



COAV CITIES PROJECT

POLICY RECOMMENDATIONS

CAPE TOWN, SOUTH AFRICA

DRAFT 1

(NOT FOR DISTRIBUTION)

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1. Introduction

1.1 *The COAV Cities Project*

During 2002 Viva Rio and ISER produced innovative research on armed child and youth workers in Rio de Janeiro's drug factions. Research results highlighted striking similarities between the working functions of children and youth employed by Rio's drug factions and 'child soldiers' participating in armed conflicts elsewhere in the world. This included commonalities in relation to recruitment processes; age/function dynamics; working positions within a command structure; financial reward for services; armed functions; and increased usage by adults for participation in armed confrontations. The research also demonstrated that firearms related mortality rates of under eighteen year olds in the municipality of Rio de Janeiro are comparable, if not worse, than conflict related mortality rates of under eighteen year olds in some modern conflicts zones.

During the *Seminar on Children Affected by Organised Armed Violence* held by Viva Rio in Rio de Janeiro, Brazil, in September, 2002, international experts on child protection issues and armed conflict formulated a working definition² of children and youth within non-war situations of organised armed violence (COAV). Participants noted that COAV is a global problem with varying country / regional manifestations and identified the need for further information regarding the problem.

With the support of Save the Children Sweden, DFID UK and the Ford Foundation, Viva Rio designed and co-ordinated a 10 country comparative research study of COAV. The study was carried out with selected local research partners³ that collected and analysed data at the local level within a methodological framework designed by Viva Rio.

This research programme served to identify regions affected by COAV; facilitate the sharing of information between relevant child protection actors; identify successful pilot programmes; increase knowledge of COAV and generate new data on country / region specific manifestations of the problem; build research capacity regarding COAV amongst practitioners in affected regions; identify region specific and global trends of COAV; raise awareness of COAV in order that the situation is recognised, better understood and included on the child protection agenda; and produce policy oriented guidelines for policy makers within the international forum for the implementation of practical steps for the special protection of COAV.

Research results have shown striking similarities between diverse manifestations of organised armed violence. The study has demonstrated that the emergence of organised armed groups in all countries is linked to a number of common risk factors. In addition to the similarities between the armed groups investigated, stark similarities regarding the involvement of children and youth were found. These include commonalities in: personal histories; age and process of involvement; reasons for joining; working functions; involvement in armed violence; and future perspectives. The study also analysed current

² This working definition was modified by participants of the COAV International Research Workshop hosted by Viva Rio 21-24 July, 2003, in Rio de Janeiro, to become: Children and Youth in Organised Armed Violence; "Children and youth employed or otherwise participating in Organised Armed Violence where there are elements of a command structure and power over territory, local population or resources."

³ A full list of local research partners can be found at www.coav.org.br

trends in public policy that was designed or is being utilised to treat the problem in each of the countries involved.

During the study, a website with daily updated information from around the world on children and youth in armed violence was established (www.coav.org.br). In addition to data gathering in the 10 countries covered by the study, this website has served to concentrate news, interviews, opinions, good practice examples of projects and policy related to the theme since July 2003.

Completion of the 10 country study and further information collected by www.coav.org.br has demonstrated that as with the involvement of children in the drug factions of Rio de Janeiro, there are causal and functional similarities between traditionally defined 'child soldiers' in situations of armed conflict and children and youth in organised armed violence from within the countries studied. For this reason, there is much to gain from exchanging knowledge of good practice for the treatment of both distinct yet similar situations. Furthermore, the levels of organised armed violence recorded by the study within urban centres not considered to be in situations of war, and the lack of successful integrated policy to treat this growing problem, demonstrates the need for local policy designed for prevention interventions and the disarmament, demobilisation and reintegration of children and youth from organised armed groups within these localities.

In 2005, Viva Rio and IANSA worked with local partners⁴ for the establishment of working groups consisting of key actors in four municipalities affected by organised armed violence, all of which were covered by the international study. These localities are: Niteroi (Brazil); Zacatecoluca (El Salvador); Medellin (Colombia); and Cape Town (South Africa). In partnership with local organisations the project's objectives are:

- To build on completed research and existing practical knowledge to treat the problem of children and youth in organised armed violence;
- To exchange knowledge on good practice for prevention and rehabilitation interventions from both situations of organised armed violence and post conflict;
- To develop local policy plans for prevention and the disarmament, demobilisation and reintegration of children and youth in situations of organised armed violence and situations of post conflict, based on completed local diagnosis of the problem and building on the integration of local government and civil society mechanisms;
- To test pilot interventions where possible;
- To advocate for the implementation of local policy plans through government and civil society partnership.

1.2. Local Partner Organisation

The primary local partner organisation that has been responsible for the facilitation of the COAV Cities Project in Cape Town is the Institute for Security Studies (ISS). The ISS is a regional research and policy institute operating across sub-Saharan Africa. It is a non-profit trust focusing on the area of human security and has offices in Pretoria, Cape Town, Nairobi and Addis Ababa.

⁴ Local partners were Viva Rio in Niteroi (Brazil); IUDOP (Instituto Universitario de Opinión Pública of the Universidad Centroamericana "José Simeón Cañas") and FESPAD (Fundación de Estudios para la Aplicación del Derecho) in Zacatecoluca (El Salvador); Corporación Paz y Democracia in Medellin (Colombia); and Institute for Security Studies in Cape Town (South Africa).

During the second half of 2006, the ISS subcontracted the facilitation of the COAV Cities Project to RAPCAN (Resources Aimed at the Prevention of Child Abuse and Neglect). This was done due to fact the main staff person responsible for the project moved from ISS to RAPCAN, and that the ISS wished to maintain consistency in terms of facilitation. RAPCAN is a children's rights organisation based in Cape Town. It undertakes direct services to children and families, training, advocacy and research in the child rights arena.

2. Methodology

2.1. Phase 1: Preparatory and Stakeholder Mobilisation

The preparatory phase of the project was undertaken in Cape Town between September and December 2005. This consisted of two parts: a series of meetings with relevant government and civil society stakeholders and the completion of a Rapid Assessment.

The round of meetings with government and civil society stakeholders in the province had the following purposes:

- To introduce key stakeholders to the project and its main intentions
- To invite stakeholders to participate in the process
- To explore some of the key concerns of stakeholders relating to children's involvement in gangs

Stakeholders that were consulted included:

- Department of Community Safety, Western Cape
- Department of Social Development, Western Cape (then known as the Department of Social Services and Poverty Alleviation)
- The Institute of Criminology, Univ. of Cape Town
- The Community Law Centre, Univ. of the Western Cape
- The Open Society Foundation for South Africa
- The Western Cape Anti-Crime Forum
- Centre for Justice and Crime Prevention

The Rapid Assessment was conducted by independent consultant, Hoosain Kagee, and delivered in November 2005.

2.2. Phase 2: Issue Prioritisation and Stakeholder Commitment

A workshop was held in November 2005 to review the findings of the Rapid Assessment and plan for project activities in 2006. Participants at this workshop were drawn primarily from the stakeholders consulted in Phase 1 that had indicated interest in participating in the project. The meeting was also attended by a representative of the Southern African office of Save the Children Sweden.

This workshop identified five thematic areas for policy discussions in 2006, and noted specific issues that needed to be addressed in relation to each area. The workshop also addressed the question of how children and youth could be engaged in the process and a child participation study was recommended in this regard.

It was also agreed at this workshop that each of the thematic meetings/workshops should engage as wide a range of relevant stakeholders as possible rather than involving only a

small group of interested parties. It was recognised that there are far too many stakeholders with an interest in these issues to restrict involvement in the process.

2.3. Phase 3: Strategy Formulation and Implementation

A series of five thematic meetings were held in 2005. The schedule of activities was as follows:

No.	Theme of Meeting	Stakeholders Involved	Date of Meeting
1.	Strengthening information and research strategies relating to children's involvement in gangs and youth violence.	16 participants Representatives from: <ul style="list-style-type: none"> ▪ Government departments ▪ Research institutions 	10 February 2006
2.	The role of the criminal justice departments in responding to children's involvement in gangs.	40 participants Representatives from: <ul style="list-style-type: none"> ▪ Government departments ▪ Research institutions ▪ Non-governmental organisations ▪ Community-based organisations 	10 May 2006
3.	Law Reform relating to children's involvement in gangs.	14 participants Representatives from: <ul style="list-style-type: none"> ▪ Government departments ▪ Research institutions ▪ Non-governmental organisations 	14 June 2006
4.	Exploring the role of social services in responding to children's involvement in gangs.	27 participants Representatives from: <ul style="list-style-type: none"> ▪ Government departments ▪ Research institutions ▪ Non-governmental organisations ▪ Community-based organisations 	28 June 2006
5.	Intervention programmes relating to children and gangs	45 participants Representatives from: <ul style="list-style-type: none"> ▪ Government departments ▪ Research institutions ▪ Non-governmental organisations ▪ Community-based organisations ▪ Schools ▪ School clinics 	16/17 November 2006

2.4. Phase 4: Follow-up and Consolidation

The policy recommendations emanating from the 5 thematic meetings/workshops were developed into a draft policy paper by the local partner. This was presented to a meeting of the key stakeholders in December 2006.

