

**CHAPTER TEN**

**WINDSOR**

## **10. WINDSOR AND CRESTA MALL**

### **10.1 DESCRIPTION OF THE PILOT SITE**

At the time of the baseline study, the pilot site for SPP Raymond Mathenjwa (Randburg Court, Witwatersrand Division) referred only to Windsor East, a one square kilometre area (305 buildings, 60% flats) with much street trade in illicit drugs. Shortly afterwards, it was discovered that the drugs were *stored* in Windsor West and sold around Cresta Mall. Therefore this pilot area expanded to include a 4-5 square kilometre area of 60,000 to 70 000 people. The official population figure is 50 000 but there were thousands more in terms of undocumented and illegal immigrants (mainly Nigerians, Zimbabweans, Congolese and Zambians).<sup>1</sup>

Aside from the aforementioned problems of drug sales and illegal immigration, the area was troubled by illegal businesses, organised crime, and vagrants. The commercial areas were dominated by noisy nightclubs and drinking establishments that were busy around the clock. Bottles, glass, cigarettes, rubbish, needles, and human waste littered the streets.

At the time of collecting data for the evaluation (31 July-02 August 2007), many changes could be identified on the landscape, particularly in Windsor East, owing to SPP Raymond Mathenjwa, working in partnership with others, to address many community irritants:

- The area was no longer bustling with illegal immigrants because fewer of them lived in the area owing to: (1) organised raids on flats where they stayed; (2) pressure on businesses to quit hiring them as a source of cheap labour (in contravention of the Labour Act and labour laws) and (3) more self-regulation by Estate Agents and property owners (certain Estate Agents quit renting to illegal migrants)

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<sup>1</sup> The population statistics of 50 000 people in Windsor (East and West) was provided by Laurette Van Zyl, a local councillor.

- The children, youth, street vendors and business owners that openly engaged in the sale of drugs at all street corners were no longer evident
- Several businesses and nightclubs that were not legally registered at the time of the baseline study no longer operated
- The environment was visibly cleaner owing to better enforcement of bylaws<sup>2</sup>
- General crime levels were down, especially housebreaking (down to 2-3 a month instead of 20), which may have been related to the drug trade which had been greatly reduced

The Windsor East environment had *visibly* changed to a much more pleasant and regulated one at the time of the evaluation. However, this is not the whole story. The homeless were still sleeping on the streets and in public areas (support from Social Development was never achieved). The general trade in drugs was still vibrant too but had gone underground as cell phone orders and car deliveries replaced the drug sellers on street corners.<sup>3</sup> Many long-time illegal immigrants simply moved away from the pilot area (especially Windsor East) and as of July 2007 economic refugees from Zimbabwe (mostly illegal immigrants) were rapidly taking their place. According to the police and residents, housebreaking was on the rise again (after a hiatus owing to the project) and frequently involved these new migrants.<sup>4</sup>

## **10.2 THE IMPACT OF THE SITE ON PILOTING COMMUNITY PROSECUTION**

Discussion pertains to the (1) advantages of the site; (2) challenges to the site for piloting; (3) the size of the pilot site and (4) analysis of these factors.

### **10.2.1 Advantages of the site**

The site did offer many strategic advantages in terms of successful piloting including these:

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<sup>2</sup> This is on video tape available from a resident visited on site near the pubs

<sup>3</sup> Round-Table Discussion with Stakeholders, Windsor East Recreation Hall, 01 August 2007.

<sup>4</sup> Round-Table Discussion with Stakeholders, Windsor East Recreation Hall, 01 August 2007.

- The DPP (Charin de Beer) at this site and the Chief Prosecutor of the East Rand Cluster were *very* supportive of the project and it appeared that community prosecution had already entered into the strategic plan for the division<sup>5</sup>
- Both the Linden SAPS Station Commissioner and the Crime Prevention Head were very cooperative (a critical factor since there was no SAPS/NPA agreement or directive from national level)
- The entire pilot site falls within SAPS Sector Four under Sector Commander, Constable Marsh of the Linden Police Station, a good partner who knew his sector very well
- The Metro Police patrol Cresta and this facilitated a partnership on operations often led by SAPS and the CMP
- The CMP, as a senior prosecutor of the district court, could attract senior stakeholders to support the effort
- There was widespread public acceptance of the need for crime prevention such that there was immediate buy-in at the pilot site (e.g. for the preceding six or seven years, neighbours and citizens had already been organised against crime as the Windsor Action Group).
- Once approached by the CMP, there was immediate interest by Immigration (Home Affairs) in addressing the large number of illegal immigrants in the area (these are the ones that turned to drug sales and crime to make a living)
- Two Metropolitan Departments were willing, cooperative and critical stakeholders including Municipal Licensing and the Environmental Department (both of Metro Region B—offices at Auckland Park, 30 minutes away)

### **10.2.2 Challenges to the site**

Some of the challenges to the site were addressed and reduced owing to the pilot and others remained unaddressed. These are noted below and include:

- A mobile SAPS station is needed at the site because Linden SAPS is six kilometres away but SAPS reportedly lacks the staff and resources for this (it has 179 members for the entire policing area and only 4 working on crime prevention per shift)<sup>6</sup>

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<sup>5</sup> de Beer, Charin, DPP JHB, Survey Submission, July 2007; Mathenjwa, Raymond, Formal Interview with the CMP, Randburg, 30 July 2007

<sup>6</sup> SAPS Supt Mabalane Mohale, Informal Interview, SAPS Linden, 30 July 2007

- There did not appear to be a SAPS Crime Prevention Strategy (CMP Mathenjwa said this had not been seen after 15 months in the post)
- SAPS investigations and the dockets pertaining to them were found by the CMP to be of a very poor standard at the start of piloting (e.g., the crime prevention officer on scene might only arrest the driver for drugs in the boot while there might be many suspects in the car; evidence which would be essential in the dockets were sometimes lost owing to poor crime scene management) but this improved over time (with the support of the CMP) such that crime scene management is more professional today.
- The Metropolitan Police concentrated on traffic-related problems and were not on board for the project despite the flagrant violation of the bylaws (this situation improved only slightly by the time of the evaluation as the Metro Police defined their duties and partnerships more clearly).
- The Liquor Control Board was virtually inoperative in the area and remained so throughout piloting such that: (1) taverns do not comply with regulations; and (2) the CMP had to resort to the use of bylaws to pressurise tavern owners<sup>7</sup>
- At the time of the baseline study there was a two-year backlog on toxicology cases and a 3-4 month backlog on ordinary forensics<sup>8</sup> but this improved owing to new procedures (a memo goes out with the substance to be analysed explaining *its priority level* for prosecutions).

### 10.2.3 The size of the pilot site

The pilot site of Windsor and Cresta Mall, a 4-5 square kilometre area, is just one sector of a 39-square kilometre police station that has four sectors. As with many other sites, the pilot area was too small because:

- Neither SAPS nor the CPF focus on one sector for crime prevention activities but utilise four sectors for the delivery of a strategy that targets the whole station area
- Crime is easily displaced between sectors (when under pressure, illegal immigrants, drug sales and even clubs move from one sector to the next)
- It was difficult to employ statistical evidence to show a crime drop in Windsor owing to displacement from one sector to the next (e.g., one of the taverns shut down by the

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<sup>7</sup> Facilitated Survey on Community Based Crime Prevention, Windsor, 19 April 2006

<sup>8</sup> Harding, Neil (Forensic Chemistry Laboratory), Personal Communication, 19 April 2006.

CMP re-opened in another area a few kilometres away; many illegal migrants moved to neighbouring areas)

- The CMP was already addressing problems outside of the pilot area through participation in CPF programmes and to address drug dealing and illegal operations that moved to adjacent sectors

The CMP said, “One prosecutor can do all four sectors,” and in discussion with the evaluator it was determined that this would require secretarial support, and more dedicated time to community prosecutions. He said:

If I had two assistants, I could work in the entire station area [four sectors]. I see this as advantageous because then we can look at the police stats and measure impact. Right now this is not possible—crime moves from one sector to the next.<sup>9</sup>

CMP Mathenjwa also suggested that he could target all four sectors with secretarial assistance but this would be a full time job and not an after-hours activity. It is certainly recommended that the job of a CMP be perceived as full time and it is further recommended below that more than one CMP be appointed for sustainability reasons.

#### **10.2.4 Analysis of the pilot site**

One or more SAPS stations are recommended as a target site for community prosecution because:

- SAPS station areas are the best units for measuring impact
- *At least* one more CMP (and probably two) should be trained by CMP Mathenjwa to ensure the community prosecution can be sustained within the NPA and this also makes the wider target area (as recommended) feasible
- The displacement of crime makes it useful to include a wider area
- Most of Linden SAPS falls inside the area of the Randburg Court

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<sup>9</sup> Mathenjwa, Raymond, Formal Interview, Rand Magistrate’s Court, 30 July 2007.

It might be useful to also work with the neighbouring Randburg Station because of displacement and the proximity of these two stations to the court. Furthermore, in terms of crime problems and socioeconomic levels, there is significant disparity between the sectors of the Linden SAPS station such certain projects might cross boundaries into Randburg SAPS more easily than within Linden. For instance, while the crime problems in Sector Four could be addressed in terms of better bylaw enforcement, the problems in Sector One are different (e.g., serious break-ins and burglaries involving weapons, assaults and getaway cars). Evidence from all sites suggests that it is appropriate to engage in SAPS/NPA discussions to disaggregate and specify the crime problems to be addressed by community prosecution and then address the appropriate sectors of a SAPS-defined high priority area accordingly (this can include more than one station area).

