipated in the future. This is a situation in which skilled people are either not available, or they are available but do not meet employment criteria (Department of Higher Education and Training, 2014). LGSETA (2016, p. 7) adopted the same definition from the Department of Higher Education and Training. According the Skills Portal (2019), scarce skills are the demand for skilled people to fill occupations in the labour market. Bolnick (2019) defines scarce skills as skills that are in demand by employers. They are regarded as scarce because there aren't enough qualified professionals in that field. The Bellview Institute of Distance Learning (2021) is of the view that scarce skills happen when there are not enough qualified individuals, when people decide to work abroad instead of their home countries, when companies want special experience, and when most people study for professions with enough qualified professionals already.

This means that critical skills are special skills that are hard to find in the labour market. This could be caused by less qualified people, emigration, and labour market saturation.

The term scarce skills and critical skills are sometimes used interchangeably in literature although they have different meanings. LGSETA (2016, p. 8) defines critical skills as referring to specific key or generic and "top-up" skills within an occupation. The Skills Portal (2019) concurs and state that "critical skills are "top-up" skills within an occupation. Critical skills can be specific to an occupation resulting in skills gaps. Such a situation could be caused by improved technologies or new forms of work in organisations. Top-up-skills are acquired through continuous professional development programmes (CPDP). CPDP is the continuous extension of knowledge and skills through continued development of one's ability by further training, professional updating, and study of any kind (Wilkins, 1997).

What is deduced from the literature is that critical skills are different from scarce skills because they are 'top-up' skills. That means that they are supplementary skills needed in an occupation. They are those skills that are needed on top of generic skills required. An example could be neurosurgeons in the medical field or law professors or crime intelligence operatives in private security. The study adopts the LGSETA (2016) definitions of critical skills.

2.1.10. Skills mismatch

Skills mismatch is a misalignment of skills that are required by employers and the skills that individuals possess (ILO, 2020). According to Brun-Schammé and Rey (2021, p. 2) skills mismatch is the "the sub-optimal use of an individual's skills in their occupation". The European Centre for the Development of Vocational Training (CEDEFOP) (2014) defines skills mismatch as "an imbalance in which the type or level of skills available does not correspond to labour market needs". This means that it is a situation whereby wrong skills are utilised in unsuitable occupations or jobs.

Brunello and Wruuk (2019) and Grapsa, Mcwango and Rogan (2019) state that skills mismatch happens at macro and micro levels. At macro level, it is the gap between the supply and demand for skills. In this situation, jobs are offered without taking into consideration the skills and qualifications of job seekers. At macro level, it also happens within a geographic region, for example a country. At the macro level, skills mismatch is measured by comparing the composition of vacancies by qualification with that of the working population.

A micro level skills mismatch happens when workers have a level of skills that is different from what is required for their job (Brunello and Wruuk, 2019, p. 4). At this level, skills mismatch is measured by determining the skills or qualifications of an employed worker with the skills or qualifications required by his or her job.

Grapsa, Mcwango and Rogan (2019, p. 224) defines skills mismatch as excess or of lack of formal qualification skills or both that a particular worker can experience in his or her job. In this study, skills mismatch is determined at a macro level. That is at subsector level.

2.2. Literature review

This section presents a review of the literature on related studies. Three major themes are discussed: causes of knowledge and skills changes in world economies, skills and knowledge requirements in Legal Services and Private Security and Investigative Activities sectors, and legislative frameworks that regulate the two subsectors in South Africa.

This subsection is structured as follows: first to be presented are the causes of knowledge and skills changes in all sectors of the world economy. The second and third parts will review literature on the activities and legislative frameworks of the two subsectors under study.

2.2.1. Factors causing changes in the nature of work and skills demands

Global mega trends such as the rising role of technology, climate change, demographic shifts, urbanisation, pandemics and the globalisation of value chains are changing the nature of work and skills demands.

According to National Geographic (2021), "climate change is a long-term shift in global or regional climate patterns". It is a long-term alteration of temperature and weather patterns. Jackson (2021) defines it as a sporadic change in the earth's climate. According the National Aeronautics and Space Administration (NASA) (2021) and National Geographic (2021), climate change will continue to have devastating effects on the globe. The temperature and sea levels will rise, there will be frost free seasons, changes in precipitation patterns, more droughts and heats waves, floods will become stronger, and an ice-free Artic Circle. Climate change will not only change the geographic environment but will have a long-term effect on agriculture, policy, economics, food security, national security, and many other spheres of life.

Its effects on national security will cause internal security problems that will need to be dealt with by national governments. Lieberman (2019) is of the view that climate change is a security threat multiplier. This is because environmental and ecological degradation will lead to increased competition for scarce resources, thus causing conflicts. Conflicts will require new strategies and new skills in the safety and security sector. Krasna *et al.* (2020, p. 10) state that the following skills will be needed in the safety and security industry because of the effects of climate change: soft skills such as communication, policy development, critical thinking, and analytical skills.

It is predicted that this is going to be the case in the security and legal services subsectors in South Africa. For example, new policing skills will be needed to tackle new security threats and policy development skills (which are provided by legal services) are predicted to be essential in the future to address the security threats caused by climate change.

Another phenomenon that affects skills change is demographic shifts. Zimmer (no date) defines three demographic shifts: Baby Boomers, Generation X, and Millennials. According to PricewaterhouseCoopers (PWC) (no date), demographic shifts will change the employment landscape. This is true because of the different skills that are possessed by these three generations. Generation X and Millennials are regarded as technology savvy and the Baby Boomers as technophobic (Guri-Rosenblit, 2018, p. 94). This has wide implications on knowledge and skills sets in the workplace. For example, the 4IR and IoT will require advanced technology skills. This means that employees and the public should possess such skills to survive. This has implication in the two subsectors under study.

Urbanisation is also believed to have an influence in the changing nature of knowledge and skills required in the 21st century. According to National Geographic (2021) "urbanisation is the process through which cities grow, and higher percentages of the population comes to live in the city". It is the mass movement of people from rural areas to urban areas and the consequent changes to urban setting (Kuddus, Tynan and McBryde, 2020, p. 1). It is the physical growth of urban areas. Urbanisation has a lot of effects on society and in labour markets. It affects the economy of cities, the environment, ecosystems, population, security, the social and health of citizens.

From the economic perspective, Murali *et al.* (2018, p. 8) is of the view that urban life provides many benefits to urban residents. These benefits include providing abundant job opportunities and higher incomes. To

businesses, it offers lower input costs, greater collaboration, and innovation opportunities. In as much as it is argued that urbanisation improves lives, it has created many challenges as well. Murali *et al.* (2018, p. 8) states that improving local skills is one of the challenges caused by urbanisation. The Education for All Global Monitoring Report (2012) states that many urban poor dwellers lack foundational skills because of lack of access to education.

This could be true in the two subsectors under study if the workers come from poor urban environments. Urbanisation can also bring legal challenges such as lack of access to legal representation. This is caused by economic inequality in urban areas (Education for all Global Monitoring Report, 2012). It is therefore assumed that urbanisation affects the two subsectors under study. The private security subsector would require skills to operate in densely populated urban areas with high crime rates. The Legal Services will require knew knowledge and skills to provide legal services to diverse population groups.

Globalisation of value chains is another facilitator of knowledge and skills changes. Bullock, Jennings, Timbrell (2019) defines globalisation as the process that leads to countries of the world uniting through trade and social and cultural exchange. It results in an interconnected world with international markets in which products and services are transferred across national boundaries. The British Broadcasting Corporation (BBC) (2021) defines globalisation as the process of interconnecting the world through trade and cultural exchange.

The globalisation concept has created two dichotomous schools of thoughts; those who oppose globalisation and those who are in support of globalisation. Supporters argue that globalisation will remove trade barriers, increase production, thus improving economic activities (BBC, 2021). Critics of globalisation are of the view that it has led to a war between the rich and poor, thus causing social injustices such as civil wars, organised crime, terrorism, and many other social ills (de Sousa Santos, 2006). Docquier and Rapoport (2012, p. 683) are of the opinion that is has caused massive brain-drain in developing nations and Potrafke (2014, p. 509) blames it for many economic shortcomings.

There is no doubt that globalisation has affected labour markets, thus affecting employee skills and knowledge (Wood, 1998; Montt, 2015). It is for this reason that the local Security Services and Investigative Activities and Legal Services subsectors are equipped with new skills to work in the new environment. Collins (2018, p. 1) states that "globalisation has influenced the legal sector by expanding the need for legal services that cover multiple jurisdictions and may be flexibly applied by the same provider or firm"

The is absolutely no doubt that technological changes have a huge influence on jobs and skills. The world is said to be moving towards a new industrial revolution, the 4IR. The 4IR or Industry 4.0 is a new concept indicating a shift from the past three industrial revolution (iED Team, 2019).

According to the World Economic Forum (WEC) (2021), the 4IR will affect the way human beings interact with each other and the way they work. This revolution is driven by advanced technology that merge the physical,

digital, and biological worlds (Schwab, 2021). According to Marr (2018), in the 4IR, machines will interact, visualise and make decision in the entire production chain. Schwab (2021) further states that the 4IR will be characterised by ubiquitous and mobile supercomputing, intelligent robots, self-driven cars, and other advanced technologies and devices. Li, Hou and Wu (2017) state that the 4IR is characterised by cloud computing, IoT, machine learning, artificial intelligence, and the use of big data.

It is argued by Marr (2018) that the 4IR will increase the quality of life and raise income levels. Hoosain, Paul, and Ramakrishna (2020, p. 1) are of the opinion that the 4IR will promote a circular economy. This is an economy with economic and environmental benefits. That is, the reduction of greenhouse gases and increased economic growth. The Common Fund for Commodities (2018) states that technologies of the 4IR will enable the world to tackle challenges such as climate change, a growing population, dwindling resources and address the ever-growing demand for food.

On the contrary, Marr (2018) is of the opinion that this revolution will disrupt all disciplines, industries, and economies. Brynjolfsson and McAfee (as cited in Schwab, 2021) are of the opinion that the 4IR could lead to great inequalities and particularly disrupt the labour market. Automation will mean that machines will replace workers thus leading to mass unemployment; cybersecurity risks and misinformation will be prevalent. Frey and Osborne (2013) estimated that computerisation in the 4IR will have a devastating effect on labour and wages. The sentiments are shared by Singh, Sarkar and Bahl (2018, p. 7) who state that the 4IR will come with reduced job opportunities in many sectors and will change the nature of many jobs.

The opposing views mean that the 4IR will provide opportunities and challenges to the labour market at large. It will provide opportunities by introducing new working devices and processes which will increase production, but on the other hand such devices will substitute labour. This is an envisaged revolution, and it means that new knowledge and skills will be required to navigate it. This is going to be the case in the two subsectors under study. The Private Security and Investigative Activities subsector will require skills to operate new security devices and technologies. The Legal Services subsector will require new knowledge and skills to provide legal services in a new environment.

It is argued that the 4IR will be influenced by the IoT. Weber (2010, p. 23) defines the IoT as emerging technologies that will facilitate the exchange of goods and services in the global supply chain networks. It will provide an infrastructure for the facilitation of 'things' over the Internet. Atlam, Walters and Wills (2018) state that IoT is Internet technology that will connect virtual and physical objects all over the world. It will enable many devices to connect and communicate with each other and perform task instructed to them. Butun, Österberg and Song (2020, p. 616) are of the opinion that IoT will enable people and smart devices to be connected at any time, and at any place, to anything and to anyone, via any network services.

Scholars are of the opinion that IoT will bring enormous opportunities and challenges. Security is one of the challenges that many authors have raised (Weber, 2010; Butun, Österberg and Song, 2020). Mukhopadhyay and

Suryadevara (2014, p. 4) are of the view that lack of employee knowledge and skills to operate new devices and technologies will be a challenge. Waterfield (2020) argues that the IoT has the potential to make many jobs redundant. Waterfield (2020) states that, "in developing countries, organisations might find themselves attracted to automated processes, which are more efficient and cost effective, than hiring locally".

This means that the labour market is going to be affected by the 4IR and the IoT. New knowledge and skills will be required. Private security and legal companies will be forced to use technologies and devices that are not used today. These two subsectors will be required to acquire the required knowledge and skills.

2.2.2. Skills shortages and their causes in South Africa

Democratic South Africa realised that she had knowledge and skills shortages in the mid-2000s. Several authors and the South African Government have written reports and academic papers about this issue. This section will review literature on skills shortages in South Africa.