3. Assessment of the Problem

3.1. Population Distribution and Demographics

The Western Cape population is estimated at 4.5 million, of which approximately 64% live in the Cape Town Metro Region which covers 2% of the surface area of the province.⁵

According to the 2001 Census, the majority of the population in the Western Cape Province is comprised of coloured people at 54%, this is followed by black people at 27% and then by white people and Indian people at 18% and 1% of the population respectively.⁶ Together coloured and black people in the Western Cape thus comprise a total of 81% of the population. This population profile is mirrored in Cape Town where these two groups comprise more than 79% of the population.⁷

Based on a number of indicators, the Western Cape is the most developed province in the country. The perception that there are opportunities in the province has led to a high rate of population growth in the province due to migration from more rural areas.⁸ This has led to the creation of new pockets of poverty particularly because those migrating into the province come primarily from poorer provinces, namely the Eastern Cape and Northern Cape provinces.

High population density and overcrowding are experienced primarily in the coloured and black communities. This is in large part due to lack of infrastructure, inadequate housing and poor social service delivery. Recent statistics indicate that 19.2% of the population in Cape Town live in informal dwellings.⁹ It is common for informal dwellings to be erected on the property of formal dwellings.¹⁰

3.2. Poverty and Unemployment

South Africa is faced with high rates of poverty. Although the Western Cape is the second wealthiest province in South Africa, according to the 2001 Census, 42.38% of households in the province earn less than R19 200 per annum (R1 600 per month).¹¹ Furthermore the province has the highest inequality gap between the wealthy and the poor in the country.¹²

According to the Integrated Social Capital Formation Strategy for the province, unemployment is the biggest challenge that the province is faced with. The unemployment rate is said to have grown from 13% to 23% in 2003, and by 2005 the unemployment rate in the province had reached 26%. The youth are the most effected by these unemployment rates, with 80% of the unemployed in the province being employable youth, graduates and matriculants.¹³

⁵ Petersen, V. 2005. Department of Social Services and Poverty Alleviation: Social Cluster – Social Capital Formation Report. Provincial Government of the Western Cape. Western Cape, p. 21.

⁶ Statistic South Africa. 2002. Census 2001. Republic of South Africa. Pretoria.

⁷ Ibid.

⁸ Petersen, op cit, p.7

⁹ Statistics SA, op cit.

¹⁰ Kagee, H and Frank, C. 2005. Rapid Assessment for Cape Town. COAV Cities Project. Institute for Security Studies. p.4.

¹¹ Statistics SA, op cit.

¹² Petersen, op cit, p.7

¹³ Petersen, op cit, p.4

3.3. Children and Youth in the Western Cape

According to Statistics South Africa, 37.2% of the Western Cape population is under the age of 20 (0 – 19 years) and 56.1% is under the age of 30 (0 – 29 years). 19.2% is from the age of 10 to 19 and 18.9% is from the age of 20 to 29 years.¹⁴

3.4. Crime in the Western Cape

Homicide is identified as the main cause of mortality overall in Cape Town, representing 10.6% of all deaths. The highest rates of injuries are recorded in Khayelitsha and Nyanga (120/100 000 and 133/100 000 respectively). According to the Social Capital Formation Strategy, the average rate of injuries for middle income countries such as South Africa is around 32.1/100 000. This highlights the phenomenal rate of violence experienced in some areas in Cape Town. The report goes further to state that in 2002 “more than 300 boys, between the ages of 15-24, in Cape Town alone suffered a violent death”.¹⁵

Serious and violent crime rates are high in the Western Cape with a particular emphasis on murder, attempted murder, rape and armed robbery. This is particularly true in areas where gangs are more prevalent. The province has the highest rates of murder at 59.2/100 000 people and common assault at 822.8/100 000 people. It has the second highest rates of rape at 132.3/100 000 people and assault with intent to cause grievous bodily harm (assault GBH) at 613/100 000 people.¹⁶

One-fifth of homicides in South Africa reportedly occur in only 23 police station areas, which represent only 2.1% of all the stations in the country.¹⁷ Six of these 23 stations are from the Western Cape. These are Khayelitsha, Nyanga, Gugulethu, Kuilsriver, Kraaifontein and Mitchell's Plain. These police stations are amongst those with the highest reported incidence of attempted murder and assault GBH in the country.

35% of all crime in the province is reported in the Khayelitsha and Kuilsriver areas. Khayelitsha, Nyanga and Phillipi together contribute to the majority of murders in the province.

The areas profiled in this report are based on those identified in the “COAV Cities Project Rapid Assessment for Cape Town” which were reportedly based on areas identified through this risk analysis undertaken by the SAPS as well as two further areas which are JCPS priority stations¹⁸. This report also includes information from Nyanga. The inclusion of Khayelitsha, Gugulethu and Nyanga is based on the significant contribution of these areas to the levels of serious and violent crime in Cape Town. They are also included on the basis that although gangsterism in Cape Town is traditionally believed to be an issue affecting Coloured communities, reports indicate that criminals operating in black communities in Cape Town has shown similar ways of structuring themselves and of operating as the Coloured gangs.¹⁹

¹⁴ Statistics SA, op cit.

¹⁵ Petersen, op cit, p19

¹⁶ www.saps.gov.za/statistics/report/crimestats/2006/crime_stats.htm for 2005/2006

¹⁷ Petersen, op cit, p.19

¹⁸ JCPS is the acronym for the Justice, Crime Prevention and Security Cluster. This is one of three clusters of government departments established by the President at a national level to facilitate interdepartmental cooperation in service delivery. The JCPS cluster includes the South Africa Police Service, the Departments of Justice, Social Development, Correctional Services, Defence and Intelligence. This cluster has identified 116 police stations across the country for attention.

¹⁹ Haefele B, personal communication, 6 December 2006.

Kagee and Frank note that the Western Cape Organised Crime Unit of the SAPS has identified certain areas as high-risk based on the criteria that gang activity is one of the main contributors to serious and violent crime and on reported crime rates.²⁰ Van Dyk indicates that specific areas are profiled based on day-to-day analysis of patterns of gang-related incidents with specific focus on serious violent crime.²¹ This information is reportedly fed into the processes for identifying high-risk areas. Other areas may be classified as high-risk if serious violent crimes attributed to gang activity increase. It is noted that the attribution of crimes to gangs is based on the subjective assessment of police intelligence officers and that this cannot be verified objectively.²²

This report includes information relating to the following areas:

- Atlantis
- Bishop Lavis
- Delft
- Elsies River
- Grassy Park
- Gugulethu
- Khayelitsha²³
- Kuil's River²⁴
- Manenberg
- Mitchells Plain
- Nyanga²⁵
- Phillippi
- Ravensmead

Table 1: South African Police Service Statistics for Murder, Attempted Murder and Rape 2002 to 2006²⁶

	Murder				Attempted Murder				Rape			
	02/03	03/04	04/05	05/06	02/03	03/04	04/05	05/06	02/03	03/04	04/05	05/06
Atlantis	37	35	35	20	87	58	61	30	102	95	119	118
Bishop Lavis	83	28	41	48	185	122	96	81	103	93	116	86
Delft	105	77	73	87	153	117	100	74	198	202	184	187
Elsie's River	49	34	20	14	157	88	37	38	116	106	94	55
Grassy Park	45	25	25	17	116	62	35	22	94	68	67	67
Gugulethu	188	154	146	154	221	149	100	110	223	164	204	195
Khayelitsha	528	358	213	219	429	395	187	102	478	517	306	280
Harare			85	143			76	41			179	220
Lingeletu West			46	48			74	47			71	123
			344	410			337	190			556	623
Kuil's River	155	115	100	28	301	212	104	26	316	354	255	107
Kleinvelei			19	20			34	31			107	122
Mfuleni			119	-			138	-			362	-

²⁰ Kagee and Frank, op cit.

²¹ Ibid, p.5

²² Ibid.

²³ The Khayelitsha Police Station was split into three independent stations in 2004 these are Khayelitsha, Harare and Lingeletu West, for purposes of tracking statistics across this period the figures from these stations have been included.

²⁴ Kuil's River Police Station was split into Kuil's River and Klein Vlei in 2004. Mfuleni Police Station was ceded from Kuils River in 2005 and there are no current statistics available from that station.