The strong support of the DPP at site (Charin de Beer) is also an important factor in success. At some other sites, a lack of understanding at that level slowed progress or made it more difficult to establish effective community prosecution (e.g. Phuthanang, Ngangelizwe).

### **10.3 THE APPOINTED COMMUNITY PROSECUTOR AND ITS IMPACT**

This section concerns: (1) the suitability of the CMP to the role, (2) time available for piloting and (3) an analysis of the previous two factors.

#### **10.3.1 Suitability to the role**

This appeared to be a well-organised, highly-committed senior prosecutor with good communication skills and much determination in the fight against crime. It was observed that he commanded the respect of all stakeholders and partners and was also regarded as accessible.

Interestingly, this is an area of Johannesburg with people from many different cultural backgrounds living in the same area. The CMP is Swazi from Ingwavuma in Northern Kwa-Zulu-Natal (near border of Mozambique) but the residents of Windsor might be English, Afrikaans, Sotho, Zimbabwean, Nigerian or any of dozen different ethnic

backgrounds. Thus, it was *not* ethnicity, race, cultural background or even language skills that made for a good fit between the CMP and the community. Rather, he won *respect* owing to his availability, clarity on the issues and strong commitment to the fight against crime. For instance:

- One English-speaking female participant of middle age said in round-table discussion said, “Raymond has the right personality for this job because he gains public confidence easily.”
- A senior SAPS detective from an Afrikaans background, said, “Raymond is very committed. He does not just talk shop.”<sup>10</sup>

### **10.3.2 Time available to pilot**

CMP Mathenjwa was never released full-time to pilot and said, “I would have accomplished much more had I worked full time.” However, he liked being attached to and working in the Magistrate’s Court (part of the time) where he could sharpen his skills related to court work and the general role of a senior public prosecutor as per his performance agreement.

The CMP would ordinarily work until 4 pm each day and then pilot during the late afternoons and evenings for around 30 hours per month. He believed this ‘after-hours’ approach was necessary because this is when most of the key stakeholders were available. In addition, he would devote certain of his weekends to the pilot and he believed these devoted extra hours accounted for much of his impact.

The manner in which SPP Mathenjwa divided his hours for community prosecution was not routine but this indicates how it might average out in terms of a normal month:

- Five hours: *administrative work*
- Ten hours: *organising activities (phone calls, advocacy, setting up meetings, explaining community prosecutions)*

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<sup>10</sup> Facilitated Survey and Round-Table Discussion with Stakeholders, Windsor East Recreation Hall, 01 August, 2007.



- Twenty hours: meetings in the community

This CMP has no secretarial assistance until May 2007 when Masingita Khupane was employed by IPT. This helped to reduce the CMP time required for administrative work and organising activities.

### **10.3.3 Analysis of the appointed CMP**

It seems that the *main* qualities required to be an effective CMP are leadership, communication and interpersonal skills. In discussion and surveys, respondents spoke highly of the CMP's character and dedication.

*Is it important to match the racial and ethnic background of a site to that of the community prosecutor?* Based on the evidence from many sites including this one, there is no need for that although language skills may be important. Sometimes, as with the case of Siyahlala (and perhaps this one), it seemed beneficial *not* to be from the same background as the locals. So, this is a complex matter and not quite as simple as matching the race and ethnicity of a CMP to the kind of residents in a targeted area. Some might not regard such a policy as a progressive one either.

*Should community prosecution be described as a full time or part time job?* Those participating in round-table discussion held the CMP in great esteem and did not think that a part-time CMP could make as much impact as a full-time one. They said more time must be committed to achieving the following:

- Successful high profile prosecutions
- Deterrent punishments
- Zero Tolerance
- Increased involvement with the community in both training and informing them of the law

- Making statements in council<sup>11</sup>

The participants in round-table discussed believed the CMP had achieved an understanding of community frustrations and helped to act on some of these in the first year but there was still much to be done. In particular, they wanted him to take on some high profile cases from the community to send a message to criminals that they will be prosecuted.<sup>12</sup>

Effectively reducing community irritants to acceptable levels appears to be more than a part-time, after-hours job. For instance, in the United States, this is regarded as a full-time job but CMPs rotate back to regular prosecutions after one or two years so that they do not lose their skills. This is probably the best model for South Africa too because working half time would not produce the *convincing* results required for transformation of the National Prosecution Authority for these reasons:

- The ethos among some prosecutors that this is social work that falls outside the traditions of prosecutions would be reinforced.
- The mere fact that it was a part time job would brand it as something of less importance than regular prosecutions, an after-hour activity of secondary concern.

Thus, to hamstring and stereotype community prosecutions as a part-time job would help to undermine its effectiveness by undermining its credibility.

## **10.4 THE OFFICE LOCATION AND ITS IMPACT**

This section pertains to the office site including: (1) a description; and (2) an analysis of the impact of this location.

### **10.4.1 Description of the office location**

The CMP was based at the Randburg Magistrates Court. He said:

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<sup>11</sup> Survey and Facilitated Discussion with Stakeholders, Windsor East Recreation Centre, 01 August 2007

<sup>12</sup> Survey and Facilitated Discussion with Stakeholders, Windsor East Recreation Centre, 01 August 2007

I cannot be located in the community because it is dangerous and we deal with syndicates that study your profile. I used to drive an Almira and they knew that car! I could not relocate to a SAPS station or an office in the community. I have access to everything I need in the courts here.<sup>13</sup>

The court also furnished a place from which he could prosecute cases coming from the community and this was done with regard to:

- Illegal dumping
- Illegal Taverns
- Illegal immigration

The CMP did not want to be located at police station because:

- Members of the community seem to hold a CMP coming from the Magistrate's Court in higher esteem than one in an office at a police station.
- The CMP is not included in the budget of a police station and they do not want their budget under pressure from another department
- A CMP is entitled to office space and certain privileges at the court

However, round-table discussants viewed the matter somewhat differently and voiced these concerns:

- He gets dragged into court duties at the Magistrate's Court such that he is not available during the day
- He must be within walking distance to be considered accessible to the community
- "This is not a wealthy area and the community cannot constantly access him at the court."<sup>14</sup>

The discussants were asked about the ideal situation and from the community point of view, this would be a community court in the target area. The CMP had already stated this to the evaluator:

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<sup>13</sup> Mathenjwa, Raymond, Formal Interview, Rand Magistrates Court, 30 July 2007

<sup>14</sup> Round-Table Discussion with Stakeholders, Windsor Recreation Centre, 01 August 2007

If there was a community court I would relocate there. This would be a sub-branch of the Magistrate's Court and offer advantages for community prosecution.<sup>15</sup>

#### **10.4.2 Analysis and impact of office location**

From a community perspective and even an international one, a Magistrate's Court does not make for the best location. The ideal location is one that is accessible to the community. In Europe and the United States, this can even be a shopping centre.

The location that both CMP Mathenjwa and the stakeholders agreed upon as ideal was a community court. There was no community court in Randburg and such a decision rests with Justice. Interestingly, the community court in Johannesburg 'crumbled' because some prosecutors did not want to run courts concerning matters like illegal dumping and noise abatement. Perhaps the court could move to Randburg where there is the desire and support for it. The contravention of municipal bylaws is a huge problem at the pilot site and the court appeared pro-active on crime prevention. Such a court also fits with crime prevention principles because a regulated environment can prevent major crime problems from developing. "These issues are not always so minor, either, said Mathenjwa. "A noise abatement fine can be R20 000."<sup>16</sup>

In the meantime, community prosecution cannot be made dependent on another department's pilot project. Thus, it appeared accurate for the time being that the Randburg Magistrate's Court was the best available location.

#### **10.5 DEFINING COMMUNITY PROSECUTIONS**

At the time of the baseline study SPP Raymond Mathejwa defined a community prosecutor as follows:

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<sup>15</sup> Mathenjwa, Raymond, Formal Interview, Randburg Magistrate's Court, 30 July 2007.

<sup>16</sup> Mathenjwa, Raymond, Formal Interview, Randburg Magistrate's Court, 30 July 2007

This is a representative of the NPA working in a selected community to assist the existing structures such as SAPS, the municipality and community forums to develop and implement a joint strategy for combating crime in the area.

At the time of the evaluation, the CMP chose to modify the definition and amend the wording to emphasise integrated approaches to crime prevention as follows:

This is a representative of the NPA working in a selected community to assist the existing structures such as SAPS, the municipality and community forums to implement *an integrated approach of both proactive and reactive crime prevention strategy*.

#### **10.5.1 Analysis: defining community prosecutions**

The definition as amended is simple and yet embraces the link between the community and the government departments and stakeholders that deliver services. It also focuses on working with existing structures that are sustained rather than developing new ones that might not be sustained should a community prosecutor move to another area. However, he did develop two structures of his own such that the definition might be further amended to include the circumstances under which this might be required. The changed emphasis on crime prevention is important but does not exclude law enforcement since there is a relationship between the two (effective law enforcement can help to prevent crime).

### **10.6 CMP STRUCTURES FOR DELIVERY**

This section concerns the structures the CMP used for delivery. The activities in which he engaged are described separately in Section 10.7.

A structure refers to establishing a forum or body that meets regularly on the basis of representation from community members, departments or organisations to resolve specific kinds of social problems. CMP Mathenjwa considered that he had developed two of these: (1) a project team for community prosecution that met on the basis of need; and (2) an Estate Agents Forum to help regulate the problem of illegal immigrants.