In 2011, Rasool and Botha (2011) reported that South Africa was experiencing a shortage of skilled workers. Rasool and Botha (2011, p. 2) are of the view that skills shortages in South Africa were a consequence of socio-political and economic factors. They further state that the inability of the education system to meet the growing demands of local firms aggravated the situation. In their summary of the causes of skills shortages in South Africa, Rasool and Both (2011) and Mateus, Allen-Ile and Iwu (2014, p. 63) identified the following factors causing skills shortages; the education system, structural changes in the South African economy, emigration, HIV-AIDS, and high crime levels. Mateus, Allen-Ile and Iwu (2014, p. 63) argued that economic growth was the main course of skills shortages. Daniels (2007, p. 5) identified Bantu education and the reintegration of the South African economy to international markets as the main courses of skills shortages in South African in the early 2000s.

Daniels' (2007) literature review identified several scarce skills in South Africa. Among them were educators and academics, medical practitioners and nurses, engineers and technicians, biotechnologists, managers, and information and communication technology (ICT) professionals. Mateus, Allen-Ile and Iwu (2014) identified the following scarce skills in South Africa: artisans, nurses, doctors, and teachers. The Department of Home Affairs (2021) published a long list of critical skills of which are required in South Africa.

2.2.3. Skills shortages interventions in South Africa

Daniels (2007), Rasool and Botha (2011), and Mateus, Allen-Ile and Iwu (2014) and ILO (2019) identified several legislations have been passed by the South African Government to address skills shortages. Examples are the following: Skills Development Act (No 98 of 1999), South African Qualifications Authority (SAQA) (No. 58 of 1995), National Qualifications Framework (NQF) (No. 67 of 2008), the Accelerated and Shared Growth Initiative for South Africa (AsgiSA), National Skills Fund, the Joint Initiative on Priority Skills Acquisition (Jipsa) and the

National Development Plan 2030. IOL (2019, p. 33) lists six Technical and Vocational Education and Training (TVET) qualifications interventions that have been implemented to address skills shortages. They are NATED (N) programmes, National Senior Certificates (NSC) for technical subjects offered by high schools, National Certificate Vocational (NCV) programmes, occupational programmes, such as learnerships, National Higher Certificates offered in partnership with colleges and higher education institutions, and recognition of prior learning (RPL).

Sector Education and Training Authorities (SETA) were created under the Skills Development Act to address skills shortages in South Africa. These organisations are tasked with filling the skills gap by providing training and funding to critical skills development areas. SASSETA is one of the 21 SETAs responsible for skills development in South Africa. Its focus is on the safety and security sector (SASSETA Strategic Plan 2015/16 – 2019/20, no date.). This study focuses on two subsectors under SASSETA which are Legal Services and Private Security and Investigative Activities.

2.2.4. Skills mismatch in South Africa

Studies have been conducted that focus on skills mismatch around the globe. This subsection will review literature on skills mismatches in South Africa. Not many studies have been found in the literature on skills mismatch in South Africa, but this section attempts to provide a brief review on the identified studies. Brun-Schammé and Rey (2021, p. 2) are of the view that skills mismatch can be a source of dissatisfaction for workers and can put brakes on productivity. Skills mismatch is a situation where an employee feels that their skills level does not match the level required for the job, either because they are too highly skilled or because they feel they are lowly skilled in relation to the needs of the job (Schammé and Rey, 2021, p. 5).

Grapsa, Mcwango and Rogan (2019, p. 223) are of the opinion that it is important to match the skills of the labour force and the labour market in South Africa because of the high employment rate. They further state that both educational and skills mismatch need to be considered in the South African context as they appear to be prevalent. They also state that a few studies have been conducted in South Africa on skills mismatch. Grapsa, Mcwango and Rogan (2019) found a high education skills mismatch prevalence in the South African labour force with the majority of workers being under educated in certain occupations and jobs. They found over-skilling in certain occupations such as agriculture and fisheries.

LGSETA (2020, p. 78) identified intervention strategies to address skills mismatch in South African local governments. Some of the strategies identified are improving IT skills, continuous vocational training, apprenticeships, and personal training accounts.

This subsection identified global changes that have affected the nature of work. It has also identified the causes of skills shortages in South Africa and intervention strategies. None of the studies reviewed shows that that the same problems happens in the two subsectors under study. This is what this study will determine.

2.3. Private Security Services and Investigations tasks/activities: global context

This section provides a review of the literature of the private security services and investigations. The review presents studies that have been conducted on the activities, knowledge and skills requirements, and the legislative frameworks of the subsector. This section provides a global perspective.

There are several tasks/activities that are performed by private security services companies across the globe.

According to De Waard (1999, p. 145) private security companies perform the following tasks:

a)   protection of movable and immovable property,

b)   transportation of cash and valuables,

c)   protection of persons (VIP protection, for example by means of bodyguards),

d)   management/administration of central alarm monitoring stations,

e)   store security,

f)   in-house detectives,

g)   access control,

h)   attendance at events,

i)   custody of detainees,

j)   key-holding; security of car parks including mega-malls,

k)   supervision of apartment blocks,

l)   messenger and courier services,

m)   reception and hall porter services,

n)   handling alarms and alarm systems, and

o)   CCTV monitoring, emergency response duties, and security consultation.

Strom *et al.* (2010) identified nine services provided by private security companies in the United States of America (USA). They are as follows:

a)   guarding services,

b)   alarm monitoring,

c)   [private]investigations,

d)   armoured transport,

e)   correctional facilities management,

f)   systems integration and management,

g) security consulting,

h) pre-employment screening, and

i) information technology security

Dzhekova and Rusev (2015) mentions the following private security services provided in Southern Europe:

a) guarding of people (this includes body guarding of individuals),

b) guarding property (guarding physical property such as buildings and homes),

c) guarding events (providing for the undisturbed and unimpeded holding of mass events or activities of a short-term nature),

d) protection of valuable consignments and cargo (protecting money, and other valuables using armoured vehicles), and,

e) guarding with technical systems (surveillance and control of guarded sites through the use of technical devices and system).

The European Commission Inspire Report (no date) states that the following activities are provided by private security companies in Europe:

a) guard and patrol services,

b) picking up and delivering money, receipts, or other valuable items with personnel and equipment to protect such properties while in transit,

c) armoured car services,

d) bodyguard services,

e) polygraph services,

f) fingerprinting services,

g) security guard services, and

h) security shredding of information and any other media.

Dupont (2014) states that private security companies are responsible for law enforcement, guarding property such as malls, conduct patrols and manage fraud. According to Nemeth (2012) private security companies provide the following services:

a) community protection and services,

b) public housing protection,

c) parking authority control and security,

d) enforcement of motor vehicle laws,

e) natural resource activities,

f) waterways and port services,

g) air and rail protection,

h) animal control,

i) court security,

j) governmental office security,

k) private prisons,

l) code violation inspectors,

m) special event security,

n) and government investigations.

Kakalik and Wildhorn (as cited in Strom, 2010, pp. 2-2) state that private security organisations and individuals provide all types of security-related services, including investigation, guard, patrol, alarm, and armoured transportation.

The literature reveals that there are several activities that are performed by security companies across the globe. These activities differ from country to country. This could be due to different activities and legislation of individual countries. The literature review also reveals that guarding services, private investigations, armoured transit, and alarm monitoring are the most common activities across the countries.

2.4. Duties performed by private security personnel: A global context

Private security personnel perform many duties and roles. According to Mentis Security (2020), private security personnel perform guarding roles, investigations, bodyguarding, and detective duties. Purpura (2013) states that private security officers observe and report criminal activities while working at stationary posts or on patrol. Purpura further mentions that they work full-time or part-time and may be armed or unarmed. Private security personnel offer services that include private detectives and investigators (Purpura, 2013). According to Hess (2009), private security personnel are security guards, patrol officers, private investigators and detectives, armed couriers, central alarm respondents, and consultants. Hertig and Wade (2010) state that private security personnel are personal protection specialists, nuclear security officers, and airport security officers. Nemeth (2012) is of the view that security personnel are contract security officers, private investigators, polygraph and other detection-of-deception specialists, security alarm specialist, and security consultants.

The brief literature reveals that private security personnel occupy many duties and roles such as security guards, private investigators/detectives, and alarm specialist. These are the most common duties found in the literature.

2.5. Knowledge and skills of private security personnel

Knowledge and skills that private security personnel possess or should possess play a vital role in the provision of services in the private security industry. This section presents knowledge and skills possessed by private security personnel around the globe.

According to Nemeth (2012), the lack of proper education, training and standards results in a predictable shortage of skilled and dutiful security practitioners. Nemeth (2012) is of the view that well-educated personnel are highly proficient in their field of work.

Hertig and Wade (2010) are of the view that security officers must have skills and knowledge of physical security concepts and techniques, knowledge of terrorism, public relations skills, college education, must be physically fit, be competitive in martial skills (weapons handling), be familiar with explosives and the weapons of terrorists, possess searching skills, be professional and dedicated and have knowledge of security equipment.

Nemeth (2012) is of the opinion that security personnel must be aware of the law and legislation and that security personnel require certain levels of training and standards. York and McAlister (2015) state that security services require working knowledge of basic de-escalation principles and aggression management, verbal and non-verbal communication, and personal space and territory.

This short literature review reveals that security personnel should be competent in several roles including knowledge of the law, suspect management, and handling weapons and must have soft skills.

2.6. Private Security Services and Investigative Services in South Africa: An overview

This subsection presents a brief review of the literature on private security in South Africa. It will focus on its history and activities found in the subsector.

2.6.1. History and status of the Private Security and Investigative Activities in South Africa

Diphoorn (2017) traces the history of private security companies in South Africa back to the 1970s. Diphoorn (2017) states that private security started in the mining industry. The industry grew in the 1980s during the height of resistance activities against the then apartheid regime. This was due to the increased attacks by liberation movements and state security was overstretched. To cater for such activities, several legislations were passed to allow private security companies to operate.

Van Riet (2020) is of the opinion that private security services activities have increased in South Africa. According to van Riet (2020), this is because crime levels such as housebreaking and theft, and other violent crimes have increased. This was earlier reported by Berge (2003) who said that private security services have firmly established themselves in many countries and in South Africa.

According to the Private Security Industry Regulator (PSiRA) (2019/2020) Annual Report (no date), there were 10 298 private security companies registered in its database as of 31 March 2020 of which 9744 were actively in operation. The report also states that there are companies that operate but are unregistered. Diphoorn (2017) calls unregistered companies 'bush' private security companies. The industry has seen a 20% growth from 2014 to 2020 and a 13% increase in the number of officers during the same period (PSiRA 2019/2020 Annual Report,

no date). The PSiRA 2019/2020 Annual Report further states that there are 2 495 899 active registered officers in the industry. Gauteng province has the largest number of officers.

2.6.2. Activities of Private Security Services and Investigative Services companies in South Africa

(PSiRA 2019/2020 Annual Report, no date) lists 17 security activities that are carried out by South African private security companies. According to the PSiRA report, security guarding is the biggest section in the subsector.

The activities are:

a) security guarding services,
b) assets/cash-in-transit,
c) close protection,
d) security consultancy,
e) reaction services,
f) manufacturers/importers of security equipment,
g) private investigations,
h) training,
i) security equipment installation,
j) locksmith,
k) security control room,
l) special events,
m) car watching,
n) fire prevention and detection,
o) dog training,
p) anti-poaching,
q) and other services.

According to van Riet (2020) the customers of private security in South Africa are the wealthy living in affluent suburban areas, the middle class, politicians, and private companies. The services that are provided by South African private security services are similar to the ones that are provided by their global counterparts. There are very little differences, but overall, they provide almost the same services.

Penxa (2009) states that there are dire skills shortages in the private security sector in South Africa. This is because employers have failed to train security personnel as required by legislation. Gichanga (no date) states that some security officers do not even have a matric certificate, and some cannot read and write, and others are dyslexic. This study investigated if this is still the case and findings are found in chapter 4.

2.7.   Legislation governing the private security industry in South Africa

Berge (2003) presented an analysis of several laws that governed the private security sector in South Africa in the 2000s. Berge believed the South African government realised that private security companies should operate under legislation. According to Berge (2003), the Security Officers Act 92 of 1987 was passed to create a professional and regulated security services industry. This Act was passed to address civil unrest during the 1980s. The Security Officers Amendment Act 119 of 1992 and 64 of 1996 were passed to amend the previous Security Officers Act. This was followed by the Security Officers Amendment Act 104 of 1997 which addressed the transformation of the security industry. The Private Security Industry Regulation Act 56 of 2001 was passed to address the many loopholes that were in the original Security Officers Act of 1987. Other important legislation to be considered in this industry are the Firearms Control Act 60 of 2000, Improper Conduct Enquiries Regulations 2003, Code of Conduct for Security Service Providers 2003, Security Officers' Board Training Regulations 1992, Appeal Regulations 2002, The Constitution of the Republic of South Africa, Act 108 of 1996, and The Criminal Procedure Act 51 of 1977 (Berge, 2003). Today, PSiRA provides regulations in the private security industry (PSiRA, no date). The following section will briefly discuss legislations applicable in the private security industry.