²⁵ Nyanga was divided into Nyanga and Phillippi East Police Stations in 2004

²⁶ Data obtained from the South African Police Station website 4 December 2006

www.saps.gov.za/documents/statistics

				-				-				-
Manenberg	55	23	31	42	121	68	59	68	76	74	87	73
Mitchell's Plain	133	82	77	46	373	260	196	105	230	226	222	205
Nyanga	458	325	263	284	442	317	243	163	380	318	343	325
Phillippi East			33	61			33	45			93	88
			296	345			276	208			436	413
Phillippi	38	34	20	32	94	123	28	19	75	62	77	47
Ravensmead	43	26	20	20	93	47	16	33	86	105	66	77

The numbers of murders have dropped significantly in the majority of areas during the past four years. The numbers in Mitchell's Plain have dropped by over 65% from 133 to 46 over the period. Likewise, the numbers of attempted murders reported in all areas have dropped substantially.

Reported rape numbers have decreased in most areas with a substantial decrease indicated in Elsie's River over the period. However in many areas they have remained stable and in Khayelitsha and Nyanga they have increased. The cases reported to the police are an unreliable source of information on the actual incidence of these crimes due to the many personal and social factors that influence reporting. Increases in the reporting rate may be as a result of an increased incidence or as a result of more effective criminal justice strategies in those communities. For example both Khayelitsha and Nyanga have increased the numbers of independent police stations in the area over the period.

Table 2: South African Police Service Statistics for Assault with intent to inflict grievous bodily harm (GBH) and Common Assault 2002 to 2006²⁷

	Assault GBH				Common Assault			
	02/03	03/04	04/05	05/06	02/03	03/04	04/05	05/06
Atlantis	430	538	440	365	1 178	1 030	868	529
Bishop Lavis	619	553	401	404	1 318	1 355	870	612
Delft	934	1 002	886	700	1 660	1 606	1 000	762
Elsie's River	701	815	555	368	1 335	1 274	970	666
Grassy Park	280	180	288	204	698	780	689	383
Gugulethu	1 056	1 100	935	849	791	1 100	935	849
Khayelitsha	2 745	3 089	1 522	893	1 650	2 020	1 136	998
Harare			816	683			519	737
LIngeletu			309	356			363	365
West			1 277	1 932			2 018	2 100
Kuil's River	1 511	1 618	1 318	413	2 203	2 595	1 624	669
Kleinvlei			528	471			1 117	992
Mfuleni			1 846	-			2 741	-
Manenberg	507	506	484	355	991	981	855	481
Mitchell's Plain	810	914	935	906	3 009	2 934	3 041	2 661
Nyanga	1 441	1 526	1 272	1 135	657	745	690	693
Phillippi East			309	269			133	160
			1 581	1 404			823	853
Phillippi	361	304	255	183	473	490	557	435
Ravensmead	596	686	519	481	641	712	449	494

All areas show a decreasing trend in the rate of assault GBH, with the exception of Kuil's River which seems to be increasing and Mitchell's Plain and Nyanga/Phillippi East which have remained relatively stable.

Common assault shows a significant decrease in most areas (almost by half) over the past four years.

²⁷ SAPS website www.saps.gov.za/documents/statistics

From these numbers it is clear that the rate of reported serious violent crime has generally been decreasing in the Western Cape over the past four years. It would be necessary to interrogate a number of factors before drawing conclusions as to the reasons behind the decrease. It would seem, however, that crime prevention/reduction policies in the province may be having positive effect.

3.4.1. Background information on Selected High Risk Areas

The following information is taken from the COAV Cities Project Rapid Assessment for Cape Town.²⁸

Mitchell's Plain

Mitchell's Plain is located on the False Bay coast and is approximately 27 km from the Cape Town central business district. The focus area is 3 120 hectares in area, which is bordered by Khayelitsha to the East and the Philippi agricultural area to the West. On the southern side, Mitchell's Plain borders the Wolfgat Nature Reserve which forms part of the broader False Bay Coastal area. The area has a total population of 500 000 of which 49% is male and 51% is female with a predominantly young population.²⁹ Approximately 46% of the population is between the ages of 0 -21 and 33% between the ages of 21- 40.

Children and young people are therefore a key demographic and social factor in the study area. According to the 2001 census, the overall demographic and socio-economic data of the study area, points towards a community profile of high unemployment coupled with significant low ratio of advanced education. This level of education is very important in that it points towards a relatively narrow skills base and also towards a limited level of employability.³⁰

Mitchell's Plain policing profile indicates that it is classified as one of the priority policing areas in the Western Cape due to the high prevalence of serious violent crimes namely: murder, attempted murder, rape & attempted rape and robbery. Station reports indicate that a large percentage of murders occur over weekends and holiday periods. Three geographical locations have been identified as places where the most murders in the area occur. Most suspects in murder and attempted murder cases are Coloured males between the ages of 15 and 25 and most victims are also males between the ages of 15 and 25.³¹

In 70% of reported rape cases, the offender was noted to be known to the victim. Robbery is largely concentrated on the theft of cellular phones, jewellery or cash directly from victims. This is primarily committed by youths armed with firearms or knives. The Department of Community Safety has stated that robbery is primarily perpetrated by gang members, and that it serves as a means of income generation for the gangs.³²

²⁸ Kagee and Frank, op cit, p12 – 14

²⁹ Statistics SA, op cit.

³⁰ Ibid.

³¹ Department of Community Safety. (2005b). Justice, Crime Prevention & Security Cluster – Priority Stations & Social Crime Prevention initiatives Report, Provincial Government of the Western Cape. Western Cape. p.9.

³² Ibid.

SAPS Crime Intelligence as cited in the JCPS Priority stations reports provides the following overview of the gang activities in Mitchell's Plain³³:

17 of the gangs are informally structured. 60%-80% of gang members are between the ages of 15 and 25. Gangs therefore are the greatest contributor to crime in the Mitchell's Plain area. 129 illegal drug outlets have been identified with 208 illegal liquor outlets. Consumption and abuse of alcohol and drugs are more common over weekends. The major drug and alcohol outlets are controlled by 10 identified gang leaders.

Khayelitsha

Khayelitsha is one of the Cape Flats areas that has been targeted for the Urban Renewal Strategy³⁴ and is situated next to N2 national highway. The township is houses a primarily African population and is characterised by informal settlements. Statistics SA (2002) estimates the population of Khayelitsha at 600 000, however household surveys and other research reports estimates the population at between 900 000 and 1 500 000 (Jacobs, 2003, p.5.). The township was established in 1983 as a mono-functional dormitory town and consequently there is no economic base other than the service sector. This area has one of the highest crime rates in the province, and one of the highest murder rates.

The area is characterised by high levels of overcrowding, and it is not unusual for 10 people to live in a single shack in the Site B, Site C and Makhaza areas of Khayelitsha. Housing therefore remains a major development challenge in this area. In demographic terms, the population in the area is very young with 60% of the residents under the age of 20. The demographic and socio-economic data, as with Mitchell's Plain, points towards a profile of relatively high unemployment coupled with a significant low ratio of advanced education. Here again, this is significant in that it implies a relatively narrow skills base and a limited level of employability other than in terms of unskilled labour. The estimated unemployment figure for the area is about 60% of the economically active. These demographic figures are coupled with poor living conditions, inadequate access to social and recreational facilities and high levels of social problems (such as the abuse of vulnerable groups). The overall picture is therefore quite bleak and points towards the need for sustained and integrated development strategies in the long term.

Mission Communications and Kakora Associates state that most crimes in the area are perpetrated by young people between the ages of 12 and 30.³⁵ Gangsters, who are more commonly referred to in African areas as "tsotsies", are noted to mainly be unemployed young and adult men.

Manenberg

Manenberg is a historically a Coloured township with a long history of gang activity. The SAPS in the Western Cape indicates that the highest gang activity occurs within the Manenberg area.³⁶ Kinnes re-affirms this and states further that gang activity in

³³ Ibid, p.10

³⁴ The Urban Renewal Strategy is a project of the national government that has prioritised specific urban areas for development.

³⁵ Mission Communications & Kakora Associates. 2001b. Mitchells Plain Community Safety Audit. Western Cape.p.12

³⁶ Van Dyk, 2005, personal communication, 15 November 2005.

this area has increased significantly since 1994, particularly in response to vigilantism in the Western Cape.³⁷

Manenberg consist of approximately 80 000 residents and was established between 1966 and 1970 as a result of forced removals under Apartheid legislation (the Group Areas Act). It consists of rows of semi-detached houses and two and three-story 'council flats'. As the area was planned as a "dumping ground" for the coloured population that was removed from areas that were designated for whites, little developmental planning went into its construction. The area has long been viewed as notorious for criminal activity, particularly gangsterism. Manenberg was the home of Rashaad and Rashied Staggie, leaders of the Hard Living Kids (HLK's). Other major gangs operating in the Manenberg area are the Americans, Sexy Boys and the Jesters.³⁸

Phillippi

Phillippi was established in the early 1980s, with most of the residents having forcibly removed from the District Six, Woodstock and Salt River under the Group Areas Act. Families were housed in single story 2- room houses. As forced removals intensified, double story flats were constructed to accommodate increased number of displaced people in sub-areas which includes the Hanover Park and the Phillipi Farming area.³⁹ 50% of the population is located in the smaller township of Hanover Park.