However, no survey respondent (the partners) could identify any structures that the CMP created (See Section 10.8.4). The reason for this may be that the CMP called meetings on the basis of targeted problems such that these were considered strategic partnerships. However, these (as presented to the evaluator) can be discussed:

1. Project Team for Community Prosecution
2. The Estate Agents Forum
3. CPF (on community irritants)
4. Windsor Action Group (on community irritants)
5. SAPS and Metro Licensing regarding Businesses and Taverns
6. Homes Affairs, Labour, Estate Agents on Illegal Immigration

Each is discussed under the subheadings below and then a seventh section offers an analysis.

#### **10.6.1. Project Team for Community Prosecutions**

According to CMP Mathenjwa, “I would recommend this kind of structure because it was an integrated structure for all the law enforcement agencies and the community.” From May 2006, the CMP called team meetings together with available partners on the basis of a special agenda, meaning meetings might be held once in a month or three times in a month depending on the issue. Thus, this appears to be more on the order of generating strategic partnerships around issues. Those that appeared to be in regular attendance aside from the NPA included:

- South African Police Services (including SAPS Intelligence and the Organised Crime Unit)
- Linden Community Policing Forum
- Political Desk: Counsellor Van Zyl
- Estate Agents
- The Local Government Community Development Committee

- Windsor East and West Community Action Group
- Department of Home Affairs: Immigration Department
- Department of Labour: Randburg District Office
- Metro Environmental Health Department
- Metro Licensing Department

It appeared on questionnaires that a partnership with the Johannesburg Metro Police was desired and requested but never achieved (they did not attend meetings but participated in operations).

### Outcomes

This was described to the evaluator by the CMP as the essential project team that:

- Led to many of the outcomes described throughout the report
- Brought the community together with those who deliver services and organised particular projects concerning illegal pub operations, environmental pollution (vacant stands and noise pollution), drug dealing and law enforcement operations.
- Enabled the CMP to clearly identify community irritants and then develop partnership strategies to address them.
- Enabled the CMP to address various stakeholders such as CPF members and Sector Forums on crime prevention
- Facilitated a ‘zero tolerance’ attitude on crime among the stakeholders<sup>17</sup>

#### **10.6.2. The Estate Agents Forum**

The CMP set up meetings about once a month with SAPS and Estate Agents regarding the problem of illegal residents renting apartments and selling narcotics and illicit drugs from these premises. There had been no previous effort by owners or Estate Agents to

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<sup>17</sup> Mathenjwa, Raymond, ‘Zero Tolerance on Crime,’ A talk at the Linden Community Policing Forum Annual General Meeting, Linden Bowling Club, May 2007

prevent either illegal residents or drug dealers (many of whom were the same) from using rented premises. According to CMP Mathenjwa:

The owners never even visited their premises. They just let these out and as long as their bank account had regular deposits, they did not worry.<sup>18</sup>

The CMP, SAPS and the Estate Agents worked together on this to make the owners take responsibility for the people that they accommodated. The CMP also made it clear that if drug dealing took place on the premises, the properties could be referred to the Assets Forfeiture Unit and to be attached. This provided motivation.

#### Outcomes of Estate Agents Forum

This might also be better described as a strategic partnership. There are only about six Estate Agents and three participated with these impacts:

- The participating Estate Agents agreed not to rent or sell premises to illegal residents and SAPS is monitoring this ('prospective vetting')
- The Estate Agents also helped to provide access to one particular Bloc of Flats called Dukes Lodge where illegal immigrants were heavily concentrated leading to many operations and deportations (50 illegal migrants deported per operation)
- The work with the estate agents resulted in a new type of leasing arrangement requiring SAPS clearances and other checks
- About three estate agents did not wish to cooperate and these agents have been referred to the Assets Forfeiture Unit because there are criminal activities occurring in their buildings

#### **10.6.3 Partnering with the CPF on community irritants**

The CPF, which is a very active membership group, offered a good entry point for building partners. It already included a range of partners such as these:

- SAPS

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<sup>18</sup> Mathenjwa, Raymond, Formal Interview, Randburg Magistrates Court, 30 May 2007



- Metro Police
- Windsor Action Group

The CPF covers the Greater Linden area, a much bigger area than the pilot site. In other words, CPF programmes are not specific to the pilot site because it operates at a larger scale. The CPF also had many programmes in place prior to the arrival of the CMP. Thus, the CMP worked with them on plans and strategies that reached a much wider area than Sector Four.

#### Outcomes of strategic partnering with the CPF

These are the outcomes:

- Working with the CPF helped to facilitate the reduction in armed robberies and housebreaking in the area as described in Section 10.7.1.
- The CMP and CPF developed a CPF Be-Wise Security Project where residents and business groups are encouraged to conduct a security vetting of their employees, sub-contractors and security guards. At the time of the evaluation, the group had just located a security company willing to do this in conjunction with SAPS.<sup>19</sup>

#### **10.6.4 Partnering with the Windsor Action Group on community irritants**

The Windsor Action Group (WAG) is a pre-existing neighbourhood group that has been working to prevent crime specifically at the pilot site. The CMP worked with them closely because they were the stakeholders who were able to offer the most detailed information on problems at the pilot site. In this area, there were many community irritants in specific places: illegal fire making, illegal dumping, environmental pollution, fights outside taverns, and noise-pollution. Some of them had even videotaped the problems.

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<sup>19</sup> Community Policing Forum, Minutes of the Community Policing Forum, Windsor East, 3 July 2007; Minutes of B-Wise Firearm Competency Assessment and Training, Randburg, 3 July 2007.

### Outcomes of strategic partnering with the Windsor Action Group

The CMP identified the problems with the community group and then took them to the project team. This might involve working with the entire team or various groups such as SAPS, local and private security companies, Metro and Immigration and Emergency Services. It is this approach (working between the CMP forum and the community) that led to a decline in criminal and crime-producing activities.

#### **10.6.5 A strategic partnership with SAPS and the Metro Licensing Department on local businesses and taverns**

This mainly refers to operations involving the Metro Licensing Department, which is the custodian of all business licenses in the area. Their support is required to find out if a certain outlet is trading legally or not. According to the CMP:

If there is an application for a license, we now vent our concerns with Metro Licensing. We ask them to inspect. Metro Licensing can also provide details on the conditions with which they must trade.

This partnership with Metro Licensing is significant because often the CMP is unable to fight tavern owners directly on drug dealing because they are good at concealing the trade. Yet, the tavern remains a public nuisance. This led him into looking into the bylaws:

If a tavern is a nuisance and we cannot fight them directly on that (e.g.. drug dealing at King's Pub), we could investigate whether or not their restaurant license was correct. So, we charged them on that and trading times—they cannot run a restaurant without a License so we worked with the Metro Licensing Department to close them down.

There are also shebeens inside of flats in Windsor. The CMP then goes to Metro Licensing to see if this area is zoned for such a business (seldom) and then he can prosecute on that angle.

Businesses are also victims of serious crimes such as armed robberies and drug sellers often work directly in front of their shops such that they know who is dealing. Therefore

the CMP worked to develop relationships with the business community. He said, “Some businesses are more cooperative than others, of course. Some fear cooperating because some also employ foreigners.” Altogether he tried to create an environment unfriendly to criminals but friendly to legitimate business.

#### Outcomes: Strategic partnering with Metro Licensing, Local Business and SAPS

This partnership led to:

- The closure of King’s Pub
- The closure of several business were trading illegally (e.g., this included three businesses where drugs were sold including Freedom Furnishers, Windsor Electronics and Windsor Videos--a video shop with a mini-restaurant that had no license)
- Bringing an end to illegal street sellers (e.g., meat being sold on the street was shut down for health reasons by the Metro Health Department)

#### **10.6.6. Partnerships with Immigration and Labour to address illegal immigrants**

The CMP brought his partners from other forums, SAPS and the Estate Agents, together with Immigration (Home Affairs) and Labour to deal with the problem of illegal immigrants. This owed to the very large numbers of illegal immigrants involved in illegal activities (they cannot be legally employed). He pointed out many problems to them:

- There were many Zimbabweans with no documents
- Many Nigerians in the area were identified to have fraudulent documents (Immigration Officials could detect this whereas SAPS did not have this capacity)
- There were also marriage papers in the hands of individuals who had no actual spouse (illegal residents marry to get their papers)
- Immigrants were carrying around papers claiming that they had a pending interview with Home Affairs but this documentation was bogus (there is no authorisation form from Home Affairs like this).

The Labour Department, a new partner since June 2007, was also becoming a valuable partner since they can address the illegal employment of foreign nationals. The CMP met with the Director General of the Department on 02 July 2007 to discuss the issues that need to be addressed. This included the exploitation of foreign nationals by business groups (especially restaurants that employ them without a salary or contract). They work long hours and strange hours for such little pay that it is tantamount to exploitation.

#### Outcomes of partnerships with Immigration and Labour

- Owing to CMP advocacy via the Chief Immigration Officer (Henning), the Immigration Department now patrols the area and inspects establishments where illegal immigrants might be working (they demand passports; marriage certificates and say 'come with your wife')
- Immigration, SAPS and the CMP now do about four operations a month to detect illegal immigrants leading to the arrests and eviction of 1,800 illegal immigrants since last year
- Drug selling on the streets of Windsor, which was once so obvious, has been greatly reduced (no longer flagrant and visible)

#### **10.6.7 Analysis of Structures for Delivery (strategic partnerships)**

The best way to describe the method for delivery would be strategic partnerships that met on the basis of need and helped to inform and coordinate CMP activities. These were relevant partnerships aimed at very specific problems such as these:

- *Community Irritants:* The CPF and The Windsor Action Group
- *Drug Sales:* SAPS (Intelligence, Organised Crime Unit and Linden SAPS)
- *Regulating Taverns:* Metro Licensing, Metro Department of the Environment and SAPS
- *Illegal Immigration:* Home Affairs, Immigration and Estate Agents

The use of strategic partnerships to address specific crime prevention problems has certain advantages over large forums. These:

- Can focus on the *willing* and available partners
- Are less encumbered by the large group dynamics (politics and grandstanding) that can get in the way of progress on an issue.