2.7.1. Private Security Industry Regulation Act, 2001

This legislation currently regulates the private security industry. It defines the scope and purpose of the industry and it describes its stakeholders. The Act provides guidelines on the establishment of the Private Security Industry Regulatory Authority. The primary objective of the Authority is to regulate the private security industry and to exercise effective control over the practice of the occupation of security service provider (Private Security Industry Regulation Act, 2001, p. 8). It further provides the guidelines on the registration of a security service provider. The Act further provides directions on issues of proper conduct and appeals in the industry, provides guidelines on monitoring and investigation, and provides other general provisions necessary in the industry (Private Security Industry Regulation Act, 2001).

2.7.2. Firearms Control Act, 2002

The purpose of the Firearms Control Act of 2002 was to establish a comprehensive and effective system of firearms control. It has five main purposes. They are to enhance constitutional rights to life and bodily integrity, prevent the proliferation of illegally possessed firearms, and removing those firearms from society, and ensure monitoring and enforcement of legislation pertaining to firearms control. The Act spells out prohibitions, including prohibited firearms and people prohibited from possessing firearms, provides guidelines on special provisions in respect to other devices not deemed to be firearms. It provides guidelines on competency certificates and firearms licences, permits and authorisations, provides legislation about dealers, manufactures or firearms, and gunsmiths. The import, export, and handling in transit of firearms and ammunition is also regulated by the Act. Further to that, the Act regulates the following, control and transportation of firearms, control of ammunition and firearms parts, inspections, declaration of persons not fit to possess firearms, search and seizure, resumptions of

possession of firearms and ammunition, provides guidelines of offences, fines and administrative penalties, legislation of firearms and ammunition organisational structures, rights to appeal, compensation, special powers relating to amnesties, and firearms free zones, and other general provisions (Firearms Control Act, 2002).

2.7.3. Code of Conduct for Security Service Providers, 2003

The purpose of the code of conduct is to provide binding rules that all security service providers and employers of in-house security officers must obey. The code stipulates who is bound by the code, for example, security companies, and individuals providing security services. The Code of Conduct provides general obligations of security service providers and the minimum standards required for conduct. It also provides specific guidelines on certain categories and classes of security service providers and different types of security services, obligations of employers of in-house security officers, and provides directions on provisions regarding improper conduct, the enforcement of the Code and other matters relating thereto, and general provisions (Code of Conduct for Security Service Providers, 2003).

2.8.   Legal Services: An overview

This section presents a brief review of the literature on legal services. It will highlight the activities of the subsector and legislation that regulates the industry.

2.8.1.   Activities of legal services firms: A global perspective

There are several activities that are conducted by the legal services firms. This section briefly discusses the services that are provided by legal firms from selected countries.

In the United Kingdom (UK), Bourke, Roper and Love (2020) state that the legal services sector is engaged in services such as solicitors, barristers, patent attorneys, conveyancers and will writers. The Standard Industrial Classification (2007) states that the legal sector includes several activities such as dealing in patents and copyrights, civil law notaries, preparing articles of in-corporation, preparation of deeds, wills, trusts. Legal firms also act as bailiffs, arbitrators, examiners, and referees. They prepare legal documents such as partnership agreements or similar documents in connection with company formations, as well as other activities of notaries.

According to IBISWorld (2021), in Australia, the legal services sector performs the following activities: advocate services, barrister services, conveyancing services, legal aid services, notary services, patent attorney services, solicitor services, public prosecutor services, government solicitor services, and title-searching services.

In India, the legal services sector specialises in conflicts resolution, patents registration and management, business law, litigation, corporate affairs, copyrights, antitrust, property, labour, arbitration, social matters that require law, expertise finance, taxation, and political issues (Nadimpalli, 2017, p. 1).

According to Trabucco (2018), in Canada, the practice of law is all about applying legal principles and legal judgment. This includes services such as negotiating another's legal rights or responsibilities, carrying out legal action or claim, performing any legal work or service for a fee or reward, representing a person before an adjudicative body, giving legal advice, settling a claim or demand for damages, drafting legal documents, appearing as counsel or advocate, and preparing and filing documents. These are also the duties performed by legal practitioners.

The brief literature review presented several activities performed by legal firms across the globe. These legal activities are similar across the legal spectrum. All legal matters are carried out in these countries discussed above.

2.8.2.   Knowledge and skills requirements of legal practitioners: A global overview

Like all professions, legal practitioners are expected to be knowledgeable and be competent in several general and legal specific areas. A review of the literature revealed several areas that legal practitioners should be competent in. Smith (2021) is of the view that there are seven skills that one needs to be successful in a law career. The knowledge and skills areas are commercial awareness, paying attention to detail, communication skills, teamwork, information analysis and research, organisations skills, and creative problem solving.

Afford (2021) is of the view that the following knowledge and skills are necessary in the legal profession: taking initiative and independence, written and verbal communication skills, the ability to work under pressure, people skills, and research and preparation skills.

Cohen (2020) states that legal practitioners must possess hard and soft skills. Hard skills are the knowledge of law, automation, legal operations, and regulations. Soft skills are "emotional intelligence, people skills, collaboration, cultural awareness, empathy, and an ability to communicate effectively with clients" (Cohen, 2020).

 Kane (2020) states that legal practitioners must have oral and written communication skills, client service, analytical and logical reasoning skills, legal research, technology, time management skills, knowledge of legal and law procedure, organization, and teamwork skills.

The review reveals that there are several skills that legal practitioners should have. These are hard and soft skills. The literature reveals that research skills seem to be very important in the legal profession.

2.8.3.   Legal services in South Africa: An overview

McQuoid-Mason (2020, p. 312) states that "South Africa inherited the UK's concept of a divided bar of solicitors and barristers", but in South Africa they are called attorneys and advocates (Kruuse and Genty, 2018). SASSETA (2020) categorises the South African legal services sector into law firms, paralegal services, sheriffs, South African Board of Sheriffs (SABS), and legal aid services. The Law Society of South Africa (LSSA) (no date,

p. 5) states that "all people who earn their living by practicing the law are called lawyers". This includes judges, magistrates, advocates, attorneys, and university lecturers. The LASSA (no date) states that there are four main occupations in the legal profession: attorneys, advocates, legal advisers, and legal professional in the Department of Justice.

According to McQuoid-Mason (2020), there were 27,223 practicing attorneys and about 2400 advocates in the year 2017/18. According to Bakker (2017), there were 25,035 practicing attorneys practicing in 12,373 law firms in South Africa in 2017/18. SASSETA (2020) states that there are 2 980 law firms registered in their database.

2.8.4. Activities of legal firms in South Africa

Several activities are performed by law firms in South Africa. A report by LSSA (2019) indicates that legal practitioners work in the following areas:

- Litigation,
- family law,
- administration of estates,
- debt collection,
- criminal law,
- labour law,
- personal injury law,
- commercial and tax law,
- conveyancing,
- insolvency law,
- constitutional law and human rights,
- intellectual property law,
- immigration law,
- environmental law,
- mining law,
- maritime law,
- corporate law,
- property law,
- Road Accident Fund,
- notarial law,
- land reform and housing,
- trust law and estate planning,
- banking and finance,

- evictions,

- insurance,

- local government,

- professional indemnity and negligence,

- administrative law,

- construction law, and

- public administration law.

2.8.5. Duties performed by legal practitioners in South Africa

A survey conducted by LSSA (2019) revealed the following positions that that are occupied by legal practitioners: advocate, associate, candidate attorney, consultant, conveyancer, notary, partner/director, professional assistant, and sole practitioner. There are other duties performed but they have not been stated. The LSSA (no date) state that attorneys are responsible for several affairs for individuals, businesses, associations, and corporations. Attorneys work in the field of business and corporate law, civil and criminal litigation, property transactions, taxation, estate planning, and personal advice (LSSA, no date). Partner and Wentzel (2018) state that lawyers handle affairs of individuals and organisations seeking legal advice. They state that advocates present court cases, provide legal advice and prepare legal documents. The University of Cape Town's Faculty of Law Faculty (2021) states that legal practitioners can assume academic duties, can be attorneys and advocates, can work in business as legal advisers, can also work in government departments and in non-governmental organisations.

2.8.6. Knowledge and skills requirements of legal practitioners in South Africa

The LSSA (2019) is of the view that legal practitioners require training in the areas that they specialise in. It suggests that training could be controlled by LSSA, especially the candidate attorney programme and that other trainings could be provided online. The LSSA website list three professional examinations that legal practitioners can take: Competency-Based Examinations for Admission as an Attorney, Competency-Based Examination for Admission as a Conveyancer, and Competency-Based Examination for Admission as a Notary.

The LSSA (no date) states that legal practitioners must be honest, decisive, objective in matters, confident, and be exceptional problem solvers. The LSSA further states that a lawyer must have exceptional communication skills and be able to explain difficult legal concepts in easy terms. Lawyers must have an LLB qualification as a basic requirement to be admitted into the legal profession (Partner and Wentzel, 2018). Partner and Wentzel (2018) are of the opinion that apart from obtaining an LLB degree, attorneys are required to complete examinations (for example, board examinations) if attorneys want to specialise in certain areas of the profession. The activities of law firms, the duties of legal practitioners, and the knowledge and skills requirements of legal practitioners.

The review reveals that there are three main positions held by legal practitioners: attorneys, advocates, and legal practitioners. The legal profession provides legal services to individuals and organisations. Legal practitioners should have a minimum LLB qualification to be admitted to the legal profession. Legal professionals should possess several skills, such as problem-solving skills.

2.8.7. Legislation governing legal services in South Africa

There are several bodies and legislations that are responsible for the operations of the legal services sector. McQuoid-Mason (2020, p. 312) states that the National Bar Council of South Africa, and the Legal Practice Council are the bodies responsible for the legal profession, and the Legal Practice Act is the legislation regulating the industry. Kruuse and Genty (2018) states that the South African Bar is governed by the General Council of the Bar and Legal Practice Act. Partner and Wentzel (2018) state that there are several laws governing the legal industry. They list the following laws as important in the industry: The Attorneys Act of 1979, The Admission of Advocates Act of 1964, The Uniform Rules for the Attorneys' Profession, The Rules of Conduct for Advocates. The Legal Practice Act of 2014 is the Act that governs the industry today. The Act is summarised below.

2.8.7.1. Legal Practice Act, 2014

The Legal Practice Act of 2014 serves many purposes. Among them is to provide a legislative framework for the transformation and restructuring of the legal profession and development of adequate training programmes for legal practitioners and candidate legal practitioners (Legal Practice Act, 2014, pp. 4-5). In general, the legislation provides guidelines for the establishment of the South African Legal Practice Council and spells out its scope, powers, functions, and its operations. It also provides regulations of legal practitioners, and candidate practitioners.

The Act provides legislation on the admission and enrolment of legal practitioners, and their training. It stipulates that a legal practitioner can be admitted after completing a Bachelor of Laws (LLB) degree and/or other qualifications. It also stipulates guidelines on vocational training, other qualifying examinations, and community service. That is, who and how vocational training is to be conducted, what other professional examinations are supposed to be completed by legal professionals and the role of community service in the profession. Further to training, the Act provides legislation on professional conduct and the establishment of disciplinary bodies. It provides legislation for the creation of the legal services Ombud. The purpose of the Ombud is to attend to all complaints against the legal profession. It also stipulates regulation on the creation of the Legal Practitioners Fidelity Fund, handling of trust monies, handling general provisions such as recovery of legal costs by legal practitioner rendering free services, and other rules and regulations are also provided in the Act (Legal Practice Act, 2014).

2.8.7.2. The Skills Development Act, 1998

The Skills Development Act of 1998 is important to in the two subsectors that are under investigation. This is because the Act is about skills development in South Africa, therefore automatically including the two sectors under study. The purpose of the Act is:

> *To provide an institutional framework to devise and implement national, sector and workplace strategies to develop and improve the skills of the South African workforce: to integrate those strategies within the National Qualifications Framework contemplated in the South African Qualifications Authority Act, 1995; to provide for learnerships that lead to recognised occupational qualifications; to provide for the 'financing of skills development by means of a levy-grant scheme and 'a National Skills Fund; to provide for and regulate employment services; and to provide for matters connected therewith* (Skills Development Act, 1998, p. 2).

The Act provides guidelines for the establishment of a National Skills Authority. The purpose of this authority is to advise the minister on issues related to national skills development policy, to establish and laisse with SETA on national skills development policy, exercise any other powers and perform any other duties conferred or imposed on the authority by the Act, to list but a few purposes of the Act (Skills Development Act, 1998). SETAs are education sectors responsible for skills development in the different sectors of the South African economy. The Act also provides guidelines on the provision of learnerships by SETAs. It also provides guidelines on skills development programs. Furthermore, it provides guidelines of the funding of skills development, provides general rules of the sector, and stipulates institutions within the Department of Labour that are important in the implementation of the Act (Skills Development Act, 1998).

