

Procedure: Displaced Peoples Unit

Note: *This document is to be read in conjunction with the: Standard Operating Procedure: Policing of Displaced People.*

It is the responsibility of this unit to respond to all city by-laws, relating to law enforcement in terms of Government Notice No. R209 dated 19th February 2002 – category 5(a). This unit specializes in working with street people within the area of jurisdiction of the City of Cape Town and have been trained by social development to deal with the social aspects and reasons why people seek to live on the streets.

DUTIES

- **Respond to complaints received relating to vagrancy (*vagrant* n a person who has no settled home, a tramp. – *vagrancy*.)**

These complaints are received via:

- a) N1 City Radio Control Room
- b) C3 Notification
- c) Cell Phone
- d) Land Lines
- e) E-mail
- f) Councilors
- g) Members of the Public
- h) SAPS
- i) Mayor's Office

- **Investigate and follow up on these complaints.**
Make contact where possible with the complainant to establish the nature of the vagrancy complaint and to determine whether it should be handed over to anti land invasion or any other law enforcement agency. Go to the address where the complaint has been reported, find out what action should be taken. Whether it is law enforcement or social.
- **Land/Property investigation, ownership purposes. City and Private**
Responsible person/s will be informed of what taking place on the land is and what action needs to be taken.
- **Surveying of persons occupying any land and hand over the information to the relevant parties.**
All person/s found unlawfully occupying land, parks, sidewalks, building, beaches, forests, sports fields, private property and any other public open space. Their information will be recorded and placed into the D.P.U street people Data base, where it will be made available to those who

would need it. In cases where there is a land invasion, the information will be recorded by Informal Housing and placed on their data base.

- **Relocation of Street People / Vagrants**

All street people / vagrants who wish to be relocated can approach any member of the D.P.U for assistance. The D.P.U will make contact with Social Development, N.G.Os and various other organisations dealing with the people living on the streets. The D.P.U will provide transport where possible

- **After hours**

The D.P.U office hours are from 08h00 to 16H30 Monday to Friday. After hours is any time after 16h30, week-ends and public holidays,

Reasons why the D.P.U would work after hours:

- a) Complaints that can only be done after normal working hours
- b) Mothers with children living on the streets who need social intervention
- c) Pregnant women / youth living on the streets who need social intervention
- d) Land Invasions (D.P.U deal with small land invasions from time to time in the suburbs)
- e) Attempting land invasions in the suburbs
- f) Abandoned children/ street children
- g) Substance abuse (Mainly in the youth)
- h) Erecting of Structures (Temporary or permanent)
- i) Removing of structures
- j) Other related social problems found among the street people
- j) Complaints received via N1 City Radio Control Room
- k) Complaints received from Councillors
- l) Any other complaint which endangers the safety of the community or any member of the public and their property

All social related problems found on the streets after hours will be handed over to Social Development or any other N.G.O the next day or the next working day and the S.A.P.S where needed.

OPERATIONS:

There are two types of what is called "Clean-up operations". Social and Law Enforcement.

Social

D.P.U, Social Development and N.G.Os go out on the streets to deal with the hot spots where vagrant activity is a constant concern. Surveys of these people are done. On the spot assistance is provided. The

night shelters will also be part of this operation to provide bed space and other accommodation where needed. All information gathered will be put into a data base.

Law Enforcement

These clean-up operations are normally carried out by the D.P.U without any social services. These operations consist of cleaning the area of building materials, discarded, dumped, stored and accumulated items which the vagrants have no use for and to relocate these vagrants from the area where possible. These are the vagrants who do not want any assistance from any person and do not adhere to the City by-laws. They will be given the opportunity to be relocated to a night shelter or any member of their families at the time of such operation but most of the time they choose to leave the area. (see operational Procedures)

OPERATIONAL PROCEDURES

These operational procedures include both Social and Law Enforcement and differ slightly depending on what type of clean-up operation is to take place.

- a) Identify area of concern (hot Spots)
- b) Inform those vagrants who had refused the assistance offered to them and those who are in contravention of any City By-Law of what action will be taken.
- c) Set up meeting with role players concerned. This meeting is to agree to dates and times for the clean-up operation. The role players involved in these meeting are normally:

Law Enforcement

- D.P.U
- S.A.P.S
- Cleansing
- Law Enforcement
- City Police
- Central Improvement District
- Anti Land Invasion
- Immigration(When dealing with refugees and Asylum Seeker living on the streets)

Social

- D.P.U
- S.A.P.S
- Law Enforcement

- d) Notify the City's media liaison officer
- e) Day/ night of operation a briefing will be held with all members attending and informing of what action is to be taken and who will be responsible for what
- f) The belongings and other materials that are removed from the street people concerned will be kept in a safe and secure place until the owner/s can reclaim it.
(Note: the belongings will not be kept longer than three months)

- g) Debriefing after the operation
- h) Complete an operational report.

BY-LAWS

As Law Enforcement officers the D.P.U can deal with all by-laws relating to law enforcement however, they will deal with the City By-Laws that relate more to the use of public space, such as:

- BY-LAW FOR THE CONVENIENCE OR PERSONS USING STREETS OR PUBLIC PLACES PN 271 / 95
- SEA SHORE ACT 21 / 1935 GN 15636 / 1994
- PARK BY-LAW PN / 1990
- DUMPING BY-LAW PN 662 / 2002
- HAWKERS PN 522 / 1996
Hawker not allowed to stay overnight or erect structure Sect/Art 3(b)

PERSONAL BELONGINGS

The DPU will at no time remove these items from any street person if the owner or a person appointed by the owner is with such items

- Food
- Medication
- *Legal Documentation (I.D, Clinic cards, birth certificates, and other)
- Clothing
- Blankets
- *Money
- *Any other items of value (gold/ silver rings, jewellery and other)

If no person is around to claim his/her belongings at the time of any complaint which the DPU has responded to or any Clean-up operation, these items will be removed for safe keeping by the DPU. The owner can reclaim these items. The items marked with “*” will be handed over to the SAPS

The DPU **will** remove:

- Any item that can be used to erect any type of structure, shelter or cover for possible unlawful occupation of City owned land
- All items discarded by the street people which they have accumulated during the day/ night for recycling
- Shopping trolleys/carts, where possible, will be returned to the owners
- The black Otto bin and any other City owned property will be returned to the nearest depot.
- Any other items that might be stolen goods will be handed over to the SAPS

RELOCATIONS

Relocations of vagrants and their belongings happen when the DPU is requested to transport Street people to the various informal settlements or any other land which has been agreed to.

- Eviction orders, granted by the courts, where the sheriff of the court has placed these people on the sidewalk. In some instances the City finds accommodation for these people, such as the Delft housing project, other times these people will find their own accommodation. The DPU is requested to transport them to the new location
- Social Development and NGO request transport for street people to night shelters and sometimes back to family and friends.
- DPU will relocate any street person at any time who wishes to be relocated to any place within the jurisdiction of the City of Cape Town providing it is not in contravention of City policy.
- During clean-up operations where pre-arrangements have been made with the relevant organizations