Regarding the first bulleted item, the Liquor Board was not cooperative but Metro Licensing and the Metro Department of the Environment were very cooperative. So, the CMP could address the problems emanating from unregulated taverns by using the bylaws related to nuisance and noise abatement matters.

Regarding the second bulleted item (above), there was also a large forum available to the CMP called the Region B Management Forum (all the government departments attend from Metro Level along with Police and Health). This mainly focused on service delivery but was so widely focused that it did not seem to touch ground with Windsor East and the CMP chose not to utilise it.

There are also *disadvantages* to strategic partnering: critical partners are often missing. One department that is difficult to replace, Social Development, appeared not to be working effectively to reduce the number of vagrants in the area. The CMP approached them but they said the issue of homelessness was a housing problem. Oddly enough, there are people on disabilities and pensions who live in undeveloped plots, open areas and parks. One would think that this would interest Social Development, which might approach housing and other partners.

The CMP offered some ratings to better help explain these partnerships as tabled below:

### CMP Ratings of the Most Effective Partners in Windsor East

(0=ineffective; 1=somewhat effective; 2=effective; 3=very effective)

PARTNER	RATING	THE REASON FOR THE RATING IN THE WORDS OF THE CMP
THE CPF	2	This is because they are good strategists but not so great at implementation.
WINDSOR ACTION GROUP	3	They are right on the ground and help police with operations.
SAPS LINDEN	3	They are really integrated into all the crime prevention groups. If we did not receive their support, the project would have been doomed to failure
IMMIGRATION/HOME AFFAIRS	2	I have yet to see them work independently without advocacy. The successes we have had were driven by others. They need to own the process and not be a coincidental operation but they are very important.
LABOUR	--	Just started with them.
DEPT OF ENVIRONMENT	3	Without them we would not be aware of the provincial noise regulations and the still punishments that it imposes. SAPS and Metro Police might complain but this had no effect (a Mickey Mouse Play) but there were bylaws that carried R20 000 fines and imprisonment! They also help with street cleaning. We also had many vacant stands owned by particular groups and not caring about this and drug pushers and criminals hid there. They cleared this out with caterpillars!
ESTATE AGENTS	2	They are effective in the sense that they are now controlling as to who resides in their premises and indirectly through the notices that they issue to tenants, they are not giving accommodation and to those whose status cannot be determined
METRO POLICE	1	I have yet to see Metro being independently effective except in terms of road traffic control but we need their help in crime prevention
SOCIAL DEVELOPMENT	0	I invite them and visit them to do presentations but instead of tackling the problem they distance themselves and say vagrancy is a housing issue and not a social issue. I would expect them to consult housing instead of pushing it away!
METRO LICENSING	3	They helped with regulating businesses. They also keep records that can be used for identifying the history of a problem (initial applications of businesses and the responses of the public). This helped us make informed decision. They also bring in Health and Emergency Services to do inspections. They also deal with safety issues.
GAUTENG LIQUOR BOARD	0	This group seemed to have ineffective inspectors and were not available for partnering.

## **10.7 CMP ACTIVITIES AND IMPACT**

The strategic partnerships described above led to seven main activities by the community prosecutor, which are described under the sub-headings below and then collectively analysed in Section 10.7.8:

1. Cooperating with SAPS to reduce drug pedalling
2. Shutting down illegal taverns
3. Addressing community irritants and enforcing the by-laws
4. Partnering in SAPS operations
5. Reducing the number of illegal immigrants in Windsor
6. Crime prevention through environmental design
7. A 16 June survey of youth sponsored by the Metro Area
8. Analysis of the activities

### ***10.7.1. Cooperating with SAPS to reduce drug pedalling***

Illegal drug sales and usage were the biggest and most obvious problems in Windsor at the time of the baseline study (drug pushers were on the streets, in clubs and apartment buildings while drugs and paraphernalia were hidden in drain pipes and all over the streets). CMP Mathenjwa reduced the number of drug sellers on the streets and in the shebeens by cooperating in police operations. This was a team effort and the CMP role was to advise SAPS on how to collect evidence and this helped to secure convictions.

Initial efforts to target the sellers had mixed results because new ones appeared as quickly as the old ones were removed. From February 2007 the strategy evolved into undercover operations with SAPS, SAPS Intelligence and the Organised Crime Unit. Over time, operations no longer focused on the street pushers but on those running the trade. “It only helps to a limited scale to chase the drugs on the streets,” said the CMP. However, it can take six months to a year to get to the bosses.”

#### Outcomes of efforts to reduce drug pedalling:

- Two shebeens were shut down owing to drug sales (Sharandon and Buffalo)
- Certain foreign nationals were advised that they could lose their residential status and this warning appeared to diminish the drug trade
- On 17 February 2007 several houses were raided by the Organised Crime Unit (at the request of the CMP since too many of the criminals recognise members of Linden SAPS) and this led to the arrest of 15 people who were part of drug syndicates.
- Drug sellers were also harassed for loitering (because the drugs were hidden) and visible policing increased such that people quit trading on the streets in Windsor East
- Buyers were also harassed such that they quit coming to the area
- Particular drug-selling areas like the 'Fishing Place' where trade was open and in the daytime at a local phone booth (drugs were hidden here) are simply not operating anymore

#### ***10.7.2. Shutting down illegal taverns***

The CMP did not work to regulate illegal taverns but rather to close them down. In fact, he did not think it would be appropriate for the NPA to work with illegal shebeens and legitimise them. "We do not talk to them," he said. "We arrest them!"

This activity included several cases and two were discussed above in terms of drug sales. The most notorious one was King's Pub Restaurant on Beatrice Street. This one had no license to trade as a restaurant but was using a *restaurant* liquor license. It actually operated as a night club where liquor was consumed rather than food. According to CMP Mathenjwa, one condition of a restaurant liquor license is that the holder must comply with the bylaws while he found this one to be in violation of many of them such as:

- It did not have sufficient toilet facilities—patrons would urinate everywhere causing a strong odour
- Many assaults took place in and around the pub



- Drug selling took place in and around the pub
- They had a dance floor with roof-blasting music 24 hours around the clock<sup>20</sup>

Efforts to withdraw the license were lengthy and difficult. Councillor Laurette van Zijl first asked the Liquor Board in October 2005 to investigate the tavern owing to health hazards and received no response.<sup>21</sup> The CMP, SAPS, and the Political Councillor then approached the Liquor Board with an application to withdraw the license but the Gauteng Liquor Board delayed the sitting. At the time of the evaluation, CMP Mathenjwa was planning to meet with the chairperson of the board to understand why the Liquor Board appears so reluctant to cooperate on cases involving suspension of licenses.

In view of the delay in withdrawing the license, the CMP developed another strategy. He went to Metro Licensing to see if the tavern was licensed to be a restaurant and to serve food. The finding: they had no license to trade as a restaurant. Then, the restaurant quickly applied for a license! In the meantime, Metro Licensing rejected the new application (partly owing to CMP advocacy). Then, King's Tavern was shut down by Business Act 71 of 1991 that prohibits the supply of food stuffs or meals other than in licensed premises. This example shows that a license holder must comply with the provisions of more than those of the Liquor Board and they were not complying with the Business Act.

At the time of the evaluation (July 2007), King's Tavern was disputing the refutation of their restaurant license application and the case was pending in the court. The CMP was to be the next witness (The Liquor Board, SAPS and the political councillor had already testified).

King's Pub is not the only case. The CMP asked the SAPS sector commander to do shebeen auditing in the entire area of Windsor. The CMP identified one shebeen on the Golf Estate (Feb 2007) and SAPS located these three cases (four other shebeens):

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<sup>20</sup> Mathenjwa, Raymond, Formal Interview, Rand Magistrate's Court, 30 July 2007.

<sup>21</sup> Kenr-Martin, Ian, "Tavern Shut Down," *Randburg Sun*, 29 July 2007, p.4.

- Two in the Viscount Apartment Building
- Sharandon
- Buffalo

Raids were planned and carried out on the three bulleted above (mid-2006 operations).

#### Impact of regulating/closing taverns and illegal drinking establishments

These were the particular impacts:

- Kings Tavern was closed down
- Penalties were imposed on two illegal liquor sellers who ran this trade inside the two units at Viscount Flats (R1 500 each) and the liquor was confiscated
- The Golf Course Site curtailed operations owing to the pressure by the CMP team and guards now screen public entry such that vagrancy and criminal activities have been greatly reduced.
- The large number of arrests and fines for public drinking also curtailed this activity in the commercial area and on the pavements.
- An informal car wash where people used to drink in public had been closed down on 27 April 2007 (up to 13 people were arrested)

#### ***10.7.3 Addressing community irritants by enforcing the by-laws***

This refers to strong efforts to organize a clean-up of the streets in terms of loitering, illegal fires, gambling, prostitution, waste and other irritants that produce the degrading conditions that seem to invite crime into an area. The CMP has worked closely with municipal police, SAPS and local businesses to enforce the by-laws.