2.9.   Summary

The review of the literature identified the scope of the Legal Services and the Private Security and Investigative Activities around the globe and in South Africa. The literature has revealed that in the Legal Services subsector, the areas of operation globally and in South Africa similar; it is the provision of legal services. What is different are the occupation titles of legal practitioners and their areas of specialisation. For example, South Africa has attorneys, and advocates but in other countries they are called barristers.

The literature has also identified are differences and similarities in areas of work in the private security sector. For example, in South Africa, the duties of private security personnel include anti-poaching, a service that has not been identified in global literature. The global literature identified more private security activities than in South Africa.

It has also been revealed in the literature that there are knowledge and skills requirements that are required globally and in South Africa in the two subsectors.

The literature has also presented the regulations that guide the two subsectors in South Africa. These Acts of Parliament provide guidelines on how these two sectors should operate. It was reported in the literature that there are skills mismatch in the South African labour market, but skills mismatch was not identified in the two subsectors under study.

<div align="center">**Chapter 3**</div>

Research Methodology

3.0 Introduction

This chapter will present the research methods that have been applied in this study. It will present the research approach, research strategy, study population, sampling procedure, research instrument, data collections procedure, data analysis, validity and reliability, ethical issues, and limitations of the study.

Research methodologies are plans and methods for research that comprise of steps of expectations to ways of collecting, examining and interpreting data (Creswell, 2014). There are three popular and essential research methodologies namely qualitative, quantitative, and mixed research methodology (Kothari, 2004, p. 5). Mixed methods are sometimes referred to multi-methods, but researchers have attempted to differentiate between the two. Venkatesh *et al.* (2013) states that in multiple methods, more than one method is utilised in a research inquiry. Saunders, Lewis and Thornhill's (2019) research onion was used to inform the terminology of this chapter.

3.1. Research Approach

This study employed a multimethod research methodology. Brewer and Hunter (2006) state that multimethod approach is a strategy to conduct research using more than one method. The methods could be mixed at different stages of the research project. Hesse-Biber (2015) is of the opinion that in multimethod approach, there is no need to mix qualitative and quantitative data. Saunders, Lewis and Thornhill (2019) support this assertion. This means that a study can be purely qualitative or quantitative but use multiple methods within one domain. Other scholars are of the view that multimethod research can indeed collect qualitative and quantitative data (Venkatesh *et al.*, 2013) and the data is triangulated.

This study opted for a multimethod approach because qualitative and quantitative methods were employed. Quantitative methods employed as at research strategy level and in sampling. Qualitative methods were applied during the data analysis phase.

3.2. Research strategy

Saunders, Lewis and Thornhill (2019) identify several strategies that can be applied in research. A research strategy is chosen based on the whether the study is qualitative, quantitative, or mixed. Saunders, Lewis and Thornhill (2019) mention surveys, grounded theory, ethnography, experiments and other research strategies. In this study, a survey strategy was adopted. In a survey, data is collected from a varied number of respondents using questionnaires and interviews (Thomas, 2013; Saunders, Lewis and Thornhill, 2019). Neuman (2014) is of

the view that survey research collects data related to the opinions of respondents. It is suitable where the population of the study is large. A sample is drawn, and findings are generalised to the whole population.

It is for the above-mentioned reasons that a survey method was selected for this study. A list of companies was submitted by SASSETA and it contained about 5000 companies. It was therefore decided that a survey method was the only suitable choice to reach such a large population. Secondly, the survey strategy was chosen because the study aimed to generalise the findings to the entire population. This was achieved by sampling a small study population and an attempt to generalise the results to the entire population was made.

3.3. Study population

According to Alvi (2016) a population is all the individuals who meet a certain criterion specified for a research investigation. The population is the group of a specific sampling unit, which consists of all the sampling units relevant to the research questions. It is the set of eligible people for a collection of data (Maree, 2016). A target population is not only human beings. According to McGiven (2006) a study population can consist of people, organisations, events or items that are relevant to the research problem.

The target population of this study was companies from two SASSETA subsectors (Legal Services and Private Security and Investigative Activities).

According to the SASSETA Sector Skills Plan 2021/2022 Updates (2020) there are 2 980 employers in the Legal Services subsector and 1 992 in the Private Security and Investigative Activities subsector. Therefore, the total population was 4972 companies.

3.4.   Sampling procedure

According to Trochim (2016, p. 1) sampling is the process of choosing units (for example, people, or organisations) from a population of interest. By identifying the sample population, the researcher generalises the results back to the population from which they are selected. Burn and Groves (2009, p. 2) shared the same sentiments that sampling is the process whereby a small proportion or subgroup of a population is selected for analysis, which will represent the larger population.

Two sampling techniques are applicable in research: probability and non-probability. Probability sampling is a sampling method where probability of being selected can be accurately determined, while with non-probability sampling there are some elements based on assumption regarding the population of interest, which forms the basis for the eventual selection (Roni, Merger and Morris, 2020). Proctor (2005) states that in probability sampling, the elements have a known chance of being selected and McGiven (2006) states that in non-probability sampling, the probability of elements being selected is not known because the researcher might

choose a particular element consciously or unconsciously. Probability sampling methods include among others simple random, systematic sampling, census, and stratified sampling. Non-probability sampling methods include purposive or judgmental, convenience and quota sampling.

This study adopted probability sampling techniques. Simple random sampling was adopted. In simple random sampling, every member of the population has an equal chance to be included in the study (Latpate *et al.* 2021). Respondents were selected randomly based on their availability.

Raosoft Sample Size Calculator (http://www.raosoft.com/samplesize.html) was used to calculate the required sample size for the two subsectors. The sample size for each subsector was calculated separately. From the total population of 2980 for the Legal Services subsector, Raosoft Sample Size Calculator provided a sample size of 341 firms. From a total population of 1992, Raosoft Sample Size Calculator provided a sample size of 323 for the Private Security Investigative Activities subsector. In all, 664 companies were included in the study. The Raosoft Sample Size Calculator automatically provides a margin of error of 5% and a confidence level of 95% when calculating the required sample size. This was the case in both samples in this study.

Out of the 664 companies randomly sampled, 78 participated which yielded a response rate of 12%. At first, very few (21) questionnaires were returned. The researcher requested SASSETA to write to companies requesting them to participate in the study. The researcher then resent questionnaires to non-participating companies. It was only after this second attempt that 78 (12%) questionnaires were retuned and analysed.

3.5. Research Instruments

There are various data collection tools or instruments that are used in research. They include among others questionnaires, interviews, content or document analysis schedules, and observations (Maree, 2016).

An online questionnaire was selected as the ideal research instrument for this study. A questionnaire is very effective when information is to be collected from a large population, as this was the case in this study. An online questionnaire was selected because email addressed of participants were available, hence it was deemed to be the easiest method to collect data. COVID-19 restrictions in South Africa also made it impossible to administer a printed questionnaire. Andrade (2020, p. 575) is of the opinion that online questionnaires can be freely administered using online platforms such as Google Forms and SurveyMonkey. Andrade further asserts that online questionnaires can be quickly created and have a global reach.

A questionnaire can have opened-ended and closed ended questions (Singh, 2014). In this study, the instruments had open-ended and closed-ended questions. The aim was to collect both qualitative and quantitative data.

The main disadvantage of an online questionnaire the low response rate (Andrade, p. 576). This was the case in this study because a very low response rate was achieved. This was although enough time was allocated to participants to respond. The research instrument is found in appendix A.

3.6.   Data collection procedure

Data was collected over a period of one and a half months. SASSETA provided a list of companies in the two subsectors with their email addressed. The email addressed were used to send the questionnaire link to the participants. Participants were reminded every two weeks to responded to the questionnaire. After realizing that the response rate was very low, the researcher requested SASSETA to write to the stakeholders requesting them to participate in the study. A few responded, and after collecting 78 questionnaires, the researcher decided to stop data collection. It was clear that no more responses could be obtained from respondents.

3.7.   Data analysis

Two data analysis methods were be used in this study: descriptive statistics and content analysis.

3.7.1 Descriptive statistics

Descriptive statistics were used to analyze quantitative data. Maree (2016) define descriptive statistics as the collective name for several statistical methods that are used to organise and summarise data in a meaningful way. The same author identifies two ways of representing data, which is graphical and numerical ways. In this study, data were analysed numerically using descriptive statistics and were presented in graphs. The statistics shows only frequency counts in percentages. Graphics (pie charts and bar charts) were used to display the results. This approach was chosen because no hypotheses were tested, and it was the most suitable method to display the findings of the study. Microsoft Excel was used as a data analysis tool.

3.7.2 Content analysis

Content analysis was used to analyse qualitative data. This is data that was obtained from open-ended questions. The results were displayed according to themes that were established before data collection. That is according to the two subsectors under study. Qualitative data was analysed manually. This enabled the research to immerse himself in the data and draw conclusions.

3.8.   Validity and reliability

Issues of validity and reliability are very important in research. These are benchmarks that are used to validate research. A valid study must show what actually exists and a valid instrument must measure what it is supposed to measure (Bapir, 2012). Le Compte and Goetz (1982) state that reliability is concerned with whether a study can be replicated. To ensure validity and reliability, the research instrument went through several rounds of

correction. After the initial design by the researcher, it was submitted to SASSETA for approval. SASSETA suggested corrections and adjustments were made. It was then pretested before it was finally administered to participants.

3.9. Ethical considerations

Every researcher is expected to adhere to research ethics. In any research involving people, respondents are protected from any form of harm. Privacy and anonymity of participants was observed. Participants were notified that their participation was voluntary and that they could withdraw at any time of the study without any form of sanctions. The online questionnaire had consent information that the participants read and agreed with before responding. Information obtained from respondents will be kept safe and used for the purposes of this study only.

3.10. Limitations of the study

Two limitations of the study are identified. Firstly, it is the low response rate. Only 12% of the anticipated respondents participated. This figure could have been even less if the study considers figures provided by the PSiRA Annual Report 2019/2020 (no date) that there were 9744 registered companies in the security sector and the article by Bekker (2017) which stated that there were 12, 373 registered legal firms that year. Such a low response rate makes it very difficult to generalise the findings of the study.

The second limitation is that the research instrument did not capture data according to occupation rank. That is senior, mid-level management, and junior level. This will make it difficult to identify which level(s), needs interventions. The research instruments also did not enable probing of questions by the researcher. This led to some responses being incomplete and unclear.

Chapter 4

Data presentation and analysis

4.0 Introduction

Chapter presents the findings of the study. It is divided into six sections. Section A presents findings on sector participation and representation by province. Section B captures company details; Section C presents findings on the profile of the two subsectors; Section D contains findings about the knowledge and skills requirements in the two subsectors; Section E presents findings about the academic and training requirements and Section F presents findings about the employment opportunities and skills development programmes available in the two subsectors.

4.1. Section A: Participation by subsector and by province

This section presents the response rate by subsector and participation by province. This was to determine the total number of respondents in each subsector and the province that they are based.

4.1.1. Participation by subsector

There were 43 (55%) participants from the Private Security and Investigative Activities subsector and 35(45%) from the Legal Services subsector. Figure 1 shows the response rate by subsector.

Figure 1: Participation by subsector
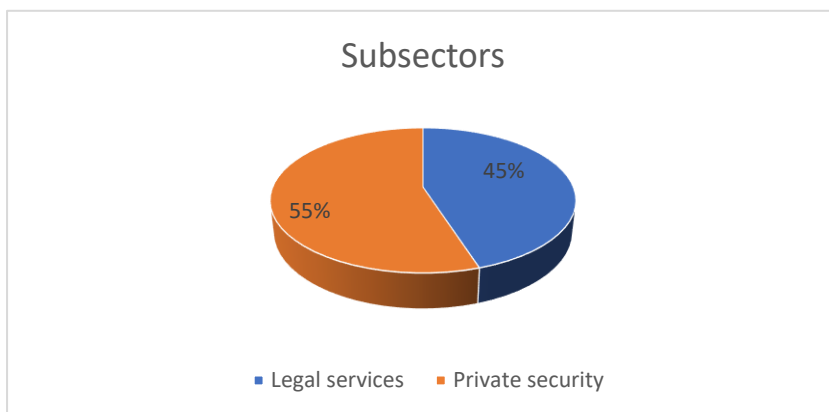
Source: Author

4.1.2. Participation by province

Most of the participants (50%) came from Gauteng province, followed by Limpopo, KwaZulu-Natal, and the Western Cape. There were no responses from three provinces, the Northern Cape, Eastern Cape and North West.

