



THE ROLES OF THE TMPD AND SAPS IN BUILDING A SAFER TSHWANE

The security services in South Africa, which include the National Defence Force, the Police Service and the Intelligence Services, are established in terms of Chapter 11 of the Constitution. The Constitution provides for a single police service in South Africa and requires that it be established to function at the national, provincial and, where appropriate, local spheres of government. The concept of a “single police service” has been the subject of a long debate, but it is interpreted to mean that there must be uniform standards where Metropolitan Police Departments exist.

The constitutional functions of the SAPS are to prevent, combat and investigate crime, to maintain public order, to protect and secure the people of South Africa and their property, and to uphold and enforce the law.

The Metropolitan Police Departments are established in terms of the SAPS Act. In terms of the act, the functions of Metropolitan Police Departments like the TMPD, differ from the SAPS in a significant way and they are only empowered with three core functions, namely crime prevention, road traffic policing, and by-law enforcement.

The TMPD is therefore not mandated or empowered to combat and investigate crime, but various functions have been extended to it through regulations and





sometimes by necessity, including the maintenance of public order and combatting cable theft and illegal land invasions. In these and many other instances the TMPD plays a complementary role to the SAPS, which has the primary responsibility and authority to prevent, combat and investigate crime. The TMPD fulfils the three functions for which it has extensive legal responsibility in various ways. Crime prevention is primarily done through visible policing, which includes patrols, and social crime prevention programmes, particularly in areas such as substance abuse. Visible policing is also achieved through the other two functions, namely road traffic policing and by-law enforcement.

Thus, where the TMPD has a legal mandate to prevent crime before it occurs – in other words, by reducing the opportunities to commit crime – the SAPS has the legal mandate and responsibility to proactively fight crime where it exists and to investigate crime once it has occurred. The TMPD plays a supporting role in this. Unfortunately, what the law says and what the reality is, is often two very different things and the TMPD has taken on additional roles and

responsibilities, often without the resources or support to match these.

Road traffic policing relates to the enforcement of the National Road Traffic Act, including combatting and preventing speeding and driving under the influence, as well as through maintaining the orderly flow of traffic, public transport policing, and supporting scholar patrols around schools.

By-law enforcement involves the enforcement of the local laws made by the City Council in the geographical area over which it has control and within the constitutional functions assigned to it. This includes local laws that govern the sale of liquor and other goods, building and advertisement regulations, pollution, and so forth. Many of these 'legislative competencies' are in concurrence with the provincial legislature and / or national Parliament.

By-law enforcement in particular requires the cooperation and support of other Departments in the City and the provincial and national government. Noise pollution, for example, must be addressed in conjunction with the Department of Health because environmental health practitioners are required to assess the levels of noise pollution with specialised equipment. The sale of liquor must be addressed with the Department of Economic Development, which is responsible for monitoring compliance with trading licenses – in the case of liquor these are issued by the provincial department. Finally, illegal land invasion requires the support and cooperation the Departments of Housing, Legal Services, and Community and Social Development.

This multi-agency nature of by-law enforcement makes it a challenging environment and responsibility. Land invasion is particularly challenging because it requires that the owner of the property be identified, that alternative accommodation be secured where reasonably possible, and that court orders are obtained prior to eviction.

The important first point of call is always, however, that issues be reported, and that they be reported to the correct enforcement agency or level. The regional policing component of the TMPD – is a vital cog in the wheel in this regard.

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Community policing in Focus

COMMUNITIES PLAY A KEY ROLE IN COMBATING CRIME, ESPECIALLY THROUGH CPFs

The National Development Plan envisions communities where people feel safe and have no fear of crime, whether at home, school, work or in their communities. This can only be achieved by communities working with well-resourced and professional policing services through formal structures like the Community Policing Forums (CPF).

The CPF plays an important role in informing the TMPD's mandate and operations, but also in scrutinising the work of the TMPD to maximise the efficiency of the available resources. This CPF is therefore a critical platform where community members, community business and non-profit organisations, businesses, faith-based organisations and other relevant government stakeholders meet with the SAPS and TMPD to discuss local crime prevention initiatives.

The role and functions of the CPF is not a “nice to have”, it is a constitutional imperative that we cannot shy away from. It is critical that the real needs and experiences of communities are

channelled into the plans and operations of the TMPD, and the CPF plays an important role in that through:

- Monitoring the effectiveness and efficiency of the police;
- Examining and advising on local policing priorities;
- Evaluating the provision of services such as the distribution of resources and the way complaints and charges are handled;
- Patrolling of residential and business areas;
- Keeping records, writing reports and making recommendations to the police; and, importantly,
- asking questions about local policing matters and request enquiries when necessary.

We are also reviewing the functioning of the Community Safety Forum to ensure it works effectively as a platform to deal with issues raised by the CPF clusters through their regional forums. I urge communities to be involved in their local CPF, and wish to thank the many men and women who already actively participate and contribute to a safer Tshwane for all residents.

PLAY YOUR PART

Safe and secure communities are achieved through the pro-active involvement of the public working with law enforcement and emergency services. Residents are urged to join the on-going fight against crime, lawlessness and corruption in the City by making use of the various platforms to report incidents.

Residents are reminded that they can contact the Metro Police on the 24 hour emergency number (012 358 7095/6).

The recently launched **Emergency Hotline** for life-threatening emergencies, fire, ambulance, rescue and disasters also makes it easier for residents to contact Tshwane emergency services. Residents can now dial **107 (One Zero Seven)** toll-free and connect directly to the City's control centre, in addition to the ten-digit 012 310 6300/5400 numbers.

Residents are urged to report any **corruption or bribery** involving TMPD members and Tshwane officials on the **Corruption Hotline** at 080 874 9263 or **Internal Affairs** at 082 891 8625.

Residents are also reminded that when they are stopped by the TMPD to obtain the officers' name and surname on the shield or badge, and to take note of the Registration number of the TMPD motor vehicle concerned and / or the fleet number, example MP621.

This will assist in investigations when a complaint is lodged.



Residents are urged not to participate in corrupt activities to ensure those who perpetuate the culture of corruption are brought to book. We are encouraged by the response of residents across the City in recent operations to clamp down on lawlessness and urge them to continue assisting law enforcement.