

11.	ITEMS FOR CONSIDERATION FROM THE EXECUTIVE MAYOR OR MAYORAL COMMITTEE: [ALD. G VAN DEVENTER (MS)]
11.1	COMMUNITY DEVELOPMENT AND PROTECTION SERVICES: (PC: CLLR R BADENHORST)
11.1.1	ESTABLISHMENT OF THE STELLENBOSCH COMMUNITY SAFETY FORUM

Collaborator No: 725647
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 23 March 2022

1. SUBJECT: ESTABLISHMENT OF THE STELLENBOSCH COMMUNITY SAFETY FORUM

2. PURPOSE OF THE REPORT

To request approval from Council for the establishment of the proposed Stellenbosch Community Safety Forum (CSF).

3. DELEGATED AUTHORITY

For Council's decision.

4. EXECUTIVE SUMMARY

4.1 This document provides the Terms of Reference for the Stellenbosch Community Safety Forum which is a multi-stakeholder forum to address matters of community safety and security in the Municipality's area of jurisdiction.

4.2 The purpose of Community Safety Forums (CSF) is to promote the development of communities where citizens live in a safe environment and have access to high-quality services at the Local Government level, through multi-agency collaboration between the spheres of government and communities.

4.3 The CSF is an inclusive multi-sectoral structure that would champion the coordination, integration, and implementation of crime and violence prevention community safety initiatives.

4.4 The founding document dates to the mid-nineties.ⁱ

The National Cabinet instructed the establishment of Community Safety Forums in 2010/2011.

5. RECOMMENDATIONS

that Council approves the establishment of the Stellenbosch Municipality Community Safety Forum (CSF).

6. BACKGROUND

- 6.1 The CSF are designed to target the root causes of several types of crimes prevalent at Local Government level. It is common knowledge that crime stems from a host of factors such as lack of assorted opportunities and recreation, poor family structures, inadequate law enforcement, lack of police visibility, inadequate housing infrastructure and unemployment. This suggests that greater coordination is required within and amongst all three spheres of government, especially relating to matters of safety and security in our affected communities.
- 6.2 The CSF is meant to facilitate the delivery of a multi-sectoral governmental approach to increase safety in communities. Its approach is broader than that of a Community Police Forum (CPF) in that it includes the responses from all the Departments in the Justice, Crime Prevention and Security (JCPS) cluster.
- 6.3 The South African Government strategic objective is that "All People in South Africa Are and Feel Safe". This is in line with the visions Stellenbosch municipality has for its residents. Furthermore, the Constitution bestows the right on all citizens to enjoy an accountable, effective, and service orientated criminal justice system. As such, Government has shifted its "silo" approach to a more holistic and collaborative approach and to strategically implement policies.
- 6.4 Thus, the need for a CSF is integral as it is designed to coordinate, integrate, and implement multi-sectoral crime and violence prevention/community safety initiatives within the Criminal Justice System (CJS) and Local Government, utilizing principles in the National Crime Prevention Strategy (NCPS) to enhance the quality of life within targeted communities.

7. DISCUSSION / CONTENT

- 7.1 Community Safety Forums needs to be established at the National, Provincial and Local Government levels. More specifically at the Local Government level as it is closer to the communities and will be in a better position to advise Government's economic, development and social policies for crime prevention.
- 7.2 As crime stems from factors such as inadequate access to basic services such as housing, education, health, and jobs; Local government is closest to the citizens it serves and in the ideal position to coordinate safety within the municipal boundaries. This then requires greater planning and coordination within the three spheres of Government.
- 7.3 The Local Municipality and the Western Cape Government have been inundated with a variety of Special Council Meetings of complex Humanitarian Emergencies that stems from social ills such as Poverty, Substance Abuse, Crime and Violence, Gang Violence, Land Invasions and Service Delivery protests. These incidences often escalate into vandalism of infrastructure which hurts communities.