Figure 2 shows responses by province.
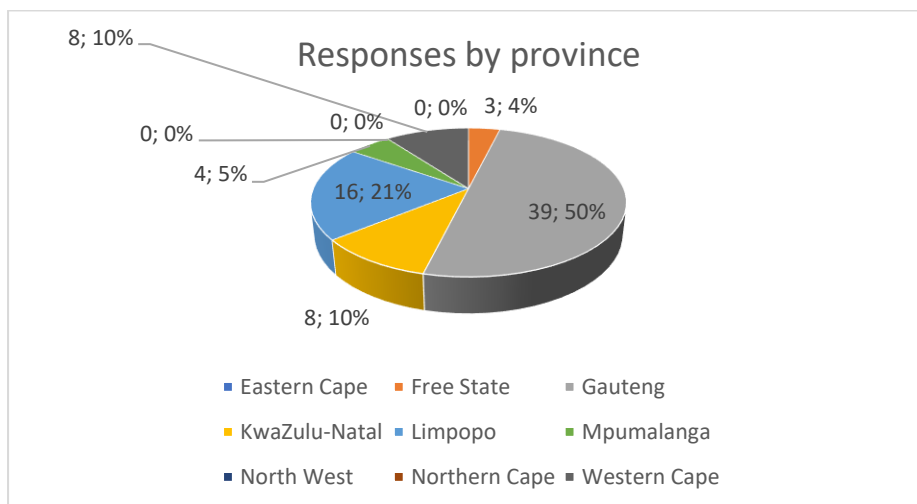
Source: Author

4.2. Section B: Company details

This section presents details about the companies that participated in the study. Data were collected to determine the number of years of operation, company size, demographic profiles of employees, and company size. The findings are presented in the following subsections.

4.2.1. Number of years in operation

The number of operational years was determined for each firm. This was aimed at determining the operational experience of each company. The assumption was that experienced companies would provide more valuable information than those who are less experienced. Figure 3 shows the findings.

Figure 2: Number of years in operation
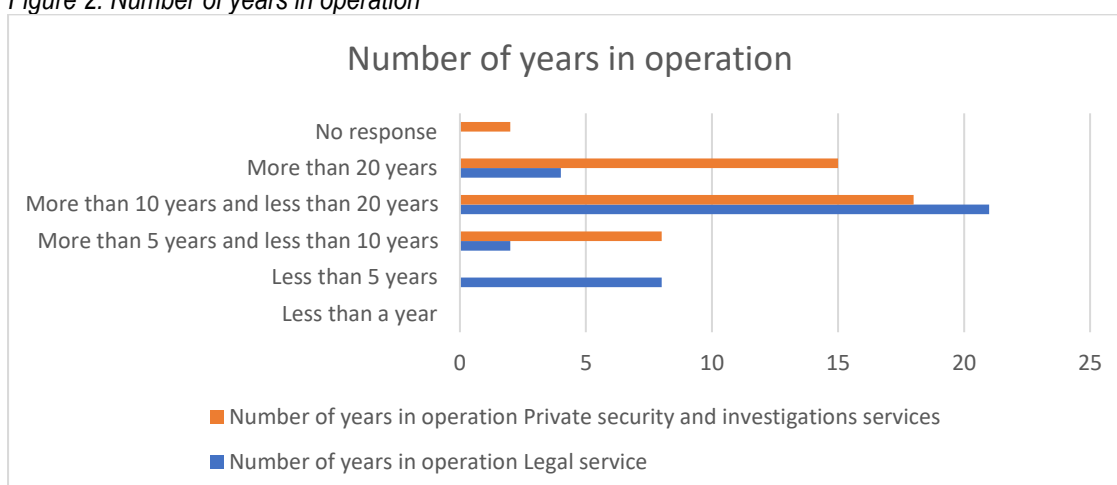
Source: Author

The findings indicate that most companies in both subsectors have been in operation for 10 to 20 years. In Private Security and Investigative Activities, some companies have been operating for more than 20 years. This shows that in both subsectors, most companies have vast operational experience.

4.2.2. Firm size (by number of fulltime paid employees)

The size of each firm was determined. This was to provide a basic idea about sizes of the firms. The sizes are micro/small, medium, and large. According to the Department of Small Business Development (2019, p.1), across all sectors of the South African economy, a micro business has between 0-10 fulltime paid employees; a small enterprise has between 11-50, and a medium enterprise has between 51-250 fulltime paid employees. Those with over 250 employees are considered large. In this study, micro and small companies were grouped into one category (micro/small).   The findings reveal that most of the companies that participated in the study are micro/small in both subsectors. There were 30 micro/small businesses in the Legal Services subsector and 37 in the Private Security and Investigative Activities. Table 1 shows the figures.

Table 1: No. of companies as categorised according to the number of fulltime paid employees

Company size		
Size of company	**Legal services**	**Private Security and Investigative Activities**
Micro/small	30	37
Medium	3	3
Large	2	3
No Response	0	0
Total	**35**	**43**

4.2.3. Gender representation

Gender representation in each subsector was determined. This question was aimed to specifically determine if there is gender balance or imbalance in the two subsectors. To determine gender representation, the average of each subsector was calculated.

The findings reveal that in the Legal Services subsector, the average number of female employees 61, and 28 for males. This means that firms hired an average of 61 women compared to 28 males. In the Private Security and Investigative Activities, the average number of female employees is 22 and 99 for males. Table 2 presents the findings.

Table 2: Average gender representation in each subsector

Gender	Legal Services (average number of employees)	Private Security and Investigative Activities (average number of employees)
Female	61	22
Male	28	99

The findings reveal that there are more females employed in the Legal Services subsector than males and there are more males employed in the Private Security and Investigative Activities than females. These figures should be accepted with caution because of the influence of large employee figures provided by large firms.

4.2.4. Number of employees by race

The race composition in each subsector was also determined. By law, it is a requirement in South Africa to provide a race profile in every organisation. In this study, the race profile was calculated as an average in each subsector. The findings are presented in Table 3 below.

Table 3: Race composition of employees in each subsector

Race composition of employees in each subsector		
Race category	Legal Services (average)	Private Security and Investigative Activities (average)
Black African	262	52
Coloured	25	13
Indian	3	18
White	72	18

The findings indicate that Black Africans were the majority respondents in both subsectors. In the Legal Services, they were followed by White, Coloured and lastly Indian people. In the Private Security and Investigative Services, Indian and White people were second in terms of numbers and lastly Coloured people.

These figures are to be viewed with caution because they might not be a true reflection of South Africa's demographics. This is because not all provinces responded to the questionnaire. This also depended on the number of employees of the respondents and their geographic location. For example, if two big companies from the Western Cape responded, the numbers would be skewed.

4.3. Section C: Profiles of the Subsectors

This section presents the profile of the two subsectors. Information about the core business of the subsectors, their customers, competitors, stakeholders, and main regulators is presented. The findings were reported according to the main categories that emerged from the respondents. First to be presented in the core business of firms.

4.3.1. Core business of the companies

Companies were requested to describe their core business. This question was aimed at identifying the core business of each firm in the larger subsector. That is, the area of specialisation the firm. For example, a firm in Legal Service could specialise in commercial law. Table 4 presents the main findings.

Table 4: Core business of companies

Legal Services	Private Security and Investigative Activities
• Legal insurance • Attorney services • Conveyancing • Debt collection • Intellectual property legal services • Litigation and labour law • Notoriety • Personal injury am contingency matters	• Provision of security services • Safe keeping of inmates • Security training services (National Key Point (NKP), GSO training) • Alarms and closed-circuit television (CCTV) camera operations • Guarding services

The findings reveal that in each subsector, the companies have areas of specialisation. Eight main areas of specialisation have been identified in Legal Services and five have been identified in private security.

4.3.2. Customers of the companies in the different subsectors

The study ought to reveal the customers of the companies in each subsector. This question might seem obvious, but the study ought to find out if there are special customers that the companies service other than the normal customers they have. Table 5 presents the results.

Table 5: Customers of the two subsectors

Legal services	Private Security and Investigative Activities
• Businesses (banks) • Clients looking to protect intellectual property • Employers • Estate agents seeking legal advice • Farmers • Municipalities • People involved in motor vehicle accidents • Policy holders • Private clients • State owned entities (SOEs) • Unions	• Business companies and shops • Clinics and hospitals • Department of Correctional Services • Security companies (these are training institutions) • Firearm owners • Private homes • Courier companies • Government and State-Owned Entities (SOEs) • Schools

The findings are not surprising. They have not revealed any special clients that the two subsectors provide services to. One could have expected special client in the private security services such as taxi bosses/owner. This is because of the taxi violence that prevalent in South Africa.

4.3.3. Competitors of companies in the subsectors

Companies were asked to list their competitors. The aim of this question was to determine the main competitors of the companies and whether there are special skills that the competitors have. One would have assumed that rival companies could be the main competitors, but the literature indicates that there could be other competitors other than rival firms, hence the importance of this questions. The findings are shown in Table 6.

Table 6: Competitors of companies

Legal Services	Private Security and Investigative Activities
- Large and medium law firms - Other insurance companies - Other law firms and entities	- Community policing forums (CPFs) - Car guards - Bigger companies with advanced equipment - Other security companies - Security companies with their own training centers - Unregistered security companies and unregistered guards

The findings indicate that in Legal Services, rival firms are the main competitors. This is interpreted to mean that rival companies could be having better knowledge and skills. It is also interesting to note that the size of the firm becomes an advantage. For example, in the same industry (Legal Services), small firms consider medium and large firms to be competitors. The competition could be because of resources that large firms have. For example, large organisations might have the expertise that small organisations do not have.

In the Private Security and Investigative Activities, competitors are not only rival companies, but unregistered companies, car guards and community policing forums. This is not surprising especially for car guards and community policing forums. They render services that companies provide.

4.3.4. Stakeholders of the companies

To further profile the two subsectors, the study sought to identify the stakeholders of the companies. This was to identify other interested parties in the industry other than the registered companies. The findings are shown in Table 7.

Table 7: Stakeholders of companies

Legal services	Private Security and Investigative Activities
• *Banks*	• SASSETA
• *Clients*	• Service providers
• *Independent lawyers*	
• *Insurance providers (e.g., LEZA)*	
• *Medical experts – they provide medico legal opinion*	
• *Service providers*	

The findings reveal that both subsectors have stakeholders other than their clients/customers. For example, medical expect are stakeholders in the Legal Services subsector. This is because they advise legal experts on medical issues. In the Private Security and Investigative Activities subsector, there are no surprising stakeholders.

4.3.5. Regulators of the subsectors

The respondents were asked to identify the regulators of the subsector they are working in. This question was asked to determine whether different companies in the two subsectors are regulated by different bodies. The study identified two types of regulators, p. primary and secondary regulators. According to this study, primary regulators regulate the entire subsector. Secondary regulators are subsidiary regulators who regulate specific sections of the subsector. The findings are presented in Table 8.

Table 8: Regulators in the two subsectors

Legal services	Private Security and Investigative Activities
• Financial Intelligence Center (FIC) • Financial Sector Conduct Authority (FSCA) • Legal Practice Council	• PSiRA • Myself

Table 8 shows that both subsectors are regulated. The primary regulator in Legal Services is the Legal Practice Council, but the Financial Intelligence Center and the Financial Conduct Authority are secondary regulators.

In the Private Security and Investigative Services, the primary regulator is PSiRA. It is interesting that one respondent indicated that they self-regulate. It is not clear how this happens, but this could need further investigation because it would mean that others are not following industry regulations.

4.4. Section D: Knowledge and skills requirements in the two sectors

This section presents finding on the knowledge and skills requirements in the two subsectors. It presents findings about the occupation, knowledge and skills requirements, knowledge and skills acquisitions, scarce knowledge and skills in the subsectors, and identifies knowledge and skills mismatch in the two subsectors.

4.4.1. Subsector occupations

Occupation for each subsector were identified. It was important to determine the occupations just in case there are new occupations that have been introduced in the subsectors that are not yet known. The findings revealed two occupation categories: subsector specific occupations and general occupations. By subsector specific occupation, the study refers to the occupations that are core to the subsector. For example, lawyers are core occupations in Legal Services and security guards are core in private security. General occupations are those that are not core to any of the subsectors but are complementary. Table 9 presents subsector specific occupations and table 10 presents general occupations.

Table 9:Subsector specific occupations

Legal services	Private Security and Investigative Activities
	• Assessor
• **Advocate**	• Control room operator
• **Attorneys**	• Enterprise manager
• **Candidate attorney**	• Custodial officer
• **Interpreter**	• Emergency response team
• **Legal Researcher**	• Escort
• **Legal advisor**	• Facilitator
• **Legal counsel**	• Firearm trainer
• **Paralegal**	• Fraud analyst
• **Tax officer**	• Instructor
	• Investigator
	• Moderator
	• Reaction officer
	• Risk manager
	• Security guard

Table 10: General occupation

Legal services	Private Security and Investigative Activities
• **Bookkeeper**	• Administrator
	• Receptionist
• **Call center agent**	• Artisan (plumber, welder, electrician)
• **Cleaner**	• Cleaner
• **Director**	• Handyman
	• Team leader
• **Driver**	• Personal assistants
• **Filing clerk**	• HR Managers (HR, IT)
• **HR Managers (HR, IT)**	• Messenger
• **Messenger**	• Personal assistant
• **Personal assistant**	
• **Receptionist**	
• **Team leader**	
• **Telemarketer**	
• **Reconciliation clerk**	

The findings show in tables 9 and 10 do not show any new occupation. The literature (chapter 2) has already the occupation.

