

MBHASHE LOCAL MUNICIPALITY COMMUNITY SAFETY STRATEGY



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1. POLICY BACKGROUND

. ESTABLISHMENT OF THE MBHASHE COMMUNITY SAFETY FORUM

Establishment and Location of Community Safety Forums

The Portfolio Head for Community Services shall, in consultation with the Mayor, establish a CSF that is broadly representative of local community structures and organs of state, to be located and operate within the Mbhashe Local Municipal boundaries.

Mbhashe CSF shall be another important chapter or cluster of the Mbhashe Intergovernmental Relations Forum (IGR).

Composition of Community Safety Forums

As a broad structure for integrated local crime prevention planning, coordination and implementation, Mbhashe CSF must involve participants from all three spheres of government, as well as community-based organizations and formations.

Communities serve as critical role-players in the composition of CSF. In order to give effect to enhancing community participation in the CSF, the continuous presence of organized civil society and community structures or sectors is encouraged. Civil society or organized local communities that could form part of CSF include at least the following:

- Existing CPFs
- Non-governmental organizations working in relevant functional areas (E.g. in respect of child protection, victim support, restorative justice or economic empowerment)
- Faith-based organizations
- Ward councilors as ex-officio members
- Organizations representing the interests of specific groups like Women's Formations
- Traditional leaders
- Business sector
- Other organized community structures such as military veterans

2. POLICY PURPOSE.

. THE NEED FOR COMMUNITY SAFETY FORUM IN MBHASHE

Mbhashe CSF is designed to serve as a platform for coordination, integration and monitoring the implementation of multi-sectoral crime prevention- and community safety initiatives within the context of the National (and Provincial) JCPS priorities in serving as the central catalyst for joint collaboration towards a local crime prevention

strategy. As such, the Mbhashe CSF emphasizes the need to ensure synergy and alignment of all government inputs and outputs within our area of jurisdiction.

3. APPLICATION AND SCOPE

Provide a summary of the proposed policy and ensuring that those who might be affected by the policy are identified, considered, and consulted.

4. LEGISLATIVE FRAMEWORK

CONSTITUTIONAL AND LEGISLATIVE FRAMEWORK

Set out below is a synopsis of the constitutional and legislative imperatives that guides the Mbhashe Community Safety Strategy:-

The Constitution of the Republic of South Africa 1996

Section 40 of the Constitution states that government is constituted in the national, provincial and local spheres and that spheres are "distinctive, interdependent and interrelated." Section 41 of the Constitution goes on to state that all spheres of government and all organs of state within each sphere must preserve the peace, secure the well-being of the people of the Republic; co-operate with one another in mutual trust and good faith by, inter alia, assisting and supporting one another and coordinating their actions and legislation with one another.

Section 152 of the Constitution defines the objects of local government. These include ensuring that the provision of services to communities is rendered in a sustainable manner; that social and economic development is promoted; that a safe and healthy environment is promoted; and that communities and community organizations are encouraged to be involved in the matters of local government.

The developmental duties of municipalities are outlined in Section 153 of the Constitution. It states that a municipality must budget and plan processes to give priority to the basic needs of the community; promote the social and economic development of the community; and participate in national and provincial development programs. The economic development of the community is intrinsically linked to the safety and security conditions that prevail in the local environment.

Section 206(3) of the Constitution entitles each province to promote good relations between the police and the community. This cannot be achieved by the relevant provincial organ of state without the concomitant involvement of the national and local spheres of government.

The Constitution provides the over-arching framework for policy and legislation. The principles, values and injunctions of the Constitution form the basis for legislation and policies that have a bearing on the provision of safety.

The South African Police Service Act (on CPFs) 1995

Amongst others, the SAPS Act provides for specific roles of the police in relation to community safety. These include:

- Establishing and maintaining partnerships with the community;
- Promoting communication with the community;
- Promoting cooperation on policing with the community;
- Improving transparency and accountability to the community;
- Improved partnership with the community;
- Improved service delivery at all levels; and
- Joint problem identification and problem solving.

Municipal Systems Act 32 of 2000

One of the objectives of the Act is to provide for community participation and involvement of the local community in the affairs of the municipality. The Act mandates each local government to consultatively undertake Integrated Development Planning (IDP) for the local area. It further provides for participation by the local community in the affairs of the municipality that must take place through the councilors (s 17). The IDP process is critical in that it supports the notion of integration and consultation.