The population of the area is very young, with 50% under the age of 20 years old, and these are largely located in the township of Hanover Park. The estimated employment figure in the study area is 47% of the economically active population. These demographic figures coupled with poor living conditions, inadequate access to social and recreational facilities translates into high levels of social problems.⁴⁰

Elsie's River

Elsie's River has its roots in the farmland that constituted the rural hinterland of the urban Cape Town at the turn of the 19th century. In the 1950s, the fledging community of the area was already predominantly Coloured. Elsie's River has a population of 150 000 people⁴¹, and is characterised by high levels of overcrowding. The population of the area is very young with 44% of residents under the age of 20. In addition 47% of the population is female, whilst 53% are male.⁴² Little additional data is available relating to the socio-economic profile of this area.

3.5. The Gang Situation on the Cape Flats

The exact scope of the situation in the Western Cape in relation to gangs is difficult to estimate. It is difficult to establish the exact number of gangs in the city or to draw lines between established street gangs and emerging gangs.⁴³ Official estimates in the late 1990's put the number of gangs on the Cape Flats at approximately 130, with a combined

³⁷ Kinnes, I. 2002. Manenberg Precinct Development Plan. Cape Town. p.8.

³⁸ Ibid, p.21

³⁹ Mammon, N. 2002. Phillipi Precinct Development Plan. NM & Associates. Cape Town. p7

⁴⁰ Statistics SA, op cit.

⁴¹ Ibid.

⁴² Abrahams, D. 2002. Elsie's River. Precinct Development Plan. Cape Town.

⁴³ T Leggett in Dowdney, L. 2005. Neither War nor Peace: International comparisons of children and youth in organised crime. Viva Rio/ISER/IANSA. Rio de Janeiro. p300.

membership of about 100 000.⁴⁴ Most research into gangs in Cape Town has focused on the Coloured gangs with attention only shifting to gangs in the African townships more recently. Standing states that "A few of the 130 gangs have become particularly powerful and large, including well-known groups such as the Americans, the Hard Livings, the Sexy Boys, the Junky Funky Kids and the Mongrels."⁴⁵ He notes that these gangs place emphasis on the recruitment of new members and in expanding to new territories.

Street gangs tend to operate within a defined territory; many different gangs may exist in this way in a single community. The bigger more established gangs may be present in a number of different communities.

The nature of the gangs varies based on size, the length of time they have existed, the ages of members and the amount of power they wield. Standing suggests a continuum on which gangs should be placed with "primary gangs" on one end and "emerging gangs" on the other. He notes that: "A plethora of small gangs form and die out on a regular basis" and that these gangs may be as small as ten members and tend to die out when all members move on. Many of these gangs affiliate with more established gangs for economic survival.⁴⁶

3.6. *The Criminal Economy*

Tsolekile and Haefele indicate that unlicensed taverns (shebeens), extortion, brothels, the sale of stolen goods and the drug trade make up the core of the criminal economy. They indicate that in addition to this, the previously localised criminal economies have expanded to include activities such as cross-border drug trafficking and trafficking in diamonds, stolen livestock, weapons and abalone.⁴⁷

Kagee and Frank indicate that shebeens are key sites contributing to criminal activity. According to the Department of Community Safety, many shebeens are under the control of gangs and the sale of weapons and drugs are planned and executed at these sites.⁴⁸

Standing notes that the criminal economy is enabled by: the elite upper tier leaders of the well established gangs who are wealthy and import drugs and other illegal commodities into Cape Town; the mid-sized gangs who control the local trade but do not import; by the large numbers of unskilled street gang members who act as consumers as well as providing security for the gangs due to their numbers; and lastly by corrupt lower-ranking state officials who enable the operations of the gang at a local level.⁴⁹ Haefele adds to this by indicating that the criminal economy would not exist without a market demand for trafficked and illegal items. He indicates that complicity in communities is responsible for the continuation of the criminal economy, stating, "if there is a willing buyer, there will be a willing seller, namely the criminal".⁵⁰

⁴⁴ Palmer, T. (1995). Programmatic and Non-programmatic Aspects of Successful Intervention: New directions for Research. *Crime and Delinquency*. London. SAGE. p14).

⁴⁵ Standing, A. (2005). The threats of gangs and anti -gangs policy: Policy Discussion Paper. Institute for Security Studies. Pretoria. p2

⁴⁶ Standing, A. (2003). The social contradictions of organised crime on the Cape Flats. Institute for Security Studies. Pretoria.

⁴⁷ Kagee and Frank, op cit, p15

⁴⁸ Kagee and Frank, op cit, p15

⁴⁹ Standing, 2003, op cit.

⁵⁰ Kagee and Frank, op cit. p15

3.7. Children's Exposure to and Perceptions of Crime and Gangs in their Communities

South African children are exposed at extremely high rates of crime and victimisation.⁵¹ Recent research such as the National Youth Victimization Study⁵² and child participation study undertaken for the COAV project⁵³ provide us with insight into how children's experience of violence, crime and gangsterism.

The children and young people that participated these studies were clearly exposed to high levels of violence, crime and gangs. In the Youth Victimization Survey, 49% of the 4409 respondents indicated that they personally knew people in their communities who committed crimes. The study indicates that young people from the Western Cape were the second most likely group to know criminals.⁵⁴ Respondents from the Western Cape were the most likely to indicate that they felt threatened in their communities, 27% of Coloured respondents to the survey indicated that they felt unsafe in their communities.⁵⁵

Respondents to the Youth Victimization Survey from the Western Cape constituted 49% of all respondents in the survey who knew someone who made a living from selling drugs. Since the respondents from the Western Cape constituted only 9% of the total number surveyed, this is telling in terms of the extent of the problem in the province.

Although the majority of incidents discussed in focus group discussions with children dealt with violence perpetrated by gangs, the report indicates that not all violence discussed was as a result of gang activity and that the children also indicated being exposed to violence that resulted from alcohol use, jealousy and domestic violence, corporal punishment in school and rape perpetrated by teachers.⁵⁶

In the consultation with children on gangs in the Western Cape, children in all of the focus groups indicated that they were exposed to extremely high levels of violence in their communities.⁵⁷ Children made the following statements:

There near us, they shoot nearly every day. They rob you there.

Like you see it everyday. It's not something new.

Someone was shot as they walked right next to me. But you can't do anything at the time.

...When I reached my street, my friend called: there were people following me. She was afraid to say that gangsters were following me, because they beat people up. I ran to a house, but they waited outside as if they knew that I didn't live there.

Most of our friends belong to gangs.

⁵¹ Leoschut, L and Burton, P (2006) How Rich the Rewards: Results of the 2005 National Youth Victimization Study. Centre for Justice and Crime Prevention, Monograph Series, No. 1

⁵² Ibid.

⁵³ Ward, C.L. 2006 "It feels like it's the end of the world": Cape Town's young people talk about gangs and community violence. Report to the Institute for Security Studies on the child participation study in support of the COAV Cities Project. Cape Town, South Africa: Human Sciences Research Council.

⁵⁴ Ibid, p20

⁵⁵ Ibid. p 40

⁵⁶ Ward, op cit, p.17.

⁵⁷ Ibid, p.13

The house next to us is like totally open because they know each other, so they come and sit there and just sell drugs.

Shootings. You can't go where you want to go. You can't walk where you want to walk.

We meet with it all around us everywhere.

The report also indicates that some children noted that gang members would take revenge against people who defied them, reflecting a sense of helplessness in the inability to protect themselves.⁵⁸

...And if you run after him, maybe he might get you some other time.

...If you don't have money, that's how it is now, but they're going to watch you. They're going to remember you.

The children indicated that gang activity also took place at their schools, and the report notes that schools were seldom described by the children as safe places.⁵⁹

So-called gangsters, during interval, some of them walk past the children and sell drugs or cigarettes. I've seen that happening.

And some days we're too frightened to was to school because they're just shooting.

They just shoot near the school. It doesn't worry them.

The gangsters arrived at school; there was someone who is not part of the gang, but he was carrying a gun. The mission was to take the gun from that person. There was a fight about the gun, eventually there were gunshots.

The ongoing exposure to gangs led to the children being familiar with elements of gang culture and activities. They were aware of the presence of gang territories, dress code, tattoos and manner of walking and talking. The children experienced a high level of fear of gangs and this influenced the chances of them reporting crime to the police. They also indicate frustration based on the limitations that the gang activity places on their lives.⁶⁰

You must be scared to go to your friend. ... and I now must be scared to go there because anything can happen.

So it's very dangerous for me to go out and tell the police that they are selling drugs. That's why a lot of people don't go to the police even through they know where they are selling these tings and what they're doing there. The community knows everything but they are scared to go.