4.4.2. Knowledge required by employees in the two subsectors

After identifying the occupations found in each subsector, knowledge and skills requirements for each subsector were identified. For the purposes of this study, knowledge requirements were mainly identified as cognitive abilities. For example, knowledge of a specific profession. A skill is defined as a technical ability. That is, the ability to do a task efficiently. Table 11 presents the knowledge that is required by employees in the two subsectors.

Table 11: Knowledge required by employees in the two subsectors

Legal services	Private Security and Investigative Activities
- Customer service - Legal expertise - Litigation (magistrate and High Court, Deed's office, Master's office, conveyancing) - Commercial Rights - Environmental Law - New South Africa legislations - Marine Law - Intellectual Property Law - Family law - Legislation interpretation	- Armed response - Assessment - Facilitation - Information technology - Alarm technician - Security camera monitor - Firearms competency - National Key Point - Information gathering - Moderation - PSiRA grades - Training

The findings reveal that in the Legal Services subsector, it is not only legal knowledge that is required, but also customer care knowledge. The assumption is that legal practices are businesses that value customer service. In the Private Security and Investigative Services, there are two types of knowledge that are required: training knowledge (facilitation, assessment, and moderation) and knowledge of the core activities of the subsector (firearm competency, armed response, etc.). It is worth mentioning that some of the knowledge can be viewed as skills. This is theoretical knowledge.

4.4.3. Knowledge required by employers in the industries

Employers' knowledge requirements were also identified. The study differentiated employee knowledge and employer knowledge because they play different roles, therefore their knowledge requirements are not the same. Table 12 presents the knowledge requirements of employers.

Table 12: Knowledge required by employers in the subsectors

Legal services	Private Security and Investigative Activities
- Accounting - Claims processing (RAF) - Industry regulations - Leadership and management - Legal knowledge - Medical negligence - Personal and train accidents - Personal injury - Practice management	- Business administration - Community Policing Forums (CPF) - Firearms regulations - Industry standards, compliance, and legislation (PSiRA) - Management and operations of a training institute - Presentation skills - Fund raising

The findings reveal slightly different requirements between the employees and employers. Employers' knowledge requirements are mainly governance and employee requirements are mainly operational.

In the two subsectors, there are specific employer knowledge requirements, but in some instances, the requirements are the same for both subsectors. For example, compliance and business administration are required in both subsectors.

4.4.4. Future knowledge and skills required by employees and employers in the subsectors

Other than the current knowledge requirements of employees and employers, the study investigated future knowledge requirements. It is essential to investigate this because technology and global operations change from time to time. New knowledge and skills could be needed in future because of such changes. For example, knowledge and skills required in the Fourth Industrial Revolution (4IR). Table 13 shows future knowledge requirements in the two subsectors.

Table 13: Future knowledge requirements by employees and employers

Legal services	Private Security and Investigative Service
- Being up to date with the law - Business administration - Compliance with industry regulations - Computer literacy – IT - Conflict management - Customer service - Emotional intelligence - Working in a hybrid environment - Forensic Auditor/ Investigator	- Artisan skills (aide electrical) - Biological threat prevention - Business administration - Computer literacy – IT - Driver's license - Drone operations - Emotional intelligence - Equipment authentication skills - Surveillance Monitor - Investigation procedures - Labour relations - Recognized security qualification - Self-defense - Technicians (alarms installations)

The findings reveal interesting future knowledge requirements for both sectors. Being computer literate (used interchangeable with IT) is knowledge that both subsectors considered to be key in the future. Some respondents mentioned preparations for the 4IR, and others mentioned the importance of adapting to working in online environments. Emotional intelligence was mentioned several times in both subsectors. This knowledge is important to deal with emotional issues of both clients and employees in both sectors.

Other than these two similarities, future knowledge and skills requirements differ from industry to industry. In the Private Security and Investigative Services subsector, drone operation technology and biological threat prevention are very important knowledge and skills for the future. Drones have taken over many security operations and none-security operations, hence the importance to learn how to operate them. Biological warfare seems to be a current and future threat (for example, the anthrax attacks in the USA), hence the importance to have knowledge of such threats.

4.4.5. Hard Skills required by employees

Hard skills (technical skills) required in each subsector were also identified. As explained earlier, skills and knowledge are defined differently in this study. Table 14 identifies the technical skills requirements in the two subsectors.

Table 14: Hard skills required by employees in the two subsectors

Legal services	Private Security and Investigative Activities
- Computer literacy - Resolving legal issues - Use of legalsuite, Juta stat, Southern African Legal Information Institute (SAFLLI) - Commercial Rights - Environmental Law - Intellectual Property Lawyer - Marine Law - Maritime Law - Conveyancing - Competition / Contracts Management - Family Law interpretation	- Computer literacy - Firearms handling - Motor mechanic - Physical security - Security activities (National Key points) - Task execution - Investigation procedures - Technicians (alarms installations) - Surveillance Monitor - Cyber Security

The findings reveal specific hard skills required in each sector, but computer literacy is a requirement in both subsectors. This means that it is vital knowledge and a vital skill that is required in both sectors.

4.4.6. Hard skills required by employers

Employers were also requested to list the most important hard skill they should possess. This was because the skills requirements for employees are different from the employees. There findings are presented in table 15.

Table 15: Hard skills required by employers

Legal services	Private Security and Investigative Activities
• Computer literacy • Networking • Research skills • Use of legalsuite, Juta stat, SAFLLI	• Biological threat prevention • Computer literacy • Crime prevention • Drone training and operation
	• Operating security equipment • Alarm and CCTV installation • Biological threat protocols • Hostage negotiation

Computer literacy is a requirement in both subsectors. This means that it is a very important skill to possess in the two industries. It is interesting to note that networking and research skills are also regarded as important for employers in the Legal Services subsector. Drone operation and biological threat prevention are also mentioned to be important in the Private Security and Investigative Services.

The findings indicate that there are skills that are required by both employers and employees in the operations of the two sectors.

4.4.7. Soft skills required by employees

Participants were requested to list the soft skills that are required by employees in each of the companies. This was to determine if there are specific soft skill that these two subsectors require. The findings are presented in table 16.

Table 16: Soft skills required by employees

Legal services	Private Security and Investigative Activities
• Communication • Coordination • Customer care • Email etiquette • Interpersonal • Marketing • Networking • Time management	• Assertiveness • Communication • Critical thinking • Development • Listening • Motivation • Presentation • Situation awareness • Statement taking • Teamwork

The Legal Service subsector requires general soft skills. There are no unique soft skills that were discovered. However, in the Private Security and Investigative Services subsector, there are unique soft skills that are required. Two have been identified in this study: situation awareness, and statement taking. These are subsector specific because they form part of the core activities of the subsector. Security officers should have the skill to

assess every security situation they come across and they should be able to record accurate statements from victims and perpetrators of crime.

4.4.8. Soft skills required by employers

The study also sought to find out the soft skills that are required by employers in the two subsectors. The findings are shown in table 17.

Table 17: Soft skills required by employers

Legal services	Private Security and Investigative Activities
• Client retention • Client retention • Compassion • Leadership • Management • Negotiation	• Assertiveness • Information retrieval • Interpersonal • Labour relations • Management • Marketing • Relational capital

The findings reveal that employers require governance skills. That is applicable in both subsectors. These are leadership, management, negotiation skills, etc.

4.4.9. Soft Skills needed in future in the two subsectors

Respondents were asked to list soft skills that will be required in future in the two subsectors. Unique soft skills were identified in both sectors. The Legal Services sector listed global legal practice, and IT skills (including coding and programming) as necessary soft skills needed in the future. These two have been singled out because of their unique nature.

The Private Security and Investigative Services listed hostage negotiation, the ability to discover trending and new crimes and biological threat protocols as skills required in the future. These skills are unique to each subsector. Table 18 shows the results.

Table 18: Soft Skills needed in future in the two subsectors

Legal services	Private Security and Investigative Activities
• Global legal practice • Interpersonal	• Identification to uncover trending crimes and discover new crimes • Leadership • Management

4.4.10. Knowledge and skills acquisition in the companies

The study sought to find out the sources of knowledge and skills for each company. That is, the sources that these companies' approach to acquire knowledge and skills. Table 19 shows the findings.

Table 19: Knowledge and skills acquisition sources

Legal services	Private Security and Investigative Activities
• Formal education (workshops, short courses, formal university qualifications, different types of training) • On the job experience • Research	• Formal education and training (accredited institutions, PSiRA certificate programmes short courses) • Research • Skills development programmes

Research and formal education are the main sources of knowledge and skills in both subsectors. On the job experience is another source of knowledge and skills acquisition applicable in the Legal Services sector. The Private Security and Investigative Service subsector utilises skills development programmes and accredited training centres to acquire skills and knowledge together with research and formal education.

4.4.11. Scarce knowledge in the two subsectors

Many industries in South Africa suffer from skills shortages. This study aimed to investigate if there same applies in the two subsectors. Respondent were therefore requested to list the scarce knowledge that they have in the two subsectors. The findings are presented in table 20.

Table 20: Scarce knowledge in the subsectors

Legal services	Private Security and Investigative Activities
• Client management • Court directives • Forensic law • Intellectual property attorney • International trade • Practice management • Tax law	• Drug and narcotic training • Firearms training • Investigators • Narcotic dog handling • Psychologist • Reaction speed • Security situational awareness • Security teaching and training • Social workers • VIP protection

4.4.12. Scarce skills required in the two subsectors

The study also sought to identify scarce skills in the two subsectors. As stated, earlier knowledge and skills are defined differently in this study. Table 21 presents the scarce skills in the two subsectors.

Table 21: Scarce skills required in the two subsectors

Legal services	Private Security and Investigative Activities
• Client retention • Experience in the legal field • Marketing research • Networking • Telephone handling	• Biological threat handling • Critical thinking • Dog handling • Drone operations • Intellectual • Investigation • Paralegal • Risk evaluation

It is worth noting that skills such as drone operations, biological threat handling, and dog handling have appeared several times in the above sections which confirms their scarcity. In the Legal Services subsector, marketing is also confirmed to be a scarce skill.

4.4.13. Sources where scarce skills could be acquired

Respondents were asked to list the sources or places where the scarce skills could be sought from. Several responses were given, and they are presented in table 22.

Table 22: Sources where scarce skills could be obtained

Legal services	Private Security and Investigative Activities
- Academic qualifications - Inhouse training - Intercompany workshops - Mentoring - On the job experience - Training providers	- On the job experience - PSiRA - SASSETA - Security industry - Security training providers - Universities and collages

The findings reveal that education and training and on the job experience are sources preferred by both subsectors to address scarce skills challenges. Other suggestions are provided as presented in table 22. It is encouraging to see companies suggesting intercompany collaboration through workshops. This will lead to knowledge and skills transfer in the Legal Services sector.

4.4.14. Skills mismatch in the two subsectors

The study sought to investigate if there is a knowledge and skills mismatch in the two subsectors. This was achieved by asking companies if they believe that they hired people with the relevant knowledge and skills and to explain the reasons for their answers.

In both subsectors, most companies stated that they have hired people with the right knowledge and skills and therefore the conclusion drawn is that there is no knowledge and skills mismatch. Most companies stated that they adhere to strict hiring protocols and therefore hire qualified people. Others stated that there is no skills mismatch but a shortage of knowledge and skills. For example, lack of computer skills, customer service and practice management.

4.5. Section E: Academic qualifications and training requirements

This section presents findings about the academic qualifications and training requirements in the two subsectors. First to be presented are the academic qualifications requirements.

4.5.1. Academic qualification required in the two subsectors

Participants were asked to list the academic qualifications that are necessary in the two subsectors. All companies in the Legal Services sector indicated that the Bachelor of Laws degree (LLB) is a must requirement. Several qualifications were given by the Private Security and Investigative Activities sector as presented in table 23. It is worth noting though that some companies stated that no academic qualification is required. The assumption is that the respondents meant that no formal qualification is required, but inhouse training can address the qualification issue. The findings are shown in table 23.

Table 23: Academic qualification required in the two subsectors

Legal services	Private Security and Investigative Activities
• LLB degree	• Artisan courses • Bachelor of Education, psychology, Social Work • Diploma (policing, security management) • Electronics [engineering] • None • Other security qualifications • PSiRA related qualifications

4.5.2. Providers of academic qualifications

Respondent were asked to list where academic qualifications could be obtained. The Legal Services listed two sources, p. universities and private colleagues. The Private Security and Investigative Activities subsector mentioned TVET colleagues, FET colleges, and private training institution.