-
- 7.4 This in turn filters down to disaster declarations whereby existing funds must be redirected and or reprioritized, to coordinate the response to Social Conflict or Complex Humanitarian Emergencies and to complement existing structures. The establishment of a CSF is needed on a municipal level to facilitate planning, monitoring, accounting, and coordination as it is closer to the communities at the grass-root level.
- 7.5 It will allow the Local Municipality to align its policies to Provincial and National Policies on CSF's. The structure is supported by the Western Cape Government, more specifically The Western Cape Department of Community Safety.
- 7.6 The CSF has three Clusters namely.
- 7.6.1 Law Enforcement Cluster:
- Role-players: Law Enforcement Agencies (Law Enforcement, SAPS, Traffic Services, Neighborhood Watches'(NHW)/ farm watches, Criminal Justice System Departments, etc.)
 - Main functions: Principles of collaboration is planned joint operations, joint solutions, enhancing the usage of security technology, etc.
- 7.6.2 Social Cohesion:
- Role-players: Law Enforcement Agencies, Department of Social Development, Department of Justice, Community Development, Correctional services, relevant NGO's, etc.
 - Main functions: Plan Gender Base Violence & Feminine Workshops, Drug and Substances Abuse Awareness Workshop, Youth at Risk Workshop, etc.
- 7.6.3 Crime Prevention through Environmental Design:
- Role-players: Law Enforcement Agencies, Infrastructure services (National, Provincial and Local government), Environmental Affairs and Development Planning, local planning and economic development, Municipal Community Services etc.
 - Main functions: Crime prevention through Environmental Design, Road Infrastructure, Public spaces and recreational parks, Streetlights, Sewerage pipes and drainage, graffiti (Broken Window principle)
- 8. THE OBJECTIVES OF THE COMMUNITY SAFETY FORUM WILL BE:**
- 8.1 Co-ordinate and promote co-operation and integrated planning and budgeting between all three Spheres of Government on matters of Community Safety.

-
- 8.2 Facilitate implementation of public-private partnerships where government and communities are seen to co-produce safety.
 - 8.3 Strategically consult and engage through organised structures the development of local safety planning and monitoring of Safety and Security plans.
 - 8.4 Strategically integrate communities' strengths to implement Provincial Government Programs and achieve the objectives and strategic intent of the Local Municipality.
 - 8.5 To provide for communities (through organisational structures) to participate in the development and local planning and monitoring of safety plans, at the grassroots level.
 - 8.6 Promote closer co-operation and access to basic services at local grassroot level by the Ward Councillor to improve living conditions and community social cohesion.
 - 8.7 Support and enhance crime and violence prevention through public education programs.
 - 8.8 Partnerships with relevant organs of state, communities and, internal and external stakeholders

9. LEGISLATIVE AND BY-LAW ENFORCEMENT FRAMEWORK

- 9.1 South African Constitution Act 108 of 1996, Chapter 11, Sec 198(a)
- 9.2 South African Police Services Act No 68 of 1995
- 9.3 Intergovernmental Relations Framework Act, 2005(Act No. 13 of 2005)
- 9.4 The Municipal Structures Act, Act No 117 of 1998
- 9.5 The Municipal Systems Act, Act No 32 of 2000
- 9.6 Criminal Procedure Act 51 of 1977
- 9.7 Western Cape Community Safety Act (Act 2013 Act 3 2013)
- 9.8 Civilian Secretariat for Police Service Act 2 of 2011
- 9.9 Social Assistance Act 13 of 2004
- 9.10 Immigration Act 13 of 2002
- 9.11 The National Crime Prevention Strategy 1996
- 9.12 The White Paper on Safety and Security 1998
- 9.13 Intergovernmental Relations Framework Act
- 9.14 South African Constitution, Act no 108 of 1996, Chapter 11, Sec 198(a)
- 9.15 And the various By-Laws which has been gazetted by Stellenbosch Municipal Council