...You put your life in danger because he will come and kill you and your parents.

If maybe we want to walk around somewhere here, we don't know if maybe they're going to shoot.

It (the community) feels almost like a prison.

⁵⁸ Ward, op cit, p14

⁵⁹ Ward, op cit, p15

⁶⁰ Ward, op cit, p1)

Yes, we are living in fear of the gangs, everyday.

The issue of girl's vulnerability to rape was raised by the girls, and Ward notes that "girls were very conscious of the danger of rape, while boys mentioned the possibility of rape only in relation to girls that they knew".⁶¹

The children indicated that they believed it unlikely that gangs could be done away with noting that "it's impossible" and that this would result in a war situation in which "everybody will be attacking everybody". They noted that little or nothing could be done and that: "it's a difficult thing to end", one child explained: "you see, now guns are everywhere".⁶²

3.8. Children and Young People in Gangs

Leggett indicates that "school age children play at being gangsters and form formations for mutual protection and general mischief".⁶³ He notes that these younger groups emulate their older siblings and are difficult to distinguish from street gangs. He also states that some of these groups are eventually incorporated into membership in the street gangs.⁶⁴ This is supported by Tsolikile and Haefele who indicate that children are initially only associated with gang members before they become members themselves.⁶⁵ Kagee and Frank assert that although children's initial involvement in gangs may initially seem negligible, they are soon committed to a career in the gang and the membership has lifelong consequences.⁶⁶

It is widely believed that the age at which children join gangs has become younger.⁶⁷ This is supported by Leggett who indicates that formal membership in gangs starts around the beginning of adolescence (between 12 and 14 in many cases).⁶⁸ Gang violence is also being reported at primary schools in the province, with 45 primary schools being identified by the Western Cape Education Department and the Department of Community Safety as sites for intervention in relation to gang violence.⁶⁹

Haefele indicates that children join gangs for friendship, fun and excitement, that they may experience success in gangs that they do not experience at home or at school, that gang membership provides an outlet for anger, and that there is a lack of alternative activities, for protection and survival and to gain respect.⁷⁰ Standing adds that children may join gangs as an act of rebellion against parents or as part of the family tradition. In interviews conducted with gang members they indicated they joined gangs because of easy access to alcohol and drugs, to get girlfriends, for protection and for revenge.⁷¹

According to Kagee and Frank the socio-economic conditions in these areas contribute to "how children and young people construct their aspirations and dictate their choices and opportunities available to them." Ward notes that it is clear from their research with children in areas with a strong gang presence that they are exposed extensively to opportunities to

⁶¹ Ward, op cit, p.16

⁶² Ward, op cit, p.19

⁶³ Leggett, op cit, p.300

⁶⁴ Ibid.

⁶⁵ Kagee and Frank, op cit, p.16

⁶⁶ Ibid.

⁶⁷ Department of Community Safety, 2005b, op cit. Kagee and Frank, op cit, p15

⁶⁸ Leggett, op cit, p. 304

⁶⁹ Kagee and Frank, op cit, p.16

⁷⁰ Kagee and Frank, op cit, p.15

⁷¹ Standing, 2005, op cit, p.9

interact with and observe gangsters however the children indicated a severe lack of opportunities for other more positive interactions in their school and community environments.⁷²

Adults may also deliberately involve children in criminal activity in order to protect themselves from the consequences of being caught or to assist them with the commission of the crime.⁷³ Recent research with children found that children engage voluntarily in crime with adults in order to obtain money and possessions that they felt would gain them respect and recognition.⁷⁴ Ward indicates that the perceived access of gang members to money, guns, brand name clothing, cars, and for young men, women was raised repeatedly in focus group discussions with children who live in areas with high levels of gang activity.⁷⁵ They also strongly indicate the role of poverty in motivating children to join gangs.

You drive the latest cars and wear the latest clothes. You have everything of the best.

Once you sell drugs you can even buy your own house. You can start your own business.

If you want something you get it right now.

The small children who grow up in poor circumstances, when they see what the gangsters have, then they say, I also want lots of money.

They take you off the street – the children who don't have homes. They dress the children. Then they get the children to go out and sell drugs, not necessarily – but it does happen.

...some people come from a struggling family, sometimes the parents cannot afford to buy expensive clothes. And she will end up falling for a gangster because he wears nice clothes.

These findings support the view of Kagee and Frank who indicate that children are “extremely vulnerable to the short-term rewards that may be offered by gang activities”, they also argue that the gangs offer “alternative employment” prospects for these youth.⁷⁶

Gang activity is believed to be on the increase amongst learners at Cape Town schools. The Western Cape Education Department Safe Schools Call Centre statistics indicate 129 gang-related cases at schools in the Cape Town area in the nine months between January and October 2006.⁷⁷

3.9. Government Policies and Programmes relating to Gangs

Kagee and Frank outline the following Government responses to gangs in their “COAV Cities Project Rapid Assessment for Cape Town”.⁷⁸

Prevention of Organised Crime Act (POCA)

⁷² Ward, op cit, p.54

⁷³ Frank and Muntingh, 2005, Children's Perceptions of their Use by Adults in the Commission of Offences. International Labour Organisation. Pretoria. p.32

⁷⁴ Ibid.

⁷⁵ Ward, op cit, p.22

⁷⁶ Kagee and Frank, op cit, p.16

⁷⁷ Kagee and Frank, op cit, p.17

⁷⁸ Ibid.

At the forefront of the provincial government's fight against gangs has been the recent decision to use Section 4 of the 1998 Prevention of Organised Crime Act (POCA), which criminalises membership of the street gangs. Despite the Act being passed in 1998, there has only recently been an effort to use POCA against street gangs.

POCA directly criminalises offences relating to criminal gangs as well as the actual membership of criminal gangs. Section 9 of the Act criminalises "any person who actively participates in or is a member of a criminal gang" and who is involved in criminal activities related to gangsterism. The MEC of Safety and Security in the Western Cape warned children and youth against gang membership and noted that "24 cases against 33 members of most of the gangs (in the Western Cape are) pending in court".⁷⁹

The MEC announced in 2005 that convictions had been obtained against "4 gang members in terms of the Act, namely Shahied Julies and Mark Spruit of the Corner Boys, Gregory Vlotman and Mustafa Booyesen, leaders of the Mongrels".⁸⁰ The province intends to continue in this campaign to prosecute gang members, but has thus far not subjected children to these provisions of the Act.

Provincial Anti-Gang Strategy

The Provincial Anti-Gang Strategy is the outcome extensive consultation between the MEC Leonard Ramatlakane, the South African Police Service and the communities affected by gang violence in the Western Cape. The objectives of the strategy, as cited in the Provincial Anti-Gang Strategy Document, are⁸¹:

- To develop a fully coordinated, integrated and sustainable proactive response, between the state departments, law enforcement agencies and the communities affected by the gang problem in the Western Cape,
- To coordinate the implementation of the strategy with all the relevant role – players and stakeholders
- To analyse the best international best practice and implement them,
- To develop a long term strategy to replace the criminal economy in priority areas,
- To link the strategy to the rural communities affected by gangs and
- To develop strategies for dealing with gangs in rural areas.

The areas of intervention that require the attention of authorities at all levels of government, according to the Department of Community Safety, are firstly, coordination of law enforcement agencies through programmes such as the High flyers Programme (discussed below), and secondly supporting community-based measures to deal with the problem through programmes such as the Inter-agency Drugs & Gangs Reduction Programme. This approach aims to mobilise both criminal justice sector departments and social sector departments to co-ordinate and compliment their activities to reduce gangsterism in the Western Cape. Whilst, the

⁷⁹ Budget Speech. 2005. Leonard Ramatlakane, Provincial Minister of Community Safety. Legislature: Western Cape. Western Cape. p.4.

⁸⁰ Ibid, p.7

⁸¹ Department of Community Safety. 2003. Provincial Anti-Gang Strategy. Provincial Government of the Western Cape. Western Cape. p.3.

Provincial Anti-Gang Strategy was launched in 2003, much of the focus has been on these two aspects of the strategy.

Operation Slasher

The South Africa Police Service (SAPS) in the province has accelerated implementation of its tasks through the introduction of a new policing approach in the form of the People Orientated Sustainable Strategy (POSS) in 2004. The POSS is a focused strategy to ensure the re-alignment of all the structures and resources of SAPS to appropriately address crime in the province.⁸² The POSS strategy compliments the POPPS of Department of Community Safety as an all-encompassing co-ordinated approach in addressing the long-term imbalances that constrained the fight against crime in the Western Cape.