4.5.3. Inhouse training provided in companies

Companies were asked whether they provide inhouse training to supplement the knowledge and skills they have and to acquire new knowledge and skills. In both subsectors, most companies indicated that they offer inhouse training. In the Legal Services sector 31 (89%) firms offer inhouse training and 35 (81%) in the Private Security and Investigative Activities subsector. It is encouraging to see that companies offer knowledge and skills development programmes inhouse. This facilitates employee skills development. Table 24 presents the inhouse training courses provided in the two subsectors.

Table 24: Inhouse training programmes provided in the two subsectors

Legal services	Private Security and Investigative Service
• Operations • Practical vocation • Soft skills • Product knowledge	• Communication skills • Facilitator • Firearm training • First aid • General security training • Indoor guarding • Induction courses • Instructor training • Leadership and skills programme • Listening skills • National Key Points Programme • People skills • PSiRA grades • Security guarding • Specialised security training • Strategic installation security programme

The reasons that were provided by those who do not offer inhouse training is lack of funds and accreditation. The accreditation issue could be bypassed if training is offered inhouse.

4.6. Section F: Employment opportunities and Skills Development programmes

This section captures information about employment opportunities in the two subsectors and skills development programmes offered by the companies.

4.6.1. Sought after job occupations in companies

Firstly, participants were requested to list highly sought-after jobs in their firms. Four job occupations are highly sought after in the Legal Services and seven in the Private Security and Investigative Activities. The information is presented in table 25.

Table 25: Highly sought-after jobs in the two subsectors

Legal services	Private Security and Investigative Activities
• Candidate attorneys • Legal counsels /counselors • Legal secretaries • Telemarketers	• Assessors • Custody officers • Escort officers • Facilitators • Moderators • Prison guards • Security guards

A follow-up question was asked to identity the most sought-after jobs in the individual companies. This was asked because companies' knowledge and skills requirements differ from subsector requirements. In the Legal Services, the same job occupations highly sought by individual companies are highly sought after in the entire industry. It is quite different in the Private Security and Investigative Services. What is needed by individual companies is slightly different from what is needed in the entire subsector. This is because of the area of specialisation of each company. Table 26 presents the results.

Table 26: Highly sought-after jobs positions in individual companies

Legal services	Private Security and Investigative Activities
• Candidate attorneys • Legal counsels • Legal secretary • Specialist attorneys • Telemarketers	• Assets in transit officers • Close protections officers • Investigators • National Key Point installers • Professional security officers • Reaction security offers

Respondents were asked give reasons for their responses above. The Legal Services subsector stated that these jobs are in high demand because of the following reasons:

- They are the core business in the industry

- They are scarce skills

- High renumeration

The Private Security and Investigative Services provided the following reasons:

- They are essential in the industry

- Increased crime rate

- They are scarce skills

The responses from these sectors are almost similar. Both agree that the positions are core business areas of the organisations and it is because they are classified as scarce skills.

5.6.2. Provision of learnerships in the organisations

Companies were asked whether they provide learnerships to recent graduates. In the Legal Services subsector 27 (77%) stated that they do and 35 (81%) in the Private Security and Investigative Activities stated that they do as well. Table 27 shows the learnerships provided in each subsector.

Table 27: Learnerships/ internship provided

Legal services	Private Security and Investigative Activities
- Candidate attorney - Document Filing - Finance and bookkeeping - Human resources management - Legal internship - Practical vocational contracts - Two-year registered articles	- General security practices - Human resources - National Key Points - Professional driving

For those who do not provide learnerships, they cited lack of funds as the main reason.

5.6.3. Employment of people with disabilities

Companies were asked if they employ people with disabilities. This was to determine the state of their employability in these two subsectors. In the Legal Services subsector 18 (51%) of firms indicated that they hire people with disabilities and 31 (72%) in the Private Security and Investigative Activities. It is encouraging to learn that people with disabilities are employed in the two sectors.

Companies were asked what support they provide to people with disabilities. the Legal Services sector provides the following support:

- Adjusted working hours
- Removed physical impediments
- Accommodation according to needs

The Private Security Sector provided almost the same reasons such as the removal of physical impediments and accommodating them according to need but added that they provide skills development as well.

Chapter 5

Discussion of the findings

This chapter discusses the main findings of the study. Literature is integrated to confirm or refute the findings and conclusions are drawn.

5.0. Participation by subsector and province

The findings revealed that most participants were from the Private Security and Investigative Activities subsector. PSiRA 2019/2020 Annual Report (no date) revealed that there were 9744 active companies in the private security subsector in 2020. Bakker (2017) stated that there were 12 373 law firms in South African in 2017. SASSETA Sector Skills Plan 2021/2022 Updates (2020) states that there were 2980 employers in the Legal Services subsector registered in their database and 1992 in the Private Security and Investigative Activities subsector. The figures from these sources indicate that there are more firms in the Legal Services subsector than in Private Security and Investigation Activities subsector. This means that there was underrepresentation of firms from the Legal Services in this study.

Gauteng province had the largest number of participants. This is not surprising because Gauteng has the biggest share of companies in both subsectors (SASSETA Strategic Plan 2020/21-2024/25, no date).

5.1. Company size (by number of fulltime paid employees)

Findings revealed that there were more micro/small companies that participated in the study. They were followed by medium companies and lastly big companies. The Department of Small Business Development's (2019) classification of company sizes was used to classify companies according to the three categories. The findings are not surprising because in South Africa, there are more micro/small and medium companies that large companies (SBI, 2016). In South Africa, micro/small and medium are usually put in the same category and are called Small, Medium and Micro Enterprises (SMMEs) (Shongwe, 2017). According to McKinsey and Company (2020), SMMEs account for 98% of businesses and employ between 50-60% of South Africa's workforce. It is therefore not surprising to see more SMMEs in this study.

5.2. Gender representation

It was found that gender representation differs in the two subsectors. Females dominate in Legal Services and males dominate in Private Security and Investigative Activities. The findings from the Legal Services subsector are somehow true because according to the Law Society of South Africa 2019/2020 Annual Report (2021), there is a 50/50 representation between males and females in the attorney and candidate attorney categories. It is

possible that females dominate in other areas of specialisation in the legal services subsector. The SASSETA Strategic Plan 2020/21-2024/25 (no date) paints a different picture on the gender representation in the legal services subsector. It shows that females account for only 31% of the labour force. The report acknowledges though that their findings are influenced by the Private Security and Investigative Activities, which according to the findings of this study is male dominated. The conclusion that is drawn from these discussions is that male employees dominate the two subsectors.

5.3. Representation by race

In this study, Black Africans were found to be dominant in both subsectors. They are followed by Whites, Coloured and Indians. These results confirm data extracted from the SASSETA Strategic Plan 2020/21-2024/25 (no date., p.18) which indicates that Black Africans dominate these two sectors, followed by Whites, Coloured and Indians. The conclusion drawn is that the respondents were a true reflection of South African demographic profile.

5.4. Industry profile

One of the objectives of the study was to create a profile of the two subsectors. Creating the profile meant obtaining information about the business dealings of companies in the two subsectors. This section presents discussions about the profiles of the two subsectors created by the study.

5.4.1. Core business of companies in the subsectors

The findings revealed that as much as there are broad and overarching services provided by the two subsectors, companies have areas of specialisation. The core business of the Legal Services subsector is to provide legal services, but there are areas of specialisation of each firm such as labour law or commercial law. This is not different from other countries around the globe. The only difference noticed is the terminology used to define occupations and areas of specialisation. For example, attorneys are called barristers in the UK and Australia (Bourke, Roper and Love, 2020; IBISWorld, 2021). In other parts of the world the areas of specialisation are also called by different names. Nadimpalli (2017) provides a list of areas of specialisation that are different from South Africa.

In the Private Security and Investigative Activities, it was found that apart from providing security services, there are companies that provide security training services. Findings from this subsector are not different from data extracted from the PSiRA 2019/2020 Annual Report (no date) which listed 17 activities or this subsector. These findings are similar to studies by Nemeth (2012), Purpura (2013) and Mentis Security (2020). The South African private security sector is also similar to international security sectors although there are slight differences. For example, overseas security companies are involved in computer security (Strom *et al.,* 2010) information and other media shredding (European Commission Inspire Report, no date), and other activities that have not been

identified by PSiRA and this study. The conclusion drawn is that the activities in this subsector are like those in other countries.

5.4.2. Customers of the companies in the two subsectors

The study sought to identify the customers of each company in the two subsectors. This was meant to investigate if there are customers that are not yet known.

findings from both subsectors indicate that they provide services to three categories of clientele: private businesses, private individuals, and government institutions. Collins (2018) found the same findings in the legal sector in Europe and Hess (2009) found the same results in the private security subsector in another part of the world.

5.4.3. Competitors of the companies in the two subsectors

The findings of the study revealed that rival companies are the main competitors. The study also found that the size of each company gives it a competitive advantage. This means that large companies are competition to smaller firms. This is true because large organisations have the resources needed to compete, whereas smaller companies lack such resources.

Interesting findings were found in the private security subsector where it was discovered that community policing forums, unregistered security companies and car guards are competition to registered firms. Diphoorn (2017) calls unregistered companies 'bush' private security companies. PSiRA's (2019/2020) Annual Report (no date), also acknowledged the existence of unregistered security firms. Based on the data obtained from respondents, this study assumes that most car guards are not registered. It is therefore fair for registered companies to view them as competition. Community policing forums are indeed competition to private security firms. Although that should not be the case because they should complement each other, private security companies aim to make money (Hess, 2009) and community policing forums are not for profit organisations. The presence of such forums means competition to registered private companies. The conclusion drawn from these discussions is that competition does not only come from legally registered companies in the private security sector.

5.4.4. Stakeholders of companies

Identifying the stakeholders of the companies was intended to profile the two subsectors. The findings revealed that in the Legal Services subsector, four major stakeholders were identified. They are independent lawyers, insurance providers, medical experts and service providers. The Law Society of South Africa 2019/2020 Annual Report (2021) identified eight stakeholders that they seek to provide services to the profession. They are applicants, employees, potential candidates (students), students (candidates), service provider and suppliers, consultants, visitors and potential clients, and attorneys. The findings of the study revealed the same stakeholders although the LSSA's list if more comprehensive than the findings of the study.

SASSETA and service providers were identified as stakeholders in the private security subsector. The assumption that the study presents is that there are more than the two stakeholders indentified in this subsector, but respondents were unable to identify more. For example, the government is a stakeholder in the private security subsector because she is responsible for safety and security in the country.

5.4.5. Regulators in the two subsectors

Data from respondents listed several regulators in both industries. Some of the responses showed that respondents were unable to differentiate between regulators and professional bodies who do not have regulatory powers. In Legal Services, several regulators were identified, but the primary regulator is the Legal Practice Council. According to the Legal Practice Council website, its mandate is "to set norms and standards, to provide for the admission and enrolment of legal practitioners and to regulate the professional conduct of legal practitioners to ensure accountability" (Legal Practice Council, 2020). McQuoid-Mason (2020) confirms that the Legal Practice Councils regulates the Legal Services subsector.

In the Private Security and Investigative Activities subsector, PSiRA is the primary regulator. According to the PSiRA website,

The Mandate of PSiRA derives from the Private Security Industry Regulation Act 56 of 2001. The primary objective of the Authority is to regulate the private security industry and to exercise effective control over the practice of the occupation of security service provider in the public and national interest and in the interest of the private security industry itself. (PSiRA, no date).

It is worrying though that some respondents cannot differentiate between regulators and professional bodies. This is an issue that must be addressed in both subsectors. It is worth mentioning that there are other regulatory bodies and regulations (Acts of parliament) that play a vital role in regulating certain areas of the two industries. Examples are the Firearms Act of 2002 and the LSSA.

5.5. Knowledge and skills requirements

The second objective of the study was to identify knowledge and skills requirements in the two subsectors. This section presents the discussions of the findings of objective two.

5.5.1. Occupations found in the two subsectors

The occupation in the two subsectors were identified. This was to determine whether there are new occupations in the two subsectors. In Legal Services, the study found that most of the occupations identified were existing occupations listed on the LSSA (2019) website and in the literature (Collins, 2018; Trabucco, 2018). It is worth noting that one occupation that appeared several times but is not listed as an occupation in LSSA and global literature is telemarketers.

In the private security subsector, the occupation found in this study fall under the 17 that are listed in the PSiRA 2019/2020 Annual Report (no date).

5.5.2 Knowledge and skills currently required in the two subsectors

Several knowledge and skills currently required in the two subsectors were identified by the study. These are soft and hard skills. In Legal Services, five major skills were identified. They are customer service, leadership and management, business administration, research skills, and IT skills. These skills are not unique to the ones found in literature. For example, Kane (2020) found these skills to be relevant in the legal profession.