10. ROLES AND RESPONSIBILITIES OF STELLENBOSCH MUNICIPALITY'S CSF

- 10.1 The Stellenbosch Municipality Community Safety Forum will assist in mobilizing resources of the National, Provincial and Local Government departments, as well as support through the Community Police Forums (CPF), Non-governmental and community-based organizations in the Stellenbosch Municipal area.
- 10.2 Review safety in Stellenbosch Municipality and develop appropriate safety interventions.
- 10.3 Facilitate linkages of the Local Crime and Violence Prevention Strategy and Plan.
- 10.4 The Western Cape developed its Safety Plan as part of its 5-year Provincial Strategic Plan of which Stellenbosch Municipality form part of the plan.
- 10.5 Three focus areas, Law Enforcement, Social Cohesion and Crime Prevention through Environmental Design.
- 10.6 Receive and consider regular reports on the safety plan implementation progress.
- 10.7 The Safety Plan has a Policing and Violence Prevention strategy that recognizes crime and cannot be reduced unless violence prevention and policing work hand in hand. This requires long-term area-based, multi-agency interventions, not just short-term law enforcement ones. It is an "inclusive" initiative where the police, criminal justice system, Province, municipality, and communities work together in area-based teams. It will identify and implement strategies based upon outcomes.
- 10.8 Conduct regular meetings to inform internal and external stakeholders.
- 10.9 Communicate successes.
- 10.10 Establish and maintain a database of stakeholders.
- 10.11 Resolve conflict and build consensus.
- 10.12 Play an oversight role on the functioning of the various clusters by the Community Safety Forum.
- 10.13 Give input, guidance, and direction on appropriate strategic interventions to address the safety in Stellenbosch.
- 10.14 Responsible for research, problem solving, integrated planning, co-ordination, oversight, and project implementation.

11 EXTERNAL ROLE PLAYERS

The Stellenbosch Municipality Community Safety Forum will consist of representatives from all three Spheres of Governmental Departments, Non -Governmental Organisations (NGO's, Community Based organisations (CBO's) and stakeholders whose primary roles and responsibilities are to address the safety and security of Stellenbosch Municipality. The members of the Community Safety Forum must be designated persons from the various role players who would have the delegated authority in making decisions for those they represent. Further to this are the minimum responsibilities of the primary stakeholders of the CSF structure.

- 11.1 **The South African Police Service:** Facilitating and maintaining a partnership between the community and the police. Facilitating communication between the police and the community. Improving the rendering of police services to the

community at a local level. Joint identification of local policing priorities and co-ownership of problem-solving programs at a local level. Conducting periodic reporting to the community (accountability meetings).

- 11.2 **The Department of Correctional Services** aims to contribute towards **maintaining and just, peaceful, and safe society**, by enforcing court-imposed sentences and detaining prisoners in safe custody. The Correctional Services with the South African Police Services should inform the Municipality and NHW's before parolees' are released. Facilitate the social acceptance and effective reintegration of ex-offenders into their communities.

Facilitate parole release programs (pre-release, **protection** supervision, and parole) with communities. Facilitate community service programs. Develop and manage secure places of safety for petty offenders and children in conflict with the law. Develop and implement social crime prevention programs in line with the mandate.

- 11.3 **Department of Justice and Constitutional Development (DoJCD)** aim is to **uphold and protect the Constitution and the rule of law**. To render accessible, fair, speedy, and cost-effective administration of justice, in the interests of a safer and more secure South Africa, facilitate and promote access to justice services available to the communities (e.g., legal aid board and Thuthuzela Care Centre's).

Empower citizens to understand the Constitution, laws that impact their lives, and access all their rights. Ensure Restorative Justice and Alternative Dispute Resolution (ADR) initiatives. Ensure that victim empowerment and support programs are adopted and are run effectively to address victims' traumatic experiences. Conduct community sessions on bail and sentencing (accountability) at a local level for communities to be assisted in formulating a document by community leaders in giving reason to opposing bail in certain cases that affect the community.

- 11.4 **Social Development:** Implement comprehensive social security and integrated food security programs to the benefit of local communities. Implement a comprehensive health care program at the local level. Ensure proper housing and human settlement at the local level. Ensure sustainable livelihoods to improve the quality of life for local communities. Facilitate access to education and implement safer school programs. Promote social cohesion at the local government level through various programs. This will be in line with the redress of past imbalances.