#### Impact of improved by-law enforcement

- Local business could be seen to be cooperating with the bylaws during the evaluation study (e.g., no more sidewalk sales or food stuff on the pavement)
- The SAPS sector manager (Constable Marsh) had become completely pro-active such that the evaluator could observe him as he inspected the area and identified

and addressed (on the spot) problems littering, loitering, illegal electricity connections, illegal storage of alcohol, and checked to see that businesses could produce their licenses

- The streets were visibly cleaner
- Dumping on the streets was vastly reduced not only because of enforcing the bylaws but because flat owners were instructed to only put out trash on specified times and days

#### ***10.7.4 Partnering in SAPS Operations***

The CMP helped to improve SAPS operations through partnering. This would take place by

- Participating in SAPS operations and advising on matters such as the proper handling of the crime scene, fingerprints, and the collective of evidence
- Being on call 24/7 to offer advice to SAPS during operations
- Supervising bail applications (following operations) and conducting background checks on previous convictions and legal standing in the community
- Informing control prosecutors and the prosecutor handling these cases about critical matters pertaining to the case (e.g., foreign nationals might give one name when arrested for shoplifting and another name when arrested for public drinking and the CMP could point this out)

The partnership between SAPS and the NPA on the proper handling of crime scenes seems like a very important activity. For instance, if firearms are recovered, this must be handled properly for fingerprints. Drugs obtained from a scene must be identified in a certain manner: the accused must sign the seal of the drugs –otherwise he later says these are not mine. In other words, there is a way to manage a crime scene but in the past there was much negligence. The CMP worked to change this and re-educate the police on these issues.

### Outcomes of efforts to partner on SAPS operations

- Dozens of arrests took place for outstanding warrants, public drinking, shoplifting, and drug dealing to clean up Windsor.
- The drug dealers that were visible everywhere on the street at the time of the baseline study have retreated to their residences
- While some operations continue indoors the Organised Crime Unit has been deployed to the area to infiltrate the syndicate.
- Dozens of criminal cases have been undertaken for outstanding warrants, public drinking and shoplifting
- Houses used as brothels and places of illegal residences have been identified and these practices are being driven out of the area

### **10.7.5. Reducing the number of illegal immigrants in Windsor**

Windsor East and West contain many foreign nationals, most of whom are illegal residents in the country. Since they do not have any legitimate means to sustain themselves, they often turn to criminal activities as a source of livelihood. For instance, the drug peddlers are mainly illegal immigrants who do not have a source of income and get trained as drug pushers and sent to the street. This affects other crimes as well including house robberies (reportedly by many Zimbabweans) and car hijacking (allegedly foreign nationals commit these too).

Despite widespread allegations that foreign nationals conduct these criminal activities, it is very difficult to apprehend them. Therefore different strategies were launched to remove them. These included:

- Negotiations with Estate Agents to reduce the will to rent to illegal immigrants (renters are fingerprinted and there are background checks)
- Negotiations with businesses to see a reduction in the will to hire illegal immigrants
- Prosecuting those with fraudulent documentation.

These activities had much initial impact although this issue requires careful study because it is a vast problem such that addressing it in one area just displaces it to the next (see the discussion of crime statistics further below). Police training is also required according to SAPS since many of the members do not usually know the laws applicable to handling illegal immigrants.

One of the most important contributions by the CMP may have been the third bulleted item. The CMP set out to prove that many of the forms being used by the migrants were fraudulent. He would review their SAPS12 form with them regarding where they matriculated, the origins of their family members and other details. He would often find problems:

If they cannot point out these relevant places and people, they could be found guilty and sent back to their own country.

“We first prosecuted eight of these in May 2006,” said the CMP. All were found guilty and “this was all that was required before others started saying take me back!”<sup>22</sup>

#### Outcomes: removing illegal immigrants

Very few illegal migrants were actually prosecuted but the operations had some impact since this led to a fear of prosecutions and gave the area a reputation. The CMP said that these operations came to be very well known in the immigration camps: “Illegal migrants that go to Windsor get arrested!” Thus, some did not return.

Most were deported without prosecution owing to operations by the Immigration Department working with SAPS and the CMP:

- 1, 800 illegal immigrants were arrested and deported via Lindela Immigration Camp between May 2006 and June 2007

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<sup>22</sup> Mathenjwa, Raymond, Formal Interview, Rand Magistrate’s Court, 30 July 2007.

This amounts to 100 or so illegal immigrants a month out of several thousand. Many who are taken away return to the country, but perhaps not to Windsor. Therefore these deportations do not appear to solve the problem but can have some impact on particular environments. For instance:

- A block of flats in Windsor called Dukes Lodge, once a major scene of crime and drug dealing has had its illegal residents (the dealers) evicted and now has a caretaker who reports any illegal activities to SAPS and the CMP.
- Illegal workers that slept at the back of shops such as Mandarina Trading are gone (this was inspected during the evaluation)

Some corruption was also rooted out owing to these operations. Corrupt members at Linden Police Station were identified as sourcing money from illegal immigrants and now they are gone and out of service (evidence was sufficient for dismissal but not for a trial)

#### Analysis: removing illegal immigrants

These operations have a problematic side in terms of crime prevention. Right from the beginning of this campaign, many of the deportees came back. The CMP negotiated with the Immigration Office to ensure a warning: the migrants are not welcome back to Windsor or prosecutions will be more severe. The immigrants flow back in huge numbers but many took their belongings and moved to another neighbourhood. However, there are too many migrants to argue for this as an effective long term crime prevention strategy because the problem is not located *in* the community as such but is:

- A huge international problem beyond the scope of *community* prosecution (this is considered further below under 'lessons')
- A problem of *national* policy, procedures and facilities for stopping the illegal flow across international boundaries
- A challenge that requires a response *led* by Home Affairs and Immigration

The CMP helped to create more effective service delivery to the community of Windsor on the issue and can certainly help to develop appropriate responses by government departments to this problem. However, it seems unrealistic to expect a CMP to do anything other than help to move the problem away from the targeted site to which he or she is assigned and only for a limited time. Solving the problem (a systemic one of government policy and procedures) is another matter and requires a national and international response.

#### **10.7.6 Crime prevention through environmental design**

This included: (1) improving the lighting in Windsor; (2) clearing overgrown grass on vacant land; and (3) a bid to obtain CCTV cameras for the area.

At various stakeholder meetings, (the CPF, SAPS, Windsor Action Group,) the political councillor was tasked to liaise with City Power to look at the electrification of some of the streets in Windsor West that were too dark. The problem was identified. The city was putting in new cables and while digging had disturbed the local ones. This was then rectified to some degree.

There was one area of overgrown grass that belonged to a church but drug dealers hid their drugs in the grass. It was also an area of illegal dumping. The CMP project team approached the Metro Environmental Department to clean the stand and bill the church account.

The CMP also asked the city for CCTV cameras but the bid failed. Business against Crime sponsors these but it was found that the Linden District is not part of their mandate and therefore there are no such resources.

#### **Impact of the crime prevention through environmental design:**

This was the main impact

- The lights are better now but still not that bright because of tree foliage and the community does not want these pruned!
- The area of overgrown grass was cleared and although it is used by some vagrants, SAPS now monitors the area and drugs can no longer be stashed there

#### **10.7.7 Survey of Youth (June 16 2007)**

There is a Windsor Youth Group and together with the Windsor Action Group, the CMP helped to design a survey form to investigate the attitudes of resident youth (age 12 to 30) toward both crime and crime prevention. What is needed to prevent crime? Prizes were offered based on a drawing and this encouraged completion of the form (one child won a prize of R150). The surveys were still being studied by the group at the time of the evaluation.

#### **10.7.8 Analysis of CMP activities**

In analysis, the CMP created strategic partnerships to both obtain and respond to community-based information. In other words, the CMP might talk to the community to identify the problems, communicate with them about the applicable laws but also engage the best *available* stakeholders (often government departments) to respond. This is *partnership-building informed by community based information and selective prosecutions*. This was the technique that:

- Closed down Kings Tavern
- Improved Sector Policing
- Improved community-police relations

Regarding the closure of the pub, the CMP worked with the community to identify irritants and then he worked between the community and government departments to help design and promote a response. His knowledge of the law was important because he utilised the law to respond effectively under difficult circumstances because not all the appropriate partners were willing or available. For instance, he could not engage the Liquor Board to address the problem with illegal taverns but identified that the Business



Act helps to describe the conditions for operations (e.g., taverns must be 500 metres away from residences). Therefore he dealt with the problem using the Business Act and closed the tavern to remove a huge public nuisance owing to noise, crime and drugs.

The CMP also observed police operations and offered advice on how to improve these based on knowledge of the law. He would also park his car on site, observe problems and then call the police to help organise a response, sometimes even a raid. He would point out those drinking in public too or selling drugs and encourage a response. This seemed to have impact on SAPS because the Sector Manager was observed to have adopted a pro-active approach that was not evident at the time of the baseline study.

According to government departments, local citizens and others who participated in the research, the CMP also had a major impact in terms of improving community police relations. This succeeded and led to greater cooperation and feelings of safety.

Internationally, the establishment of this post (community prosecution) is not a static event but evolves over time. In the first to three years, it is most common to see many law enforcement partnerships. As it matures, there is more engagement with partners can fully address *prevention*. Windsor appeared to be like that first-year pattern with a strong focus on operations with SAPS, Immigration and other departments. Promoting operations on illegal immigrants, drug sellers and illegal taverns can and did help to reduce the crime but has its limitations:

- Many illegal immigrants do not leave the country but when under pressure move to new areas
- Drug sellers adopt new and better methods (cell phone orders and car deliveries took over)
- The customers of King's Pub moved to other areas outside the project site like Sunrise Pub, which is now doing a booming business until the early hours of the morning with drug sales taking place in the parking lot

The focus on operations might be balanced with: (1) more social crime prevention efforts that have long-term impact (not always immediately measurable); and (2) identifying problems of delivery that lead to crime problems and building partnerships to engage government departments or service providers in delivery. This last, which occurred at this site in some measure, can include the CMP offering an education in the law that improves performance.