These IDP's are local plans which are ultimately intended to guide the implementation of the policies and programs informed by various National and Provincial Government policies, strategies and programs. Crime prevention is no exception. In terms of Sections 23-37 of the Act, municipal planning must be development-oriented to ensure that it, together with other organs of state, contributes to the progressive realization of the fundamental rights contained in sections 24 (Environment), 25 (Property), 26 (Housing), 27 (Health care, food, water and social security) and 29 (Education) of the Constitution. In addition, planning must be aligned with, and complement, the development plans of other organs of state so as to give effect to the principles of co-operative government. Each municipal council must adopt a single, inclusive and strategic plan for the development of the municipality which links, integrates and co-ordinates plans and takes into account proposals for the development of the municipality.

Municipal Structures Act 117 of 1998

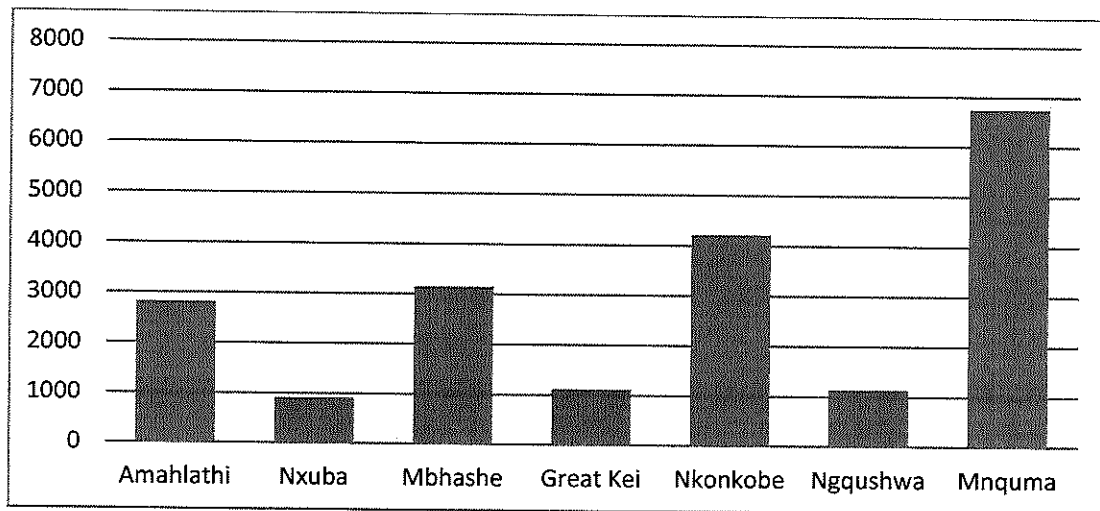
The Act emphasizes that municipal structures should account on their involvement of communities and community organizations in the affairs of the municipality. Its objectives include reviewing the needs of communities.

5. SITUTATION ANALYSIS

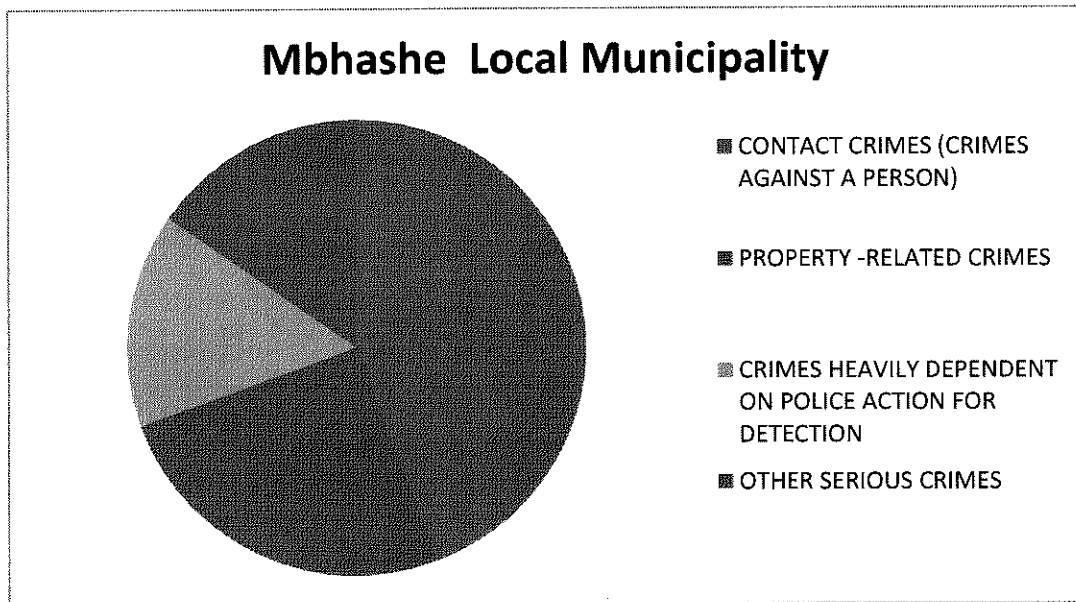
For some time now, some 20 065 crimes were reported within the ADM. For the purposes of this document, only the following crime categories have been reported:-

- contact crimes (crimes against a person);
- property-related crimes;
- crimes heavily dependent on police action for detection;
- Other serious crimes.