In the Private Security subsector, IT skills, training (assessment, facilitation, moderation), labour relations, industry standards, fund sources, and biological threat preservation were identified as the main knowledge and skills currently required. These skills are not unique to South Africa. IT and training skills are listed by PSiRA as critical skills in South Africa. The others are new skills that have not been identified in the literature.

5.5.3. Knowledge and skills required in the future

Apart from knowledge and skills that are currently required in the two subsectors, the study identified knowledge and skills that will be vital in the future. In both subsectors, IT skills and emotional intelligence were identified as knowledge and skills requirements of the future. Cherry (2020) defines emotional intelligence as the ability to express, control and, evaluate emotions. It is the ability to control one's emotions and understand the feelings and emotions of others. Cohen (2020) identified emotional intelligence as a vital skill in legal services. The global literature (Strom *et al.,* 2010) does list IT as an area of work in private security but it is not listed as skill that is going to be required in future.

Further to that, in the private security subsector, drone operations, hostage negotiation skills, and security qualifications were identified as knowledge and skills that will be required in future. The study agrees that these skills are going to be vital in the future. Drones have become popular in the private security industry. Business Insider South Africa (2021) reported that Fidelity (a private security company based in South Africa) is using drones to track criminals in security estates and they will expand their drone operations to shopping malls. Hostage negotiation skill are also going to be vital in future. South Africa has experienced several cases of hostage taking in recent times which are mainly handled by the South African Police Service (SAPS). An example is the 2005 hostage taking situation at a home affairs office (IOL, 2005) and the recent hostage taking scenario in Durban when a retired soldier took hostages and demanded his pension pay-out (News24, 2021).

5.5.4. Acquisition of future knowledge and skills

The findings revealed that in both subsectors, formal education, research, on the job experience are the main sources of knowledge and skills acquisition. This means that companies are of the view that formal education, research and on the job training are essential in knowledge and skills transfer. This is true to formal education

because SASSETA and the LSSA play a vital role in the provision of such formal education. SASSETA does it through its skills development programmes (learnerships, apprenticeships, etc.) and the LSSA through its mentorship programmes and other interventions (SASSETA Strategic Plan 2020/21-2014/25, no date; LSSA, 2021).

5.5.5. Scarce skills identified in the two subsectors

SASSETA Strategic Plan 2020/21-2014/25 (no date) identified scarce and critical skills required in the entire safety and security sector. This study found that most of the scarce skills listed by SASSETA have been found by this study. However, in both sectors, there are new skills that have been identified. In the Legal Service subsector, four new skills have been identified as scare: management (client and practice), international trade, research, and marketing skills.

In the Private Security and Investigative Activities subsector, three major skills were discovered to be scarce. They are drug and narcotics training, biological threat handling, and drone operation. Training as been identified by SASSETA has a critical skill, but not specific to drug and narcotics, hence the inclusion of this as a newly identified scarce skill. Global literature (Hertig and Wade, 2010) identified these skills as essential but not as scarce.

5.5.6. Acquisition of scarce knowledge and skills

The study found that in both subsectors, it was agreed that formal education, mentoring, training (inhouse and external) and on the job training can be used to address knowledge and skills shortages. Nemeth (2012) supports education and training in the private security. Nemeth states that a lack of proper education, training and standards results in a predictable shortage of skilled and dutiful security practitioners. Penxa (2009) and Gichanga (no date) raised the issue of unqualified security personnel. Gichanga (no date) asserts that many security personnel do not even have a matric qualification. These issues should be addressed by all stakeholder in the two subsectors.

The study determined that some companies have already put in place interventions to address skills shortages. They do this by providing in-house training. This happens in both subsectors. Others indicated that they do not provide such training because their training programmes are not accredited, and they lack funds to conduct such training in-house.

5.5.7. Qualifications required in the two subsectors

The findings revealed that in both subsectors, respondents indicated that academic qualifications and skills training are important. Nemeth (2012) is of the view that lack of proper education, training and standards results in a predictable shortage of skilled and dutiful security practitioners, hence the need for education and training. In

Legal Services, the LLB is the basic entry requirement, although there are other certification programmes that are available in South Africa such as professional examinations (LSSA, 2019; Legal Practice Council, 2020).

In private security, most respondent indicated that qualifications are necessary, but others stated that they are not. It is interesting to note that this subsector requires qualifications that are not only security related by also bachelor's degrees and diplomas in psychology, education, social work and artisan education. It is not clear why these courses are important, but the study assumes that they are necessary to complement the work of security personnel. These qualifications are also listed in SASSETA Strategic Plan 2020/21-2024/25 to be required qualifications.

Chapter 6

Summary, conclusions, recommendations

6.0 Introduction

This chapter presents the summary of the finding, conclusions, and recommendation of the study. The study aimed to achieve three objectives:

- To conducting research per sub-sector with a focus on the sector profile

- To identifying key skills issues and skills development priorities per sub-sector, and

- To determine the extent of skills mismatch to identify hard-to-fill-vacancies (scarce skills) and top-up skills (skills gaps) in the sub-sectors under review

The chapter is structured as follows: a summary of the study according to the three objectives will be provided. After the summary, conclusions will to be drawn and finally recommendations are going to be presented.

6.1.   To conducting research per sub-sector with a focus on the sector profile

This section provides a summary of the profiles of the two subsectors. Several questions were asked to assist create the profiles (see chapter 4).

The findings indicate that most companies that participated in the study are from the Private Security and Investigative Activities subsector (55% compared to 45% from Legal Services). Most of the participants are based in Gauteng province, followed by Limpopo, KwaZulu-Natal and the Western Cape. Most companies that operate in the Private Security and Investigative Activities subsector have been in operation for more than 20 years, while most firms in the Legal Services have been in operation for a period of 10 to 20 year. This means that companies who participated have vast experience in the two subsectors. In both subsectors, most companies are micro/small, and medium sized with very few large companies. African Black people are the majority employees in both subsectors. Other race groups follow, but the study concluded that this depends on the location of the company. More females are employed in Legal Services than males, and more males are employed in Private Security and Investigative Activities than females, but overall, males dominate in both subsectors.

Companies operate within the broad framework of their respective subsectors. That is, providing legal services by legal services firms and providing security which is done by private security companies. There are areas of specialisation though within the broad subsector frameworks. For example, a legal firm could specialise in tax law and a security company could specialise in VIP protection. Companies in the two subsectors provide services to private clients and businesses and to the government. It was discovered in the study that firms

operating in the Legal Services subsector view rival firms as their main competitors. The size of the firms determines the level of competition. For example, small firms view medium and large firms as competitors. In the Private Security and Investigative Activities, companies have competition from rival registered and unregistered companies, car guards and community policing forums. In both subsectors, the companies' stakeholders are mainly their clients, service providers and training institutions. The study discovered that the two subsectors are regulated. The study differentiates between primary regulators and secondary regulators. The primary regulator in the Legal Services is the Legal Practice Council. PSiRA is the primary regulator in Private Security and Investigative Activities. Other regulators are considered secondary because they are business specific. For example, FIC will regulate those firms providing legal financial services.

Lastly, the study discovered that disabled people are employed in the two subsectors and they are provided with all the necessary support they need.

6.2. To identifying key skills issues and skills development priorities per sub-sector

The second objective was to identify knowledge and skills issues and development priorities per subsector. This section presents a summary of the findings.

The study identifies several occupations that are core in the two subsectors. The study divided the occupations into two categories: industry/subsector specific and general occupations. In Legal Services, specific subsector occupations include amongst others, attorneys, legal advisers, and in the Private Security and Investigative Activities, occupations include amongst others security guards and investigators. General occupations in both subsectors include cleaners, drivers, managers, and other general workers. Key knowledge and skills requirements required by both employees and employers were identified. It was discovered that employees require industry specific operational knowledge and skills. For example, legal expertise, armed response, and others, while employers require governance knowledge and skills, for example, leadership, business administration, management, and other governance skills. The knowledge and skills required in the two subsectors are different because of the nature of their respective business operations, but computer literacy or IT skills and emotional intelligence skills are regarded as important in both subsectors.

It was discovered that there would be knowledge and skills that are going to be required in future. Computer literacy or IT skills came out to be a required future skill in both industries. In the Legal Services subsector, global legal practice, telemarketing, and other knowledge and skills listed in chapter 4 are going to be essential in future. In the Private Security and Investigative Activities, knowledge, and skills such as identifying biological threats and drone operations will be required in the future.

The LLB is a must have academic qualification in the Legal Services subsector. In Private Security and Investigative Activities, several qualifications are accepted. They include artisan courses, bachelor's degrees in education, psychology, and social work; diplomas in policing and security management, PSiRA related

qualifications, and other related qualifications. These qualifications are obtained from TVET colleagues and private training providers. The study found that most companies in the two subsectors provide learnership programmes. Those that did not provide learnerships it is because of lack of funds and others stated that they are not accredited to provide such services.

6.3. To determine the extent of skills mismatch in order to identify hard-to-fill-vacancies (scarce skills) and top up skills (skills gaps) in the sub-sectors under review

It was also discovered that there are scarce knowledge and skills required in the two subsectors. Computer literacy or IT and emotional intelligence are scarce skills in both subsectors. Other than those two, in the Legal Services, it was discovered that client retention, experience in the legal field, marketing research, networking, telephone handing, client management, court directives, forensic law, intellectual property attorneys, international trade, practice management, and tax law are scarce skills. In the Private Security and Investigative Activities subsector, the following knowledge and skills were found to be scarce, drug and narcotic training, firearms training, investigators, narcotic dog handling, psychologist, reaction speed, security situational awareness, security teaching and training, social workers, VIP protection, biological threat handling, critical thinking, dog handling, drone operations, intellectual skills, investigation, paralegal, and risk evaluation. The study discovered that formal education and training, on the job experience can help address the scarce skills problem. Formal education is acquired from universities, TVET, Further Education and Training (FET) colleges and private training institutions.

The study did not find any knowledge and skills mismatch in the two subsectors but discovered hard-to-fill skills as presented in the above paragraph. It has been stated above that such issues could be addressed by formal education and on the job experience.

6.4. Conclusions of the study

This section provides the conclusion of the study. The conclusions are going to be presented according to the objectives of the study.

6.4.1. Profile of the subsectors

- Most companies in both subsectors are based in Gauteng province
- Majority of companies have been in operation for about 10-20 years
- Most are micro/small. This applies to both sectors
- Males are the majority employees in both subsectors, but females are the majority employees in Legal Services
- Black Africans are the majority employees in both subsectors

- The core business of legal services is to provide legal services and the core business of private security is to provide security services. Both subsectors provide services to the private clients and businesses and to the government.
- Registered rival firms are identified as competitors in Legal Services. In private security, competitors are not only registered rival firms, but also unregistered firms, community policing forums and individuals (car guards).
- Both subsectors are regulated by relevant bodies
- People living with disabilities are employed in both subsectors.

6.4.2. Knowledge and skills requirements and priorities

- IT and emotional intelligence knowledge and skills have been identified as scarce skills in both subsectors
- Four new scarce knowledge and skills have been identified in Legal Services: management, international trade, research, and marketing. In private security, three new scarce knowledge and skills have been identified: drone handling, biological threat handling, and drugs and narcotics training.
- Biological threat handling, drone operation, drugs and narcotics training and hostage negotiation skills are skills that will be required in future
- No skills mismatch was found in both subsectors
- Both subsectors require formal education (LLB degree in Legal Services, security training and non-related security related qualifications in private security)
- Formal education, research and on the job experience, and mentoring are the main sources of knowledge and skills acquisition
- Universities, TVET, FET, colleges, private colleagues, and inhouse training are the main providers of formal education.

6.5. Recommendations

Based on the findings and discussions of the study, the following recommendations are presented.

Recommendations to companies in the two subsectors:

- The introduction of basic computer literacy programmes (IT skills) is vital. These can be upgraded to intermediate and advanced computer literacy programmes depending on need. Training on emotional intelligence is also a requirement.
- Consideration should be made to invest in employee training to acquire current and future scarce knowledge and skills so that companies are not caught off-guard when such knowledge and skills are needed.

- Collaboration among companies is recommended to facilitate knowledge and skills transfer.
- Inhouse training must be continued and incentivised by stakeholders if possible, to promote knowledge and skills development. Incentives can be the provision of financial and human resources and accreditation of inhouse training programmes.

Recommendations to SASSETA

- SASSETA should consider funding institution that are interested in providing inhouse training. This will address the knowledge and skills shortages challenge.
- SASSETA should consider intensifying the already implemented skills development programmes to speedup knowledge and skills acquisition.
- SASSETA should update the scarce skills list to accommodate the new scarce skills identified by the study.

Recommendation to regulatory bodies

- Relevant authorities should clamp down on unregistered security companies because they have the potential to be noncompliant with industry regulations.

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