



8 June 2020

Messrs Geoff Makhubo & Ndivho Lukhwareni
Executive Mayor and City Manager
City of Johannesburg

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Dear Messrs Makhubo and Lukhwareni

Request for an urgent multi-disciplinary operation to deal with the homeless

1. Request

We write to you with an urgent request to implement a multi-disciplinary operation in order to deal with the growing numbers of aggressive homeless people living in the precinct of Parkview SAPS.

2. Background

Throughout level four of lockdown, several stakeholders within our precinct have raised their concerns with the Parkview Community Police Forum (CPF) about the increasing numbers of homeless people and/or vagrants who are living in various parts of the precinct. These people did not adhere to the national lockdown regulations requiring them to stay at home, keep social distance or wear masks. In addition to violating the national lockdown regulations, the homeless people concerned have violated, and continue to violate, the City's by-laws by sleeping in the parks, bathing and making fires there, consuming alcohol and drugs there, discarding waste and polluting the rivers.

These people have been breaking laws without any consequences. We find this situation completely unacceptable.

As we approached level three of lockdown, we received more and more reports of violence emanating from these homeless people. Given the dire circumstances in which they live, this is unsurprising.

As a CPF, we are concerned about the safety and welfare of the residents, people who shop and work in our suburbs as well as the neglected indigent people living in the precinct.

We have tried many times to resolve the situation by asking SAPS, JMPD and the Department of Social Development (“DSD”) to assist in moving the homeless into shelters. On 31 October 2019, we conducted a midnight operation with the DSD, JMPD and the Parkview Police members to document the homeless living in our precinct and to offer them accommodation in the shelters. Very few took up the offer of accommodation in the shelters. We understand recently that even those homeless people who move in to the shelters initially, move out of them by choice as they would rather live on the streets and in the open spaces. This is reported to us by the shelters themselves as well as JMPD.

More recently, on 24 April 2020, we submitted a proposal to JOSH (Johannesburg Organisation of Services to the Homeless) to start a feeding scheme for the indigent people in our precinct. This joint proposal was tabled with both the national and provincial departments of social development in the week ending 15 May 2020. We are yet to receive a reply.

Unfortunately, none of our initiatives have resolved the problem.

We are told by the JMPD Region B Commander, Mike Smith, that –

- the homeless (displaced persons) are the primary responsibility of the Department of Social Development
- the homeless do not wish to live in shelters
- homeless people who contravene municipal by-laws must be issued with a summons in terms of section 56 of the Criminal Procedure Act
- before the summons can be submitted, a law enforcement officer must complete all the fields on the summons form, including the offender’s name, address and ID number
- if the summons form cannot be completed, the offender must be taken to the nearest Police Station and detained by SAPS to determine his/her identity and place of residence
- if the offender cannot afford to pay the admission of guilt fine, then he/she is to be served with a warrant of arrest at the home address as stipulated on the summons form
- SAPS refuses to incarcerate such offenders as it is time consuming and means more mouths to feed at their police station
- magistrates courts are loathe to prosecute such offenders as their misdemeanours are small compared to more serious offenders so the cases are thrown out of court

If this is in fact the case, it would seem to us that the organs of state are failing its citizens. There simply must be a better way to deal with this growing problem, which we submit is the City’s to deal with. This has been further highlighted by the COVID-19 lockdown measures. Something needs to be done about this situation urgently. The threats to safety need to be removed, by-laws must be enforced and the indigent people need to be dealt with in a compassionate and decisive manner.

3. IDP Goals

We refer to the 2020/21 priority implementation Plan in the IDP 2020/21 IDP review in which the following priority programmes are listed:

- A safer city by reintroducing ward-based policing and effective by-law enforcement
- Community Based Planning and enhanced community engagement, including Mayoral Imbizos
- Manage displaced communities and homelessness
- Combat drug and substance abuse

As stated on p 184 of the review:

“While interventions to interrupt and end homelessness may vary across groups, ending homelessness permanently requires a multi-disciplinary approach, which within the city involves the input of Community Development, Social Development, Health, Public Safety and Urban Management in the main. A number of external stakeholders in private, public and civil society are critical.”

Some of the interventions spoken about include:

- **Examine the operation of the Displaced Persons Sub-Unit and other existing programmes, particularly mainstream programmes that serve both homeless and non-homeless persons, to improve the provision of services to persons experiencing homelessness**
- **Work with National and Provincial departments and agencies to effectively implement legislation, national implementation plans and policies on homeless children and adults**

We also refer to section 7.1 on “Ward-based Policing” which states that:

“The ward based policing approach stems from the National Crime Prevention Strategy which requires, in particular the development of wider responsibility for crime prevention and a shift in emphasis from reactive “crime control”; which deploys most resources towards responding after crimes have already been committed, towards proactive “crime prevention” aimed at preventing crime from occurring at all.

For the JMPD the ward-based approach is a commitment by the City to bring policing closer to the communities and at the same time improve the effectiveness of the JMPD.

This switch from traditional policing to community policing reflected a change in strategy—one that put a priority on building community partnerships to address crime and quality-of-life issues in the community.

Community policing fundamentally involves a philosophical mind-set shift from a perspective that police are solely responsible for fighting crime to a perspective of partnership to address not only crime, but also quality-of-life issues.

The Ward-Based policing in the City aims to create a more visible, accessible, familiar and reliable service to a ward. It also aims to reduce the actual incidences of crime, improve by-law enforcement and traffic management and at the same time engage in proactive policing through improving community relations.

This approach has placed a renewed focus on the community and has allowed for police officers to understand the community in which they police and takes into account the different service needs and expectation of a ward."

4. Proposal

In light of the background problem and the 2020/2021 IDP goals, the CPF requests an urgent meeting with yourselves and the councillors of those Wards with areas in the Parkview Police precinct (88,87 and 90).

The purpose of the meeting is to agree on a plan for dealing with the homeless people for whom it is easier to live on the streets and in open spaces than to be accommodated in shelters.

Yours Sincerely



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