The chart below suggests that Mbhashe municipality (at some point in time) accounted for the third highest number of crimes compared to other local municipalities within Amathole (however this is misleading as it does not take into account relative population size – for a more useful assessment see comparison of major crime rates in relation to population).



The following chart presents the most recent crime levels (grouped according to major crime categories¹):-



The challenges regarding safety and security, as identified in previous strategy reviews, include the following:

- Lack of commitment by certain role-players, with the result that the operational plan for the CSF may not be as comprehensive as it would be expected. Some of the critical stakeholders would not have made their inputs to the overall plan.
- No reliable and accurate impact measurement tools for crime. Currently, the local municipality depends on SAPS crime statistics.
- Not all stakeholders have bought into the concept of integration and cooperation
- Lack of necessary resources and insufficient institutional capacity, with the results that some role-players are not able to participate in the work of the CSF meaningfully.
- Structuring of some of the critical stakeholders presents some operational challenges. For example, within Mbhashe LM, there are three (03) main police stations (Dutywa, Willowvale and Elliotdale) and a satellite (Kwaaiman). The police stations of Dutywa and Willowvale fall under the Butterworth cluster of SAPS, whereas Elliotdale and Kwaaiman fall under Mqanduli cluster.

6. MBHASHE BY-LAWS

The municipality has a plethora of by-laws relating to the community safety, including but not limited to the following issues:-

- Street trading
- Traffic management and control
- Building control
- Public nuisance
- Impounding of animals
- Waste management and related services

- Vehicle pound policy
- Liquor trading by law
- Taxis and taxi by law

Some of these by-laws have been promulgated and therefore ready for enforcement. Currently, there are challenges on the implementation and enforcement of the by-laws for the following factors:-

- No personnel to enforce by-laws
- No standard operating procedures for the enforcement of by-laws

Beyond the SAPS identification of hotspots, there is no clear spatial delineation of crime however the sustained increase in murders is even more evident in rural areas than in the larger urban area of Dutywa. Sexual crimes however seem to have an urban dimension since Dutywa are the only station area showing an increase and the increase is very significant. Willowvale seems to have a particularly severe problem of drug-related crime.

Apart from this very basic SAPS analysis, there is insufficient profiling of the Mbhashe settlements and station areas to relate crime patterns to specific environmental factors. The prevalence of murder in largely rural areas is disturbing and suggests the settling of disputes or grievances outside of the judicial system or the purview of traditional courts is still prevalent despite efforts to educate communities.

Since 66% of dwelling in Mbhashe are traditional and located in rural settings, the impact of what might be termed 'urban environmental design' considerations e.g., safe walkways, properly maintained buildings etc. is minimal however as with other municipalities, street lighting seems to be a basic safety consideration.

Other service issues which entail household labour outside the home to e.g. collect water, dispose of refuse, collect firewood etc. also bring their own risk factors.

CAPACITY FOR COOPERATIVE PARTNERSHIPS ON CRIME PREVENTION

Dutywa SAPS claims it has fairly extensive partnerships for crime prevention including:

- A CPF network which is able to undertake crime awareness campaigns
- Sector managers / NGOs visit schools to do crime awareness
- Chiefs working with village committees to do crime awareness
- Community cooperation in identifying suspects and wanted persons

It also appears that there is cooperation with government departments and those NGOs and CBOs "own these partner activities."

Willowvale SAPS makes mention of partnerships with CPFs, traditional leaders and government departments (an inter-departmental forum) – the nature and performance of these partnerships is not provided. The station also describes itself as "very capacitated" to take up these partnerships.