The CMP tried to engage in some long-term crime prevention activities to offset the limited impact of operations. For instance, SPP Mathenjwa heads a different NPA project that is independent of this one: the Adopt a School Project. Preventing youth from ever turning to crime in the first place remains one of the best long-term crime prevention strategies.<sup>23</sup> The CMP approached principals' associations in order to develop a school-based programme but they claimed that they had no problem with crime! This is doubtful but it is not unusual for principals to uphold the image of their schools. Cooperation for schools based projects is required from provincial and district level where Safe Schools Programmes are being developed because violence and drug-selling in an around South African schools has been a major problem nationally.

The more pressing problem is partnership building toward specific crime prevention outcomes because government departments like Social Development, Licensing and Metro Policing are not addressing the area effectively alone (or in 'silos'). Even Assets Forfeiture is needed to address the illegal liquor outlets and was not focusing on this site. A CMP can work closely with the community to identify the crime problems and then negotiate with the appropriate departments and divisions to create partnerships. The evaluator has at times also referred to this as advocacy but this is basically empowering other stakeholders in the law or building partnerships so that they can become more involved (often the link between departments and the community is missing). However, evidence from this site showed that the focus of crime prevention turned from one area to

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<sup>23</sup> This is an internationally renowned method only exceeded in significance by working with single mothers of very young children to improve their child raising skills.

the next (owing to the displacement of crime) and this has to be addressed by focusing departments and stakeholders on a strategic crime prevention plan of sufficient scale to make a real impact.

## **10.8 GENERAL IMPACTS**

In addition to some of the specific impacts emanating from the structures and activities described above, there is also a collective impact from the many different projects and activities of the CMP. Some of this is a matter of review from the evidence given above but there is also a significant amount of new evidence here. These include:

1. Impact on crime levels
2. Impact on the environment
3. Impact on interagency and departmental cooperation
4. Impact on community cooperation
5. Impact on stakeholder perceptions of the NPA
6. Impact on community involvement in crime prevention
7. Impact on community perceptions of safety at site

### **10.8.1 Impact on crime levels**

The crime statistics provided to the evaluator by SAPS Linden give the *percentage change* for selected crimes (no actual numbers) between 2006 and 2007 for Windsor East and Windsor West. For WINDSOR EAST, a comparison of a six month period (January to June 2006 VS January to June 2007) reveals this:

- Common Assault: *dropped by 38%*
- Assault GBH: *dropped by 50%*
- Theft of motor vehicle: *down 35%*
- Business Burglary: *dropped by 50%*
- Burglary residential: *rose by 100%*

- Rape: *rose by 50%*
- Theft out of motor vehicle: *rose by 100%*
- House robbery: *rose by 200%*

The CMP intervention can be correlated with the lowering of both kinds of assaults owing to: (1) successful efforts to shut down drug sales on the streets; (2) making the area unattractive for illegal immigrants since they were the primary traders; (3) shutting down illegal businesses; and (4) regulating other businesses to improve the environment such that illegal street trade and loitering on sidewalks was reduced.

The statistical rise in burglaries, house robberies and theft out of motor vehicles disguises some initial success. According to SAPS and all those in attendance at the evaluator's round-table discussion on 01 August 2007, these crimes initially dropped too but rose in concert with the sudden influx of many undocumented migrants (Zimbabwean economic refugees) during 2007.<sup>24</sup>

*What accounts for the steep rise in rapes?* There was no information on this but rape was never targeted. Should it be a focus for a CMP? Rape, other forms of sexual assault and domestic violence might be suitable for a CMP to address because such issues can be addressed locally and are *not* dependent on international cooperation as is the case with illegal immigration. This tells us that the selection of issues to address is critical for overall impact.

Windsor West was targeted mainly in terms of select operations and was not the primary focus area of the intervention and therefore the crime statistics can be compared between the areas (January to June 2006 Vs January to June 2007):

- Common Assault: *rose by 66.7% in WW (but dropped in WE by 38%)*
- Assault GBH: *remained the same in WW (but dropped in WE by 50%)*

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<sup>24</sup> Round-Table Discussion with Stakeholders, Windsor Recreation Centre, 01 August 2007

- Theft of motor vehicle: *down 45% in WW (down 35% in WE)*
- Business Burglary: *down 30% in WW (down 50% in WE)*
- Burglary residential: *rose by 200% in WW (up 100% in WE)*
- Theft out of motor vehicle: *down 14% in WW (up 100% in WE)*
- House robbery: *no change in WW (rose 200% in WE)*
- Robbery with firearm: *up 114% in WW (down 100% in WE)*

*What can what learned from the comparing crime statistics between 2006 and 2007?*

First, general crime levels throughout Windsor did *not* drop dramatically but were largely displaced. For example, one can see from the figures on robbery with firearms, that as figures go down in Windsor East, they go up in Windsor West. The same pattern can be found with common assault figures, business burglary and theft out of motor vehicles.

There was also evidence provided in the sections of the report above that:

- The CMP's activities moved the assaults and illegal trading *away* from the area but did not affect the rate of occurrence over the wider station area.
- The nature of the drug trade changed (under pressure) from street sales to cell phone orders and car deliveries.

Secondly, assaults were down in the Windsor East area where illegal immigrants, drug sales and shebeens were targeted reveals. Despite any concerns about displacement, the lowering of assaults can be correlated to the project since the figure rose in the adjacent area over the same time period where no such targeting took place.

Thirdly, a new style of house-robbery, aggressively entering the home with weapons, can also be correlated in time to the influx of Zimbabwean refugees. House-breaking was initially down to much lower figures (and attributable to the CMP effort) before that influx occurred.<sup>25</sup>

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<sup>25</sup> Round-Table Discussion with Stakeholders, Windsor Recreation Centre, 01 August 2007

In overall analysis of the crime statistics, it can be seen that there was much displacement of crime and shifting of crime types without an overall drop or a clear resolution of the crime problems. Evidence regarding this finding underscores nearly every section of this chapter and strongly recommends that:

- A CMP (or the NPA) work in a much larger area in partnership with other departments to develop a more encompassing area-wide interdepartmental strategic plan on crime prevention
- Some longer term crime prevention strategies be undertaken to help drive down crime more permanently

The need for the first bulleted item is a well known central tenet of crime prevention but few have succeeded in accomplishing this. Perhaps the NPA can help make it happen because in the evaluator's experience (some ten years in crime prevention) overcoming the barriers to create cooperation between departments is where effective crime prevention is stalemated (aligning budgets, strategies, etc).

Following up on such a recommendation might make community prosecutions in South Africa rather unique in global terms because it points to the need for strategic planning from a larger interdepartmental scale that embraces more stakeholders. Given this requirement, a neighbourhood or a policing sector is just too small. At the very least, a CMP should look at the area of one to two SAPS station. To address the crime problems in one local setting such as a sector of a policing station will simply move the crime problem around.

#### Questionnaire responses

All 20 partners and residents in attendance at the evaluator's workshop on Wednesday 01 August 2007 reported on their questionnaires that the CMP helped to prevent or reduce crime at the pilot site:

QUESTION ONE	YES	NO	DO NOT KNOW
IN YOUR OPINION DID THE CMP HELP TO PREVENT OR REDUCE CRIME AT THE PILOT SITE BETWEEN MAY 2006 AND THE PRESENT?	20 (100%)	-	-

The reasons give for the highly positive response included this list (paraphrased from the responses with duplications eliminated):

- He closed King's Restaurant
- He helped with an annexure to lease agreements that screens potential tenants and requires a police clearance (thereby reducing the number of illegal immigrants living in the area)
- Drug dealers have been removed from the streets and can no longer operate as freely
- Violent crime is down
- Assault is down
- He made access to the courts more user-friendly
- He got the stakeholders together to prevent crime
- He helped to organise operation to reduce illegal immigrant in the area
- He made it easier to obtain search warrants
- He speeds up responses to complaints about noise, overcrowding and drugs
- Overcrowding in dwellings is much less because he helped to organise SAPS raids and regulate Estate Agent activities
- Sector 4 is visibly cleaner
- The CMP improved the relationship between the community and various organisations including the police and Immigration
- He made the community more confident about fighting crime

Only one respondent expressed any disappointment and this was just to comment that the drug sales were off the street but still taking place from homes and vehicles.

### **10.8.2 Impact on the environment**

This has been well addressed because the environment was strongly affected by the reduction in drug-selling on the streets and the closure of King’s Pub. It is a visibly cleaner and much more regulated environment. These are some factors the led to improvements in the environment:

- Illegal businesses and taverns have been shut down such that the area is cleaner and quieter
- The sidewalks are no longer littered with drug paraphernalia
- The sidewalks are not longer used for selling goods and cooking food
- Windsor West Park, previously such a major site for drug sales that fourteen sellers might be out at a time, now appears as a quiet neighbourhood park
- The entrance to the golf course is now manned and patrolled with no vagrants visible on inspection
- Most areas where there were open drug sales at the time of the baseline study (such as the parking area in front of Stones Pub or the ‘Fishing Place’) are now quiet
- A vacant church stand was cleaned where drugs were hidden

It is also relevant that the SAPS Sector Manager was seen by the evaluator to be actively patrolling and constantly addressing environmental problems because this is required to maintain the new status quo.

