

PROVINCIAL NOTICE

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CODE OF CONDUCT**FOR****NEIGHBOURHOOD WATCHES IN THE WESTERN CAPE**

In terms of regulation 4(2)(r) of the Western Cape Community Safety Regulations, 2016, the Head of the Department of Community Safety has issued the following Code of Conduct for Neighbourhood Watches in the Western Cape, which is published for general information.

The Code of Conduct takes effect on the date of commencement of regulation 4(2)(r).

CODE OF CONDUCT FOR NEIGHBOURHOOD WATCHES IN THE WESTERN CAPE



NEIGHBOURHOOD WATCH



**Western Cape
Government**

This Code of Conduct is issued in terms of regulation 4(2)(r) of the Western Cape Community Safety Regulations, 2016, made in terms of the Western Cape Community Safety Act, 2013 (Act 3 of 2013) (the Community Safety Act).

All references to a neighbourhood watch in this document must be construed as a reference to an organisation or association accredited as a neighbourhood watch in terms of the Community Safety Act.

INTRODUCTION

1. A neighbourhood watch must serve as the eyes and ears of the community it serves and must cooperate with the South African Police Service (SAPS).
2. A neighbourhood watch must assist SAPS and other safety and security services and partners to safeguard the local community and their property, to manage and control crime prevention and to discourage crime in the area.
3. This Code of Conduct is binding on all members of the neighbourhood watch and members must pledge their adherence to this Code, failing which the member's membership will be terminated.
4. This Code of Conduct regulates the relationship between members of the neighbourhood watch and members of the community and promotes exemplary conduct by members while they are serving the community as a member of the neighbourhood watch.

MEANING OF WORDS AND EXPRESSIONS

5. In this Code of Conduct a word or expression to which a meaning has been assigned in the Western Cape Community Safety Regulations, 2016 (the Community Safety Regulations), has the same meaning assigned to it in those regulations.

CONDUCT OF MEMBERS

6. A member must at all times act in accordance with the principles enshrined in the Constitution of the Republic of South Africa, 1996, and—

- (a) must act in a manner that will uphold and promote the aims and objectives of the neighbourhood watch;
- (b) must respect and protect the dignity and rights of every person in the neighbourhood, including the right to free movement;
- (c) may not discriminate unfairly against any person on the basis of language, age, gender, religion, ethnic or social origin, race, sexual orientation, disability, political persuasion or any other constitutionally protected orientation;
- (d) must act within his or her rights as a private person and not beyond those rights;
- (e) must serve the community in the area in an unbiased, apolitical and impartial manner in order to create confidence in the neighbourhood watch and build unity in a safe neighbourhood;
- (f) by pledging adherence to this Code of Conduct the member acknowledges that he or she is fully aware of the risks involved due to the nature of the task;
- (g) must refrain, as much as is reasonably possible, from placing him- or herself, fellow members, other safety and security services and partners or the police at risk;
- (h) must act in a non-violent manner and may not take the law into his or her own hands.

7. A member may not—

- (a) conduct himself or herself in a manner that will bring the neighbourhood watch into disrepute;
- (b) disseminate or divulge any confidential or privileged information obtained as a result of his or her membership or obtained whilst on formal patrol, unless it is essential to do so to protect a member of the neighbourhood watch or community;
- (c) exploit his or her membership of the neighbourhood watch for his or her own personal advantage or benefit;

- (d) accept any payment, commission or gratuity in connection with his or her membership of the neighbourhood watch, except after being duly authorised to do so by the neighbourhood watch; and
 - (e) be in possession of any dangerous weapon under circumstances that make him or her guilty of a contravention of section 3(1) of the Dangerous Weapon Act, 2013 (Act 15 of 2013).
- 8. If a member is convicted of a sexual offence or any crime involving violence or dishonesty during his or her membership, the neighbourhood watch must terminate the member's membership in terms of procedures provided in the founding document of the neighbourhood watch.

CONDUCT AND DUTIES OF MEMBERS PATROLLING

- 9. When a member is patrolling as a member of the neighbourhood watch, the member must—
 - (a) when possible, alert the police station in the area when the neighbourhood watch will be patrolling;
 - (b) strive to work in partnership with the members of SAPS, municipal police service or law enforcement agencies with regard to crime prevention in the area;
 - (c) obey all lawful instructions issued by members of the services mentioned in paragraph (b);
 - (d) carry the identification card issued by the neighbourhood watch in accordance with regulation 4(5) of the Community Safety Regulations;
 - (e) be punctual, reliable and responsible in the execution of all duties as a neighbourhood watch member;
 - (f) act in the best interests of individual residents, tenants or owners of immovable property or persons with other relevant interests in the area and the neighbourhood watch, except in circumstances beyond his or her ability or to maintain personal safety;
 - (g) act in accordance with official text books of the Department developed for neighbourhood watch members, including protocols for incident management, crime scene management and best practice in every circumstance;

- (h) display commitment to the best possible functioning of the neighbourhood watch and the promotion of healthy interpersonal relations; and
 - (i) undertake to report any individuals, vehicles or situations suspected of being connected to crime to the control room and, where necessary, to SAPS.
- 10. A member's assistance to a neighbourhood watch is voluntary and therefore, when a member is using his or her private vehicle during the assistance, neither SAPS nor the neighbourhood watch can be held responsible for any damage to the vehicle caused during the rendering of the assistance.
- 11. Members must familiarise themselves with the law regarding the rights of private persons to arrest or perform searches, including the minimum use of force, and must at all times comply with the Criminal Procedure Act, 1977 (Act 51 of 1977).
- 12. Members should rather report suspected criminal behaviour to the police than personally attempt to perform an arrest.
- 13. No intimidation in whatever form may be used against any individuals in any neighbourhood where a neighbourhood watch patrol takes place.
- 14. No form of vigilantism will be accepted.
- 15. Where possible, the neighbourhood watch must strive to work in partnership with the community police forum and subforum for the area.
- 16. Where possible, the chairperson or coordinator of the neighbourhood watch must regularly attend the sector meetings held by SAPS and share information at the sector meetings regarding the crime situation in the area.

DISCIPLINARY MEASURES

- 17. A member who is in breach of this Code of Conduct may lose his or her membership in terms of disciplinary procedures instituted by the neighbourhood watch as provided in the founding document of the neighbourhood watch.

AMENDMENTS TO THIS CODE OF CONDUCT

- 18. Amendments to this Code of Conduct may be made as required and will be published by the Department of Community Safety.