The strategy introduced a number of changes and improvements through re-aligning and strengthening Operation Slasher through the prioritization and the re-directing of SAPS resources for identified Slasher Stations. The Slasher stations have been identified based on high levels of gang-related serious violent crime. The implementation of Operation Slasher identifies 24 high priority gang activity stations.⁸³ The Operation Slasher Programme directs the establishment of Metropole based Operation Slasher units as envisaged by SAPS to advance the reduction of gangsterism through a "zero-tolerance" law enforcement approach.

High Flyer Programme (HFP)

The HFP mobilises criminal justice agencies to address organised crime in the Western Cape in a co-ordinated, efficient and sustainable manner. The HFP has its mandate in the presidential objective of the "conviction of the top 200 criminals in the country" and is headed by the Provincial Minister of Community Safety as its political champion. The HFP has its operational membership from all law enforcement and investigative agencies such as the SAPS, Directorate of Special Operations, Department of Justice, Department of Community Safety (PGWC), Directorate of Public Prosecutions, Asset Forfeiture Unit as well as supporting agencies such as South African Revenue Services, National Intelligence Agencies.⁸⁴ The programme seeks to investigate, prosecute and convict individuals identified as being responsible for serious criminal activities. Smith and Morris state that the HFP can be differentiated from previous initiatives primarily through its major emphasis on intergovernmental relations in the criminal justice sector and setting of strategic goals for law enforcement agencies in relation to organised crime syndicates.⁸⁵

Bambanani Strategy

The Bambanani Campaign has become one of the most visible interventions by the Department of Community Safety, particularly through its Safer Festive Season (SFS) programme. The campaign mobilises communities, civil society and other government sectors to co-ordinate their programming towards an integrated strategy to reduce

⁸² South African Police Services. 2004. Operational Plan 2004-2005 – Western Cape: People Oriented Sustainable Strategy. Western Cape. p.12

⁸³ Ibid, p.13

⁸⁴ Smith, A and Morris, M. New Elite Force Set to Hit Gangs. Cape Argus. 24 August 2005.

⁸⁵ Ibid.

crime in the Western Cape.⁸⁶ Mohammed states that the Bambanani Programme “is an improved service delivery model” and suggests that the cyclic effect of participatory development and mobilisation can only result into strong institutional and community networks that re-enforces communities and ultimately are key in the reduction of crime.⁸⁷

Fundamental to the Bambanani Programme is its mobilisation campaign that mobilises communities and in particular youth, to become active agents of change. According to the Department of Community Safety the establishment and strengthening of youth structures through institutionalisation of community youth clubs and training as youth counsellors sustains this community mobilisation process.⁸⁸

Chrysalis Youth Academy

Project Chrysalis is aimed at youth between the ages of 16 and 22 selected from high-risk areas in the province. The Chrysalis Training Programme is a five-year programme consisting of three phases, which is conducted at the Chrysalis Academy. The three phases are an initial 12-week residential training period, followed by a weeklong refresher training period and the last phase being the transferring of the Chrysalis ethos into the communities by the setting up youth clubs.⁸⁹ The objectives of this project are to train and equip youth through an in-house training programme, utilise graduates in the service of the community and to establish youth clubs in areas where they are needed. These training programmes are particularly aimed at providing a safety net for youth who faces social challenges such as gangsterism and provide them with the skills to divert them from gangs and criminal activity.

Over the last two years the DOCS Annual Performance Plan reports that since the inception of the Chrysalis Youth Programme 2259 youth graduated of which 60% have secured employment in the Western Cape and elsewhere.⁹⁰ These statistics suggest that the Chrysalis youth programme is equipping and resourcing youth that enable them to become employable over the long-term.

Youth Leaders against Crime (YLAC) & Youth Clubs

The objectives of the YLAC programme are, firstly to empower young people in high-risk areas by exposing them to programmes that encourage the development of positive values that will “enable them to develop an anti-crime culture”, and secondly to sustain proactive youth crime prevention projects with the establishment of anti-crime interest groups and programmes in the communities.⁹¹ These programmes institutionalise youth development structures as an alternative to youth becoming involved in gang activity and establish peer support mechanisms to divert the

⁸⁶ Mohamed, A. 2004. Safer Festive Season: Final Report. Department of Community Safety. Provincial Government of the Western Cape. Western Cape. p.17

⁸⁷ Ibid.

⁸⁸ Department of Community Safety. 2005. DOCS Annual Report -2004/2005. Provincial Government of the Western Cape. Western Cape. p.25

⁸⁹ Department of Community Safety. 2005. Strategic Plans 2005/06-2007/08: A Safer Home For All, Bambanani “Unite Against Crime”. Provincial Government of the Western Cape. Western Cape. p.54.

⁹⁰ Department of Community Safety. (2005a). Annual Performance Plan 2005/06-2007/08, Bambanani “Unite “Against Crime. Provincial Government of the Western Cape. Western Cape. p.55.

⁹¹ Department of Community Safety, 2005a, op cit, p.40

attention of youth positively. The DOCS Annual Performance Plan reports that 65 youth clubs had been established via the Chrysalis Academy, Youth Peace Academy and the Youth Leaders against Crime Programme.⁹²

Inter-Agency Drugs & Gangs Reduction Programme

This programme was developed by the Department of Community Safety in April 2005, as part of the Department's package of programmes to de-popularise and reduce substance abuse and gang participation among youth in the Western Cape. According to the DOCS Inter-Agency Drugs & Gang Reduction Business Plan it has four components, i.e. awareness and education for learners and youth; the development of a "street-smart youth core" in high risk areas; advocacy and lobbying to "increase treatment facilities" and empowering communities to sustain the programme through "local drug and gang task teams".⁹³ The programme also intends to implement a public education communications strategy.

Child Crossfire Killings Programme

This programme was initiated in 2003 after the then Deputy President, addressed an imbizo⁹⁴ and highlighted the need of providing support to the families of victims of crossfire killings during high-levels of gang conflict in the Bonteheuwel, Langa, Elsie's River, Ravensmead and the Nyanga areas.⁹⁵ Subsequently the programme was initiated by DOCS and identified the families of victims that required specialised counselling and support services. According to the Department of Community Safety the Child Cross Fire Killings project implemented the first phase of the support programme with 50 families that have been particularly traumatised due to gang activity in their areas.⁹⁶

Youth Development Workers and Youth Programmes

The Department of Social Services and Poverty Alleviation (DSSPA) in the Western Cape has particularly geared itself towards the development of youth in the Western Cape. According to Petersen, the DSSPA aims to employ 20 youth development workers at District offices to provide specialised attention to youth in the Western Cape. Youth Development workers are aimed to support youth, implement youth programmes and facilitate peer support programme within these communities. The Social Capital Formation Report further defines the key outcomes of the DSSPA: to provide 870 internships for youth throughout the province; to test a community-based pilot of 20 awaiting trial children as an alternative to prison as a place of safety; and to implement a Job seekers programme at 16 district offices providing youth with a safe environment where youth job seekers can attain life skills and information on the availability of jobs.⁹⁷

Corrections Re-integration Programme

⁹² Ibid, p.56

⁹³ Department of Community Safety. 2005d. Inter-agency Drugs and Gangs Reduction Programme with an emphasis on youth: Business Plan. Provincial Government of the Western Cape. Western Cape. p.4

⁹⁴ Public meeting.

⁹⁵ Department of Community Safety, 2005f, op cit, p.24

⁹⁶ Ibid, p.24

⁹⁷ Petersen, op cit, p.38

The Department of Correctional Services (DCS) in partnership with the Presidents Award (an NGO) have been implementing the Re-integration and Diversion for Youth (READY) programme since 1994. According to the Evaluation Report READY Initiative the programme has 4 elements namely, the provision of community service by offenders, providing offenders with "expeditions" and outdoor programmes, empowering offenders with skills development, and providing physical recreation and sport to offenders. These programmes are implemented over three levels which monitor the offender over a 3 -year period.⁹⁸

Safer Schools Initiative

The Safe Schools Programme was initiated when 83 schools under the Western Cape Education Department agreed to implement a developmental approach to school safety, parallel with a protection approach (i.e. security guards). This entailed addressing crime systematically and providing the targeted schools with infrastructural and developmental support over a two-year period. The Safe Schools division has developed considerably since this initial programme and currently services more than 900 schools in the Western Cape.

The Safer School Programme consists of a 3-pronged approach to create a safer, effective and conducive learning environment (Managing Safety at Schools, 2003, p.14).

- Environment Programmes to alter or protect the physical structure of the school,
- Behavioural Programmes to support, modify or influence parent, educator and learner behaviour at school and
- System Programmes to change content or operation of school through leadership and management training.

Bambanani School Safety Strategy & Learner Support Officers

The Bambanani School Safety Strategy (BSSS) was launched in 2005 jointly by the Western Cape Education Department and the Department of Community Safety in response to the growing incidence of violence in schools. In order to provide increased security at schools in the Western Cape, the BSSS recruits, trains and support volunteers, particularly Neighbourhood Watches, from the local communities to provide safety in schools. (DOCS BSSS Business Plan, 2005, p.5.) This deployment of volunteers is complimented by education and awareness programmes on drug, gangsterism and child abuse to increase the knowledge base of learners in the Western Cape.