- 11.5 **Community police forums:** Identifying policing priorities with the Police. Joint identification and co-ownership of policing programs. Reciprocal control of crime-fighting programs. Ensuring police accountability to the community. Conduct other extended responsibilities on the CJS Presented earlier in the document.

- 11.6 **The National Prosecuting Authority** has the power to **institute** and conduct criminal proceedings on behalf of the State. Carry out any necessary functions incidental to instituting that and conducting such criminal proceedings (this includes investigation) and the discontinue of criminal cases / nolle-prosecute

- 11.7 **The Department of Home Affairs** is the body that **registers professional immigration practitioners**. These immigration practitioners are in turn provided by their clients with the power of attorney, to allow them to compile, submit and monitor their visa applications.

-
- 11.8 **Department of Cooperative Governance and Traditional Affairs (DCoGTA).** The DCoGTA is responsible for **facilitating cooperative governance**, supporting all spheres of government, and assisting the institution of traditional leadership with transforming itself into a strategic partner of government in the development of communities.
- 11.9 **Non-governmental organizations** play a vital role in the shaping and implementation of participatory democracy. Their credibility lies in the responsible and constructive role they play in society. Formal and informal organizations, as well as grassroots movements, can be recognized as partners in the implementation of people's agenda.
- 11.10 **Faith-based organizations** have also assumed a role in **helping in promote housing and community development**. Some fourteen per cent of community development corporations (CDC's) are faith-based. The activities of Habitat for Humanity in providing homeownership opportunities are well-known.
- 11.11 **Corporate Social responsibility** means that **businesses, in addition to maximizing shareholder value, must act in a manner that benefits society**. Social responsibility has become increasingly important to investors and consumers who seek investments that are not just profitable but also contribute to the welfare of society and the environment.
- 11.12 **The University of Stellenbosch** in a **gspofsvexzi\$jjsv\$fix{ iir\$xiipirfswgl\$ Ynzziwnx)\$WY-\$erh\$xiipirfswgl\$ ymgntepx)\$s\$g tvszi\$xyhir\$wejix}2**
- 11.13 **Provincial Department of Community Safety (DOCS)**, responsible for planning, co-ordination, support, capacity building, mentoring, monitoring, oversight, and accountability.
- 11.14 **Stellenbosch Safety Partnership Role-players: Neighborhood watches, Farm watches, security companies, etc.;** responsible for support, force multiplication, sharing of information, community safety initiatives.
- 12 CLUSTERS**
- 12.1 Clusters are the working groups responsible to operationalize interventions.
- 12.2 All role-players will be divided into the three clusters based on their responsibility and function which in turn feeds into the CSF.
- 12.3 Clusters will be responsible to develop plans annually, informed by the safety priorities identified in the safety plan.
- 13 FINANCIAL IMPLICATIONS**
- 13.1 Appointment of Project Manager / Coordinator from the Provincial Government Grant as agreed. This position is to be funded and applied for annually.
- 14. LEGAL IMPLICATIONS**

None

15. STAFF IMPLICATIONS

Appointment of Project Manager / Coordinator for the functioning of the Community Safety Forum

16. PREVIOUS / RELEVANT COUNCIL RESOLUTIONS

None

17. RISK IMPLICATIONS

None

18. COMMENTS FROM SENIOR MANAGEMENT:

None

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2022-03-23: ITEM 7.1.1

that Council approve the establishment of the Stellenbosch Municipality Community Safety Forum (CSF).

Annexures:

- A) Civilian Secretariat for Police: Community Safety Forums Policy
- B) Civilian Secretariat for Police Services Act, 2011

FOR FURTHER DETAILS CONTACT:

NAME	Charl Kitching
POSITION	Snr Manager: Protection Services
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	8815
E-MAIL ADDRESS	Charl.Kitching@stellenbosch.gov.za
REPORT DATE	2022-02-14