MAIN OBSTACLES TO CRIME PREVENTION / CHALLENGES / LIMITATIONS

THE HAVE BEEN OUTLINED to some extent but can be summarised as:-

- Risks arising from poor infrastructure and services – e.g. the roads are poor and result in maintenance issues for SAPS vehicles
- The costs of doing business in Mbhashe are high due to poor infrastructure and limited / unreliable services. This is exacerbated by the targeting of businesses for burglary and huge increases in commercial crime. A vicious cycle thus develops where the local economy has little prospect of growing and creating jobs and lack of job opportunity feeds crime that tends to target local business.
- Difficulty in locating and reaching rural households by SAPS and emergency services
- A weak local economy with poor employment prospects and endemic poverty creating additional incentives to resort to crime as a livelihood strategy
- Thinly stretched SAPS services – SAPS Dutywa and Willowvale mention human resources as an obstacle
- The likelihood that some communities regard themselves as outside the jurisdiction of the state (courts, police, legal services) and are therefore likely to resort to street justice or vigilantism – referred to by role-players as *faction fights*
- Weak governance and political leadership, especially at municipal level, which undermines the legitimacy of the organs of state and sets a precedent for further factionalism or power-broking
- Long-term prospects for the youth to be better educated and therefore *employable*, are not strong based on the poor performance of the education system across Mbhashe.

7 . STRATEGIES TO PREVENT CRIME AND PROMOTE COMMUNITY SAFETY

The following are key issues identified during the review/situational analysis and should form the basis of any strategies to prevent crime and promote community safety:

- The IDP notes that there is no programme for the rehabilitation and integration of inmates and ex-offenders from local prisons. While this is not a municipal function per se, by virtue of its involvement in public works programmes and other social development initiatives, the municipality clearly has some potential for making a contribution. The municipality could, for example, develop a plan with Correctional Services and SAPS that will integrate ex-offenders into community projects and municipal activities e.g. refuse removal.
- Given the limited scale of SAPS deployment across Mbhashe, the recruitment of law enforcement supervisors to fill the identified vacancies should be fast-tracked and the function *law enforcement* should be reviewed to emphasize its crime-prevention / community safety elements.

- The content and enforcement of all by-laws should be reviewed from a community safety/ crime prevention perspective e.g. the obligation to maintain buildings and keep vacant stands secure and clear of vegetation and rubbish.
- While the CSF model has been applied in Mbhashe through capacity building workshops and awareness campaigns that were conducted for Community safety stakeholders, its impact and achievements was shown by the participation of stakeholder in this review and the functional value of the model. The strategic plans were re-evaluated and new actions developed for implementation. The Department of Safety and Liaison Amathole District was part of the exercise to advice.
- Each ward should undertake some level of crime analysis / response in conjunction with its CPF / sector policing officer. The ward plans should include components on community safety / crime prevention.
- The average police to population ratio in the Eastern Cape is 1: 368 i.e. one police official for every 368 citizens. Mbhashe needs to review where it stands in this respect and if necessary lobby for additional police deployment
- Shifts in crime patterns e.g. the increase in burglaries at non-residential premises versus the stabilisation or decrease in burglary and robbery at residential premises, needs to be understood i.e. does this result from:
 - Economic factors over which the SAPS / authorities have little control e.g. the general impoverishment of residential households – making them less attractive targets for burglary
 - Special measures to protect residential property by the SAPS or other role-players like CPFs (possible lessons are generated for replication)
 - A shift in attitude by criminals e.g. that theft from a business is less likely to cause direct victimisation / hardship (and possibly therefore less likely to result in community retaliation if the perpetrator is caught)
- Ensuring that, within the IDP process, when new infrastructure is planned, the design and siting decisions also take into account concerns for community safety and impact on policing and emergency services. This has been included in the Mbhashe CSF developed action plan, for the steering committee to take up the issues with the relevant unit within Mbhashe responsible for infrastructure development.

8 . MBHASHE CSF STRATEGY: OBJECTIVES, REQUIRED INTERVENTIONS, INDICATORS AND RESULTS

The **PURPOSE** of the Safety Strategy is to facilitate the development and implementation of local crime prevention initiatives in order to create a safer living environment for the community of the Mbhashe Local Municipality.

Within all the local municipalities in ADM the drafting of the strategy was restricted by factors such as insufficient relevant data (cluster reports etc.), poor geographical representation at workshops, non-functional CSFs and CSF members with insufficient

understanding of the CSF concept. It is therefore clear that there is a need for a safety strategy that addresses basic priority areas such as institutional framework development and issues related to developing capacity of CSF members.

The strategy outlined below is designed to address these priority common systemic issues and, once these have been addressed Mbhashe will be in a position to develop a detailed activity plan.

It is critical that the strategy is implemented effectively as the results will form the foundation for the sustainability of the CSF.