The Learner Support Officers (LSO's) deployed to schools was initiated by the DOCS in 2001 which trained and located community counsellors at high risk schools in the Western Cape. These Learner Support Officers (LSO's) primarily had the function of supporting learners through counselling methodologies, peer support programmes and parental support programmes. During 2004 the WCED in consultation with DOCS, started the transfer of the LSO programme to the WCED to ensure the sustainability of the programme over the long-term in schools in the Western Cape. According to N.

⁹⁸ Umhlaba Development Services. 2003 President's Award :Evaluation Report-Ready Initiative. Braamfontein. p.10

Khan the WCED intends to institutionalise the Learner Support Officers as a part of the socio-developmental approach to sustain safety in schools over the long-term.⁹⁹

Hands Off Our Children (HOOC)

This project was launched by the Department of Community Safety in 2002. The programme aims to “eradicate crimes against children, mobilise community support and strengthen support structures dealing with child abuse”.¹⁰⁰

It includes the Intensive Educational Schools Prevention Campaign which teaches educators and learners about their rights and responsibilities, the campaign also encourages children to report abuse. The Parental Guidance Programme is aimed at strengthening parenting skills and teaches parents anger management and how to communicate with children. The Victim Support Programme provides emotional support to children who have been victimised. The programme also includes a training programme for teachers, social workers, police and prosecutors to improve communication between these role players.¹⁰¹ The programme underwent an independent evaluation in 2004/05 and reports indicate that they are strengthening the programme in terms of community participation and parenting skills.¹⁰²

3.10. Discussion

Despite the declining rates of reported crime, the prevalence of serious violent crime in Cape Town is at extremely high levels. Police statistics indicate that the Western Cape is one of the most violent provinces in the country with certain areas having a significant impact on the national serious violent crime rates. The widespread presence of gangs in communities across the city exacerbates this. In communities that are plagued by overcrowding, poor infrastructure and sub-standard service delivery and which present few economic opportunities for residents, children are exposed from a young age to gangs and violence. As they get older, many children in these circumstances aspire to the lifestyle of gang members, which may result in violent criminal activity.

High levels of crime and gang presence in communities are associated with high levels of drug use with children being a particular focus as the target market; coercion and abduction of girls to use in the sex trade; burglaries; car hijacking; muggings, assault and murder. High crime and gang rates mean that local businesses are threatened due to theft and through protection rackets, this results in closure and or relocation of some small businesses in these areas. An ethos of violence and crime becomes normalised in some communities and this influences the value systems in that community.¹⁰³

The increased experience of and vulnerability to murder, rape and assault in certain communities leads to a pervasive sense of fear and insecurity, this may restrict people's movement and result in people assisting gang members out of fear of reprisals in the event that they refuse. This fear also results in people being unwilling to provide the police with information or to testify in cases against gang members.¹⁰⁴ The perceived power of gangs in communities, perceptions of corrupt state officials and the perceived inability of the state to

⁹⁹ N Khan, personal communication, 20 September 2005

¹⁰⁰ Department of Community Safety, 2005a, op cit.

¹⁰¹ Cape Gateway, Hands off our Children accessed from www.capegateway.gov.za/eng/directories/services/11459/103208 accessed on 6 December 2006

¹⁰² Gadju, A, Western Cape Anti Rape Forum meeting 15 November 2006.

¹⁰³ Standing, 2005, op cit, p.2

¹⁰⁴ Standing, 2005, op cit, p.2

intervene effectively in gang related crime contribute to a sense of helplessness and possibly complicity towards gangs by community members. This is reflected strongly in the experiences and views of children who live in areas with a strong gang presence.¹⁰⁵

The Youth Victimization Survey notes that exposure to criminals and crime activity significantly increases the chances of victimisation of young people in these areas as well as contributing to the perpetuation of crime by these children being caught up in the “cycle of violence”.¹⁰⁶ Violence becomes normalised for children who are repeatedly exposed to violence, this results in acceptance of violence as a means of addressing conflict and a lack of remorse for violent actions.¹⁰⁷

Unresolved traumatic experiences may also result in poorer relationships between adults and children, impacting on the quality of parenting of children in these areas as well as increased levels of anger and aggression. A further common response to unresolved traumatic experiences is the development of drug and alcohol dependency.

In spite of this high rate of exposure to violence and victimisation and the possible negative life long impact of this on children, the Youth Victimization Survey indicates that young people who have been victimised do not access counselling services because they don't know where they are. Respondents from the Western Cape province were the most likely to indicate that they did not know where to get help.¹⁰⁸

¹⁰⁵ Ward, op cit, p.18

¹⁰⁶ Leoschut and Burton, op cit, p.21

¹⁰⁷ Ibid, p.32

¹⁰⁸ Ibid, p.65

4. Recommendations

During the series of five thematic meetings/workshops, recommendations emerged in relation to the five selected thematic areas as well as in relation to other issues. Due to the nature of the themes that were selected, many of recommendations overlap with another thematic area, or related directly to another thematic discussion. In the summary that is provided below, recommendations have been reorganised in order to relate to the specific theme under discussion.

It should be noted that, in relation to some thematic areas, very specific recommendations emerged, while in relation to others, only general recommendations were made.

4.1 *Theme 1: Research and Information relating to Children's Involvement in Gangs*¹⁰⁹

General Recommendations

- There are many ongoing government initiatives (relating to a range of different government departments) that relate to this issue. There is a need to gather information as to the impact of these interventions. Where evaluations have not been undertaken, there is a need to encourage this.
- There have been attempts to deal with the problem of gangs and strategies have been developed in the past in this regard. There has been little in the form of feedback as to the status of these programmes, and what they have achieved. Such information is critical for the development of further policy and should be the subject of future discussions.
- The Department of Community Safety has a Crime Prevention Centre, and we should assess this resource for the value it could add to this project.
- Generally, we need to engage in critical reflection as to the value of policy initiatives up to now; and provide critical commentary about the direction of policy.

Specific Recommendations

The following data was noted to be important to the development of interventions.

- Map community demographics
- Obtain perspectives from children
- Gather information about how schools are being affected
- Explore what is going on in families: explore issues facing parents and children in the family; understand the quality of relationships in the family; understand what support is available to families in their local areas;
- Understand the impact of government services and programmes (welfare, education, criminal justice) in that local area, and how these relate to children and families
- Understand the functioning of the criminal economy, and how this relates to children and families
- Understand availability and use of guns and other weapons
- Understand patterns of drug use and sale

¹⁰⁹ Consultation Report Form, 10 February 2006, www.coav.org.br

- Develop an understanding of how children (and people generally in the community) define power and how they believe they can access this
- Understand what other initiatives were implemented in the area, what the outcomes were, and what community views are to those initiatives
- Assess how the problem of gangs is experienced by the community, and what areas of community life are impacted by the problem and in what ways
- Understand the pattern of gang activity and how this relates to other areas. For example, does the problem originate elsewhere; how does this relate to the urban/rural divide; etc.
- Defining gang problems in different areas – do we label a group of youngsters who hang around together a “gang”? What kinds of activities should we be defining as “gang” activity?
- We need to assess the value of broader policies for these local areas, for example, the Prevention of Organised Crime Act
- Assess the levels of social cohesion and social capital. Understand to what extent positive relationships can be used to enhance any new interventions
- We have to state upfront what approaches have been shown definitely to not work and ensure that these are not repeated within the context of new interventions
- Understand the differences in crime and gang activity in relation to the seasons and weather patterns (i.e. migration may occur; skills patterns change, etc.)
- Use offender and victim surveys to understand the extent of these issues in the community

4.2. Theme 2: The Role of the Criminal Justice System in Responding to Children’s Involvement in Gangs¹¹⁰

General Recommendations:

- There is a need to strengthen co-ordination between government departments and between government and civil society with regard to the provision of programmes and services to children and youth in the Western Cape. It was noted that such cooperation needs to be proactive in nature. This raises the technical question of how one can practically seek to make “integration” work.
- There is a need to increase the quality of programmes that are delivered to children and youth in the province through a greater focus on: programme planning and design, programme content, monitoring and evaluation, the training and skills of programme practitioners, etc.
- There is a need to address the question of the proliferation of programmes, and consider how best programme may be rationalised and strengthened.
- Promote the development of One-Stop Child Justice Centres.

Specific Recommendations relating to Criminal Justice Departments

Department of Correctional Services (DCS)

- DCS needs to make its draft Gang Strategy available for comment as soon as possible
- Undertake research on the actual involvement of children in gangs in prison

¹¹⁰ Consultation Report Form, 10 May 2006, www.coav.org.br

- New and existing programmes should be evidence-based, targeting children at risk. Programmes should be directed at influencing risk factors.
- DCS needs to expedite its framework for partnerships with NGOs, quality assurance and accreditation.
- DCS needs to work with the Departments of Justice and Social Development to develop appropriate alternative sentencing options for children involved in gangs, especially through Community Corrections.
- Both care and custodial staff need specialised training re. dealing with children and youth.