#### **Questionnaire responses to Question Two:**

QUESTION TWO to on the partner questionnaires also helps to identify impact on the landscape:

<b>QUESTION TWO</b>	<b>YES</b>	<b>NO</b>	<b>DO NOT KNOW</b>
<b>DID THE COMMUNITY PROSECUTOR HELP TO CHANGE THE ENVIRONMENT AT THE TARGET SITE TO MAKE IT LESS CONDUCTIVE TO CRIME?</b>	<b>18 (90%)</b>	<b>1 (5%)</b>	<b>1 (5%)</b>



A representative from Home Affairs 'did not know' about the environmental changes because he mainly participated in operations on illegal immigrants. One Estate Agent circled 'no' because "people drink liquor on the streets." Otherwise 90% of the respondents (18 out of 20) indicated that the CMP helped to make the environment less conducive to crime and gave these reasons (duplications eliminated):

- Drug dealers left the streets and parks
- Fewer people drink in public
- The Windsor East CBD (Beatrice/Duchesses Streets; Dukes and Beatrice Street) has fewer vagrants, fewer assaults and less crime
- The Windsor East CBD is cleaner (fewer broken bottles and litter)
- Kings Pub is now closed (cited on 60% of the surveys)
- There is more police visibility
- Problem buildings were identified and meetings held with Estate Agents on this
- Street lights were improved
- Liquor outlets that operated without licenses were closed
- Illegal trading at the Internet Café is down
- The Windsor West Golf Club was cleaned up (a gate controls the entrance reducing the sale of drugs and the presence of vagrants)
- Overgrown grass and rubbish was cleared from a field (Stand 475) in the Windsor East CBD
- Loitering has decreased
- Noise has decreased
- Fewer drug dealers on the street
- The Nigerian drug dealers left Windsor West Park
- The illegal renting of flats was stopped and the overcrowding in them reduced
- The environment is safer because one can now walk more freely

- The vacant stand being used for an illegal car wash was shut down

These findings on the questionnaires found corroboration in terms of the evaluator's own observation of change between the time of the baseline study and the evaluation.

### **10.8.3 Impact on interagency cooperation and partnerships**

There is evidence throughout the report that the CMP improved interagency cooperation and partnerships. However, stakeholders in focus group discussions at the evaluator's workshop identified these specific groups as cooperating better:

- Metro Departments and SAPS
- The Windsor Action Group and SAPS
- Immigration and the community

More evidence of improved cooperation was identified on the questionnaires (as described below) but the CMP specifically tried to improve relationships between the partners as listed above. Interagency cooperation and relationships was the purpose of the project team meetings that he held and the matter was actively discussed and partnership activities planned. Furthermore, the CMP advocated the entry of Immigration and the Labour Department into the area and in this manner had impact.

#### **B. Questionnaire with participants**

QUESTION 5 asked, "Did the community prosecutor help to build greater levels of stakeholder cooperation on crime prevention in the targeted community between May 2006 and the present?" QUESTION 6 asked, 'Did the CMP help individual government departments to address crime prevention more effectively at the target site?

QUESTIONS 5 AND 6	YES	NO	DO NOT KNOW
<b>5. IN YOUR OPINION DID THE CMP HELP TO BUILD GREATER LEVELS OF STAKEHOLDER COOPERION IN CRIME PREVENTION?</b>	<b>16</b> <b>(80%)</b>	<b>1</b> <b>(5%)</b>	<b>3</b> <b>(15%)</b>
<b>6. DID THE CMP HELP INDIVIDUAL GOVERNMENT DEPARTMENTS TO ADDRESS CRIMPE PREVENTION MORE EFFECTIVELY AT THE TARGET SITE?</b>	<b>16</b> <b>(80%)</b>	<b>0</b>	<b>4</b> <b>(20%)</b>

Regarding QUESTION 5, the one ‘no’ answer owed to a participant from the Windsor Squash Club who was not closely part of the CMP effort and joined the survey event of his own volition (the meeting was held there). He was concerned that drug sales was still an ongoing problem and therefore answered ‘no’. All three that circled ‘do not know’ to QUESTION 5 were Estate Agents. With duplications eliminated, the reasons for the ‘yes’ answers to this question were these:

- More cooperation on SAPS operations
- Improved cooperation between the NPA and SAPS
- Improved cooperation between SAPS and local government (Region B)
- Better understanding between the police and the community
- Crime information is reported to the police more frequently by community members
- Meetings were held between key stakeholders in order to address crime issues
- Improved cooperation between the NPA and the community (“The CMP was available to the community to offer advice; The CMP was ‘trying very hard’ to get all the stakeholders to meetings on ways to reduce crime)
- The NPA and the Windsor Action Group worked “closely and effectively”
- The Ward Councillor and the CMP developed a good partnership
- Johannesburg’s Environmental Health Department and the NPA cooperated well together
- Residents and the political councillor are “much more involved” owing to the CMP
- Estate Agents joined the Windsor Action Group to achieve cooperation

QUESTION 6 was aimed at understanding whether or not the CMP improved the performance of certain departments. Eighty percent answered ‘yes’ and around 90% of the ‘yes’ answers referred to the improved performance by SAPS such as:

- The CMP improved the performance of the Linden Police, especially the Crime Prevention Unit
- The CMP helped SAPS and Home Affairs to cooperate on operations
- The CMP helped SAPS to work with Local Government Region B
- The CMP helped to focus SAPS station management on the area
- The CMP assisted SAPS in improving statement-taking
- The CMP helped SAPS to identify the crime problems in the community

Some also referred to:

- Improvements in performance by Immigration (but most cited “a lack of progress” in this department.
- The CMP involved SAPS, Education, Health, Immigration, Home Affairs in meetings
- The Metro Police were generally seen as a weak partner but it was stated that the CMP involved Metro Police in raids

#### **10.8.4 Impact on community cooperation/involvement in crime prevention**

The questionnaire asked CMP partners about improved community cooperation and involvement in crime prevention. The questions and results are given in the table below.

<b>QUESTION 7 AND 8</b>	<b>YES</b>	<b>NO</b>	<b>DO NOT KNOW</b>	<b>SPOILT</b>
<b>7. DID THE COMMUNITY PROSECUTOR HELP TO MAKE MORE EFFECTIVE ANY PUBLIC/CITIZEN GROUPS ON SAFETY?</b>	<b>15 (75%)</b>	<b>1 (5%)</b>	<b>3 (15%)</b>	<b>1 (5%)</b>
<b>8. DID THE COMMUNITY PROSECUTOR CREATE ANY NEW FORUMS OR BODIES TO HELP BUILD COOPERATION ON CRIME AT THE PILOT SITE?</b>	<b>0</b>	<b>0</b>	<b>16 (80%)</b>	<b>4 (20%)</b>

The 'No' answer to QUESTION 7 was from the Windsor Squash Club member who joined the meeting of his own volition but was little aware of the project. He did not offer a reason for his 'no' response. The three 'Do not know' answers were from two Estate Agents and Immigration. One of the Immigration officers present was little involved except in terms of 'raids'. The fifteen 'yes' responses to Question 7 justified their responses and named three groups as having been empowered by the CMP (usually through advice or education on legal matters):

- Windsor Action Group
- Community Police Forum
- Sector Policing

Eighty percent of the respondents could not identify any new structures that the CMP created. Four named bodies that the CMP did *not* start (e.g., the CPF) and therefore were spoilt. This seems to owe to the predominance of strategic partnerships and participation on pre-existing bodies like the CPF or Windsor Action Group.

#### **10.8.5 Impact on community perceptions of safety at the site**

In terms of stakeholder perceptions during the site tour, round-table discussion, and press coverage, crime is less visible in Windsor East. The activities of the CMP so greatly reduced the amount of drug-dealing on the streets and the number of illegal immigrants living there that newspapers and magazines reported on the big change in the environment.<sup>26</sup> About half the discussants present at the evaluator's round-table discussion on community prosecutions also entered conversation to specify crime problems had dropped in Windsor East and named these:

- Motor vehicle break-ins

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<sup>26</sup> Malinga, Thuli, "Fighting crime with a passion," Northcliff Melville Times, 11 May 2007, p.1; "Co-operation is the key to fighting crime," Khasho, November 2006, p.10; van Vuuren, Marthinus, "40 van 40 000 daag op," 18 May 2007, p 1; Honey, Peter, "In it Together," Financial Mail, 6 April 2007, p 30-32/

- Residential break-ins (on testimony this was down from 20-30 a month to three or four in the early stages of the intervention but later shot up again)
- Property-related crimes
- Common Assault<sup>27</sup>

Those perceptions can be corroborated with crime statistics described above. Most of these types of crimes can also be correlated to the reduction in the drug trade and illegal immigrants. At the time of the evaluation, there had been a recent influx of new refugees into the area (many Zimbabweans) and it was reported in discussion that this was causing a steep climb in residential break-ins (often with armed intruders) and property related crimes. Thus, it appeared that the some of the gains in the fight against crime were being offset by losses owing to uncontrolled immigration.