Goal:	Develop and implement local crime prevention initiatives in order to create a safer living environment for the community within Mbhashe
Objectives:	<ol style="list-style-type: none"> 1. To develop CSF institutional framework 2. To develop and strengthen the Mbhashe CSF's capacity 3. To develop and implement the Mbhashe local municipal crime prevention programme
Activities:	<ul style="list-style-type: none"> ▪ <i>Resuscitate and establish local municipal's institutional capacity to effectively undertake CSF coordination functions.</i> ▪ <i>Facilitate stakeholders' buy-in, commitment, inter-departmental cooperation and support.</i> ▪ <i>Facilitate the setting up and capacity development of CSF oversight structure.</i> ▪ <i>Facilitate capacity building of CSF stakeholders on areas related to the CSF concept, crime prevention, the roles and responsibilities of various stakeholders/role-players etc.</i> ▪ <i>Facilitate linkage and /or integration of CSF into the IDP</i> ▪ <i>Identify and address priority crimes in a multi-disciplinary and integrated approach.</i> ▪ <i>Facilitate identification and addressing of social causes of crime in an integrated and multi -disciplinary manner</i> ▪ <i>Facilitate the development and maintenance of local environment in such a manner as to promote safe and healthy environment.</i> ▪ <i>Facilitate the creation of local economic development initiatives providing employment opportunities.</i>

The following are some key objectives, required interventions, indicators and results:

OBJECTIVE	REQUIRED INTERVENTION	VERIFIABLE INDICATORS	ANTICIPATED RESULTS
1. Develop CSF Institutional framework	<ul style="list-style-type: none"> ▪ <i>Resuscitate and establish Mphashe local municipality's institutional capacity to effectively undertake CSF coordination functions.</i> 	New Mphashe CSF oversight structure in place, resourced and its capacity enhanced and communication between stakeholders maintained	The Mphashe Community Safety Forum functional and able to coordinate and implement local crime prevention initiatives.
	<ul style="list-style-type: none"> ▪ <i>Facilitate stakeholders' buy-in, commitment, inter-departmental cooperation and support.</i> 	Mphashe Municipal personnel assigned to the forum and able to coordinate CSF activities.	The Mphashe Municipality's institutional capacity to promote safety and security enhanced.
	<ul style="list-style-type: none"> ▪ <i>Facilitate the setting up and capacity development of CSF oversight structures.</i> ▪ <i>Facilitate linkage and /or integration of CSF into the IDP</i> 	CSF activities covered and budgeted for in the IDP	

OBJECTIVE	REQUIRED INTERVENTION	VERIFIABLE INDICATORS	ANTICIPATED RESULTS
2. Develop and implement crime prevention programme	<ul style="list-style-type: none"> ▪ <i>Identify and address priority crimes in a multi-disciplinary and integrated approach.</i> ▪ <i>Facilitate identification and addressing of social causes of crime in an integrated and multi-disciplinary manner</i> ▪ <i>Facilitate the development and maintenance of local environment in such a manner as to promote safe and healthy environment.</i> ▪ <i>Facilitate the creation of local economic development initiatives providing employment opportunities.</i> 	<ul style="list-style-type: none"> - Awareness raising campaigns initiated with regards to issues that impact on a community safety, with particular emphasis on identifiably vulnerable groups such as women, children and the aged. - Projects against crimes such as rape and child abuse developed. - Projects that are aimed employment creation initiated. - The capacity of CPFs built and strengthened. - Moral regeneration programs initiated - Street lights installed and bush clearing etc where necessary. 	Projects are clearly identified and activities carried out.

9 . CONCLUSION

As WITH all plans, this strategy may face certain practical challenges in implementation. Strategies and plans can sometimes give rise to unrealistic expectations. In some cases criminality or criminal behaviour may be deep seated, in which instance a crime prevention strategy may be inadequate and other more intensive interventions will be required.

A fully fledged Mphashe Community Safety Strategy will require further collation and analysis of relevant data and specifically key information related to policing levels, the operational state of CPFs and community safety forums as well as a more detailed and a less 'helicopter view' of crime patterns across different wards.

Data analysis and planning needs to be more focused and the resulting strategies need to speak to the specificities of Mphashe, rather than a generic formulation of interventions shaped by a general understanding of crime and community insecurity.

The strategies outlined above are a mix of institutional / systems interventions, further expansion of analysis and planning functions and direct project interventions. This has become necessary as the existing planning procedures, including data collation and analysis, are not optimal, nor are stakeholder and public aspirations and opinions clearly expressed.

10.IMPLEMENTATION

As Mbhashe local municipality we do have an active community safety forum, which has a joint sitting on a quarterly basis. The policy has been implemented long time ago.

11.REVIEWAL

The policy will be reviewed yearly, when there is a policy workshop