Department of Justice and Constitutional Development (DOJCD)

- Increase numbers of community assessors in court and have more of an open-door policy in courts
- Encourage parents to take greater responsibility for the behaviour of their children
- Improve communication with community members
- Revisit some pieces of legislation: Child Justice Bill, Prevention of Organised Crime Act, etc.
- Ensure that programmes that children and youth are referred to are effective.
- Fast-track certain gang-related cases

National Prosecuting Authority (NPA)

- Publicise successful prosecutions of gang members (e.g. those prosecuted through the High Flyers programme)
- Confiscate the assets of gangsters
- Implement more effective witness protection programmes so that people may be encouraged to testify against gangsters
- Ensure that programmes that children and youth are referred to are effective.

South African Police Service (SAPS)

- Need to obtain the cooperation of other role-players
- Sustainability of youth-related programmes needs to be strengthened

Department of Community Safety (DoCS)

- Need to have greater integration with other departments
- Need to strengthen the sustainability of programmes
- Programmes need better systems of monitoring and evaluation

4.3. Theme 3: The Role of Social Services in Responding to Children's Involvement in Gangs¹¹¹

Recommendations:

- There is a need to strengthen co-ordination between government departments and between government and civil society with regard to the provision of programmes and services to children and youth in the Western Cape.
- There is a need to increase access and quality of services provided to children in need.

¹¹¹ Consultation Report Form, 28 June 2006, www.coav.org.br

- There is a need to create a functional infrastructure for responding to the needs of children in schools (Who: Relevant government departments)
- It is necessary to create a new structure, or use an existing provincial structure, to serve this purpose of co-ordinating services to children, and ensuring the quality of services. This should also be central to the agenda of the social cluster (Who: Government, NGOs, Social Cluster)
- To institute a standardised educational curriculum for children that are awaiting trial (Who: WCED)
- Focus on volunteers as service-providers; increase training, look at payment, etc. (Who: Government Departments and Civil society organisations)
- Bring the business and civil society sectors closer to government in relation to the delivery of services, and the funding and support of services (Who: Government, business and NGOs)
- Revise the Anti-Gang Strategy of the province to be aligned with principles of intersectoral service delivery; and social services to children rather than only law enforcement (Who: NGOs, DoCS)
- Audit the range of multi-disciplinary structures in province (e.g. Anti-Rape Strategy, and co-ordinate) – (Who: Government and NGOs)

4.4. *Theme 4: Law Reform relating to Children's Involvement in Gangs and Violent Crime*¹¹²

General Recommendations:

- Amend the Prevention of Organised Crime Act
- Revise provisions in the Child Justice Bill in order to ensure that children accused of serious or violent offences have access to a greater range of benefits

Specific Recommendations:

The Prevention of Organised Crime Act (POCA)

- Amend legislation to ensure that provisions are not used against children
- Explore how the provisions in the legislation may be used against adult offenders

The Child Justice Bill

- Campaign for the inclusion of more serious and violent offences should be made eligible for diversion
- All efforts should be made to keep children (accused of all offences) out of prisons and other institutions where gangs are active (increase alternative sentencing)
- All children that are convicted of offences (including serious offences) should have access to non-custodial alternatives
- Seek to introduce a provision into the Bill relating to prevention and early intervention
- Provide for a greater focus on rehabilitation in institutions that hold children who are awaiting trial and who are sentenced
- Consider prevention in relation to the Child Justice Bill

¹¹² Consultation Report Form, 10 June 2006, www.coav.org.br

4.5. Theme 5: Intervention Programmes¹¹³

General Recommendations:

- There is no single 'magic bullet' to the problems being faced in the Western Cape. We need a mix of interventions, operating at different levels (i.e. individual, school, family, neighbourhood) in order to make an impact.
- Intervention programmes need to be based on local and international evidence rather than commonsense notions of 'what works'. Efforts need to be made to build information based on local experiences.
- Government should commit to providing programmes that are sustained over long periods of time rather than those that stop and start in different communities
- There is a need to provide organisations and government departments with the expertise on how to design programmes and how to evaluate them.
- The role of community volunteers in relation to the provision of social services needs to be rethought, especially in relation to issues such as skills-building and payment for services
- There is a need for after-school programmes and activities to be created for children

Specific Recommendations:

Prevention and Early Intervention Programmes

- There is a need for prevention and early intervention programmes to be evidence-based with a long-term vision rather than knee-jerk approaches such as marches, t-shirts, etc.
- Demand-reduction programmes (e.g. in relation to substance abuse) need to be developed as very few of these exist at the present time
- Programmes need to be targeted where there is the most need
- There should be programmes that provide appropriate role-models for children
- Programmes should reassert the key values that we want children to learn
- Programmes need to make a balanced link between gangs and drugs rather than focus only on one or the other
- Programmes should focus on parenting. They should empower parents in whatever ways are required for them to take care of their children
- Programmes that relate to early intervention with young offenders should engage parents far more, and focus on the family as the unit that needs assistance
- Programmes need to have a longer-term focus
- Lessons need to be extracted from the programmes that are currently being provided. For example, the experience with HIV education is that while children are saturated with information relating to this, it does not result in behaviour change
- In prevention and early intervention programmes, we need to realistically address the fact that gangs offer attractive alternatives to children in the context of high levels of poverty and few opportunities for advancement
- There is a need to improve programmes relating to the prevention and management of truancy in order to intervene early where there is a risk of children dropping out of school.

Diversion and Gang Intervention Programmes

¹¹³ Consultation Report Form, 16/17 November 2006, www.coav.org.br

- There is a need to audit programmes that are available as diversion options, and to provide information to judicial officers and prosecutors as to content and effectiveness of these.
- There needs to be an accreditation system for diversion programmes, in order that there is a process to oversee quality of programmes
- More specialised programmes are required instead of the 'sausage machine' approach
- There is a need for more intensive programmes rather than short-term programmes
- Programmes need to be located in the communities where children live
- Children and families need to be made accountable for attending and completing programmes
- The principles of risk and responsivity in relation to programme development need to be applied to ensure that children are placed in appropriate programmes
- Staff that deal directly with children in conflict with the law need to be appropriately trained to deal with the challenges of working with children that may be difficult
- Programmes that deal with children and youth should include direct work with parents as well. Efforts need to be made to facilitate attendance of parents i.e. locate programmes in communities
- Appropriate follow-up processes need to be created to accompany intervention programmes

Reintegration Programmes

- The programmes available in prison and other settings need to be increased and specialised programmes need to be provided on a much wider scale (e.g. in relation to substance abuse). Such programmes should also prepare offenders for release by providing basic life and social skills courses.
- The Department of Correctional Services and other departments need to ensure that no harm comes to people in their custody
- Reintegration programmes need to be structured with the cooperation of the DCS and community-based organisations to ensure that communities and families are receptive to the returning offender.
- There is a need to increase employment opportunities as well as relevant job skills training for released offenders
- Reintegration programmes should also focus on the families to which youth will be returning as these are often part of the problem
- Restorative justice programmes need to be evaluated in order to understand their value for the reintegration of offenders
- Programmes need to engage with issues of masculinity and gender

4.6. Summary of Key Recommendations

Programme Delivery

There are already many interventions that are being implemented by the government that relate to working with children, youth and families that relate to prevention, early intervention, diversion and reintegration. There is a need to raise the quality of these interventions and for these to be made as effective as possible. The following activities are required:

- Promote the idea that no one single programme or intervention will resolve the complex problems that are being faced. Solutions need to be multi-faceted and multi-

layered. This includes discouraging the application of commonsense solutions to these problems.

- Ensure that programmes are planned and designed with due consideration for evidence-based intervention strategies,
- Ensure that practitioners are properly trained to deliver the programmes
- Ensure that programmes are monitored and evaluated, and that practitioners are appropriately skilled for these activities
- Sustain programmes for longer periods of time in communities
- Special attention needs to be given to the use of volunteers and lay people for the provision of these services. The appropriateness of this needs to be assessed in relation to different programmes and issues such as skills and remuneration also need to be addressed.

Co-ordination of Government Efforts

There is a need to use an established structure, or establish a new structure to co-ordinate government efforts to deliver services to children and families. This structure needs to ensure the following:

- There is an audit of intervention programmes in order that each department becomes aware of the programmes run by other departments
- There is no duplication of efforts
- There is appropriate geographical targeting of interventions
- Programmes reach high levels of quality through implementing the recommendations noted above.

Law Reform

Special attention needs to be paid to the Child Justice Bill and the Prevention of Organised Crime Act. Specific actions are noted in section 4.4. above.