#### QUESTIONNAIRE WITH STAKEHOLDERS

Twenty CMP partners who completed a questionnaire and Question 3 asked, “Did the community prosecutor help to develop any crime prevention projects or programmes at the target site that will help to prevent crime on an ongoing basis? These are the responses:

<b>QUESTION 3</b>	<b>YES</b>	<b>NO</b>	<b>DO NOT KNOW</b>	<b>BLANK</b>	<b>SPOILT</b>
<b>DID THE CMP HELP TO DEVELOP ANY CRIME PREVENTION PROJECTS OR PROGRAMMES AT THE TARGET SITE THAT WILL HELP TO PREVENT CRIME ON AN ONGOING BASIS?</b>	<b>9 (45%)</b>	<b>3 (15%)</b>	<b>3 (15%)</b>	<b>2 (10%)</b>	<b>3 (15%)</b>

Of three respondents that circled ‘no’ to QUESTION 3, one failed to justify the response and the other two indicated that nothing or little had changed. Of the three spoilt answers: two respondents failed to circle ‘yes’ or ‘no’ and then entered irrelevant comments while another circled ‘yes’ but also made a vague and irrelevant comment. The nine ‘yes’ respondents (45%) justified their responses as follows:

- There has been a drop in drug abuse owing to educating youth (2)

<sup>27</sup> Round-Table Discussion with Stakeholders, Windsor East Recreation Hall, 01 August 2007

- Operations/visible policing led to arrests and reduced criminal activity (3)
- Improved reporting owing to better CPF-SAPS relations is reducing crime (4)
- Demanding police clearances for tenants is reducing illegal immigrants and therefore crime (1)

All but the first bulleted answer appeared to be justified owing to the activities of the CMP. Perhaps these two respondents may have been thinking of the decline in loitering youth on the streets which is quite evident (many of them had been loitering and selling drugs). However this appeared to be more about law enforcement than ‘educational’ activities (perhaps a matter of perspective). Otherwise, the CMP work with youth had just begun with a survey at the time of the evaluation study.

#### **10.8.6 Impact on stakeholder perceptions of the NPA**

First, this is partly addressed in section the NPA received some good press coverage owing to the CMP’s efforts to visibly reduce crime in Windsor. Magazines like the Financial Mail ran a cover story on this and many local newspapers offered favourable coverage on the NPA’s new crime fighting strategy. No doubt this had a positive impact on stakeholder perceptions of the NPA.<sup>28</sup>

QUESTION 9 completed by 20 CMP partners asked, “Based on the experience of piloting, do you now believe that a prosecutor appointed by the National Prosecuting Authority can play a role in helping to prevent crime?” QUESTION 10 asked participants if they had a changed perception of the NPA owing to piloting. These are the results:

<b>QUESTION 9 AND 10</b>	<b>YES</b>	<b>NO</b>	<b>BLANK</b>	<b>SPOILT</b>
<b>9. CAN THE NPA PLAY A ROLE IN PREVENTING CRIME?</b>	<b>18 (90%)</b>	<b>0</b>	<b>2 (10%)</b>	<b>0</b>
<b>10. HAS YOUR PERCEPTION OF THE NPA CHANGED?</b>	<b>10 (50%)</b>	<b>3 (15%)</b>	<b>3 (15%)</b>	<b>4 (20%)</b>

<sup>28</sup> Malinga, Thuli, “Fighting crime with a passion,” Northcliff Melville Times, 11 May 2007, p.1; “Co-operation is the key to fighting crime,” Khasho, November 2006, p.10; van Vuuren, Marthinius, “40 van 40 000 daag op,” 18 May 2007, p 1; Honey, Peter, “In it Together,” Financial Mail, 6 April 2007, p 30-32/

On QUESTION 9, the two blank responses were Estate Agents, some of whom cooperated in a limited way. It also may be that they did not understand the term NPA (a fairly common phenomenon at all pilot sites) since they also left Question 10 blank.

Most of the 'yes' responses to QUESTION 9 were justified either in terms of the role the NPA can play in educating and coordinating stakeholders on addressing crime or in terms of the impact the CMP had on reducing crime problems. These were the responses (duplications eliminated):

- "We need someone at the helm"
- "We need more joint operations"
- The prosecutor plays a role in education people about crime and how to combat it
- It can put the NPA 'in touch' to look firsthand at what the community is experiencing
- The reduction in crime is the evidence that it can work
- "His cooperation with the police is very effective"
- The CMP can bring together the right stakeholders
- It creates closer communication between the community and government departments

QUESTION 10 included three blank responses and four responses that failed to address the question appropriately (spoilt). This situation occurred at all sites on this question and it appears that many people do not fully understand what is meant by the NPA. They are familiar only with the prosecutor and did not attribute his activities to the department.

There were three 'No' responses. Two were from SAPS and the third from the participant of the Windsor Squash Club who was not deeply involved but participated in the survey:

- A CMP requires a community court to be effective



- “There used to be no problem”
- The drug problem continues to proliferate

The 10 positive responses owed to three types of reasons:

- The evidential success in reducing crime
- Improved cooperation on crime prevention
- A better knowledge within the community as to how to prevent crime

## **10.9 LESSONS FROM THIS SITE FOR AN IMPLEMENTATION MODEL**

The following are five critical lessons from this site that might be useful to consider when designing the national roll-out of the community prosecution project.

### **10.9.1 Effective community prosecution requires interdepartmental cooperation**

That crime prevention requires the support of many departments is an old refrain in crime prevention, one that rings so true and yet is so far from ever being realised. It was also offered to the evaluator in round table discussion as the ‘central lesson’ of piloting. Furthermore CMP Raymond Mathenjwa claimed it as his central lesson too. “Since crime is organised, the government has to be organised too,” he said.

Perhaps the lack of cooperation between (1) government departments; and (2) communities and government departments *is* the apartheid legacy. The CMP looked at his pilot site and said,

Community activists are often ‘white people’ with many residual racist attitudes such that they think that blacks are the cause of crime. On the other hand, many black people still do not trust law enforcement agencies in a kind of hangover from the past when these were the enemies of the people.

The integration of government departments on the issue of crime prevention might be the critical, largely colour-blind factor, which can integrate the nation because it affects *all* South African citizens. However, this is such a long-term enterprise that in the meantime

strategic partnerships are required on those crime prevention issues that can lead to some immediate alleviation of the crime problems. A CMP should be aware of these issues, willing to integrate with other government departments but not blind sighted by the ideal situation VS the present-day reality. This means the selection of issues to address is critical. The NPA must *decide* what issues can be affected.

### **10.9.2 Law enforcement agencies cannot succeed without community involvement**

The residents of an area targeted for crime prevention usually know better than any government department who commits the crimes and where the crime problems are located. They can then inform Sector Forums and government agencies. In a sense, the community provides the eyes on the ground but the government holds the hands to deliver. Therefore a CMP-community partnership arrangement and a CMP-government partner arrangement is *essential* for effective crime prevention. This seems to be evident in the structures that evolved at this site and most others. However, working with the legitimated representatives on the CPF may become increasingly more important and should be strongly considered every site.

### **10.9.3 Social Development is a critical partner to engage at higher government levels**

Social Development was no where to be found at this site and did *not* see themselves as playing a role and when approached by the CMP, referred him to other departments like Housing and Health. This leaves a gap. Social Development is not only critical to crime prevention but is supposed to be the *lead agent* on this issue under National Crime Prevention Strategy! They are the ones that should focus a multi-agency response but this is neither occurring at this site nor in many parts of the country.

Does this mean that the NCPS was wrong and Social Development is not the appropriate lead agency on crime? SAPS is often a great partner that shows commitment to preventing crime, should they have led the NCPS? It does not appear so because they do not address the social factors producing the crime problem. As a result, crime is chased from one area to the next (displacement) as illustrated in this chapter.

In theory, the NCPS is probably right but how can this be put into practice? Does this mean that partnership building should begin at national or provincial level to ensure cooperation on delivery? It seems that community prosecution in this country will be shaped by available role players and it is important to make this one available. Therefore a central lesson of this chapter is that integration on crime prevention has to start at the level of directorates and ministries. Whether or not the NPA can help drive this in terms of strategic implementation at national level is a question that cannot be addressed in this evaluation.

#### **10.9.4 Illegal immigration is a national problem that cannot be resolved at the local level**

The rapid influx of illegal immigrants is a problem that cannot be resolved at the local level. The migrants return almost as quickly as they are removed because:

- There are no special courts to address this problem as there might be in Canada or elsewhere.
- The borders are porous and the same migrant can return again and again with no real penalties imposed other than a train trip home.
- An effective interdepartmental strategy to combat the problem is not evident

Is it worthwhile for a CMP to concentrate on an international problem that cannot actually be resolved locally? International migration appears to be more of a national crisis (draining resources and elevating crime levels) than a community irritant. It appears critically important for the NPA to clarify the kinds of community based problems that a CMP can address in a strategic manner for maximum impact.

What can be addressed at the community scale and what cannot be? What is within the power of the NPA and available partners to address and what is not? It appears that a CMP can cooperate in combating some national and international problems like illegal immigrants but it would be more effective to push for national ownership of the problem

and cooperate at that level as required. Windsor was deeply troubled by some social problems that were not addressed that might be more within the range of community prosecution including rape.

#### **10.9.5 It appeared appropriate in urban areas to shut down illegal taverns rather than help to regulate them**

CMP Mathenjwa did not think it was appropriate for the NPA to work with illegal shebeens and legitimise them. This argument appeared correct in urban areas where one finds more developed and regulated environments yet somehow it was inviting in certain peri-urban sites to move them toward self-regulation. This is telling because in the peri-urban areas, there was no alternative source of recreation making it very difficult to close down the only centre for a social life. This rationale led some CMPs to work toward regulating them.

In comparative analysis, it appears more appropriate in urban areas to address the lack of development and alternative sources of recreation rather than help to regulate shebeens. To promote a law-abiding society, noise abatement, health regulations and other municipal bylaws should be enforced and not ignored. Perhaps to advocate and promote a regulated and developed environment with higher levels of community organisation, law-abiding behaviour and alternative sources of recreation is a better approach for the NPA than working with illegal business that are in contravention of the bylaws. This could be done by ensuring that the appropriate departments from all branches of government play their role. However, one can also distinguish urban areas from peri-urban ones, where different approaches might apply (see Section 2.7).