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# Don't mess with neighbourhood watches



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By **JOHN DE VILLIERS**



Suggestions that neighbourhood watch forums need to be more closely regulated need to take into account their constitutional right to both exist and to protect themselves and their property.

The valuable contribution of community organisations both during and after the lawlessness in KwaZulu-Natal has highlighted the role neighbourhood watches play in preventing crime, especially when working hand in hand with the [South African Police Service](#) (SAPS) and security agencies. Neighbourhood watches should be an integral part of the community policing philosophy. One which is aimed at achieving effective crime control by creating proactive partnerships and programmes with communities. Community Policing is a policy objective, based on the governing principles for security services as found in section 198 of [the Constitution](#) – section 198 (a) reads:

“National security must reflect the resolve of South Africans, as individuals and as a nation, to live as equals, to live in peace and harmony, to be free from fear and want and to seek a better life.”

Sections 205 to 208 of the Constitution govern the broader provisions of the Police Service which are given legislative effect by the [South African Police Service Act, No. 68 of 1995](#), the purpose of which is: To provide for the establishment, organisation, regulation, and control of the South African Police Service; and to provide for matters in connection therewith.

Of which one of the “matters in connection therewith” is the establishment of Community Policing forums and boards in terms of Section 18(1) with a view to:

“(a) establishing and maintaining a partnership between the community and the Service;

(b) promoting communication between the Service and the community;

(c) promoting co-operation between the Service and the community in fulfilling the needs of the community regarding policing;

(d) improving the rendering of police services to the community at national, 20 provincial, area and local levels;



(e) improving transparency in the Service and accountability of the Service to the community; and

(f) promoting joint problem identification and problem-solving by the Service and the community.”

And where each province is entitled inter alia to “promote good relations between the police and the community” – section 206 (3)(c) of the Constitution. One which involves community members representing Non-Government Organisations, business, youth organisations, women’s organisations, and other relevant stakeholders who meet with the police to discuss local crime prevention initiatives.

Using the [Western Cape Community Safety Act, 2013](#) (the WCCS Act) as an example, the WCCS Act’s objectives include:

- to provide for directives for the establishment of community police forums and boards in terms of the South African Police Service Act, 1995;
- to provide for the accreditation of organisations and associations as neighbourhood watches;
- to provide for partnerships with community organisations;
- to establish and maintain an integrated information system and a database of organisations;
- to provide for the voluntary registration of security service providers on the database of organisations;

Section 6 of the WCCS Act governs the accreditation of and support to neighbourhood watches

“6. (1) Any organisation or association that –

(a) operates not for gain as a voluntary organisation or association;

(b) comprises members who are residents, tenants, or owners of immovable property or with any other relevant interest in the area where the organisation or association operates; and

(c) has the purpose of safeguarding its members, their immovable and other property against crime and other safety concerns in the area where the organisation or association operates,

may apply to the Provincial Minister in the prescribed form for accreditation as a neighbourhood watch.” 

If after an inquiry involving questions such as:

“6. (5)

(d) whether the organisation or association conducts its activities according to the prescribed standards relating to –

(i) criteria for membership of a neighbourhood watch and the conduct of members;

(ii) the structures of a neighbourhood watch; and

(iii) the control and use of funds of a neighbourhood watch; and

(e) whether the organisation or association cooperates with the community police forum in the area.”

The Provincial Minister decides to accredit the organisation he/she must:

“6 (6)(a) (i) enter the name of the neighbourhood watch in the register of neighbourhood watches;

(ii) issue a certificate of accreditation in the name of the neighbourhood watch stating the period of accreditation, the area within which the neighbourhood watch operates and other terms of accreditation; and

(iii) send the certificate of accreditation to the neighbourhood watch, the community police forum and the police official in charge of the police station in the area.”

The Provincial Minister may provide funding, training, or resources to a neighbourhood watch – Section 6 (6)(8).

While as part of its duties:

“6 (10) A neighbourhood watch must—

(a) renew its accreditation every two years in the prescribed manner, failing which the accreditation will lapse;

(b) report in the prescribed manner and within the prescribed period to the Provincial Minister on –



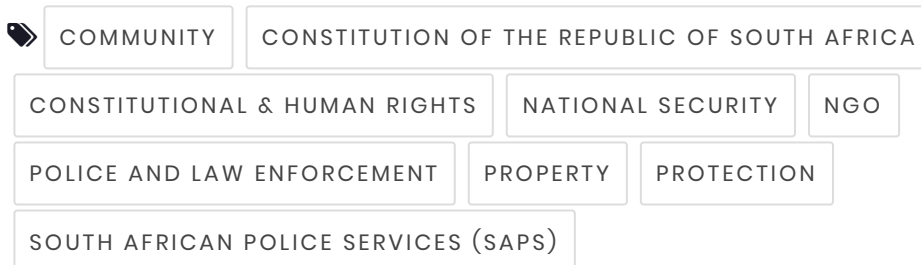
- (i) safety concerns and crime incidents in the area where the neighbourhood watch operates;
- (ii) the activities of the neighbourhood watch; and
- (iii) any prescribed matter required by the Provincial Minister to determine policing needs and priorities and the effectiveness and efficiency of the police service.”

In short, neighbourhood watches both have a constitutional right to exist and are under a legal obligation to both operate and to be run in such a way that they are the eyes and ears of the communities which they serve.

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### [John de Villiers](#)

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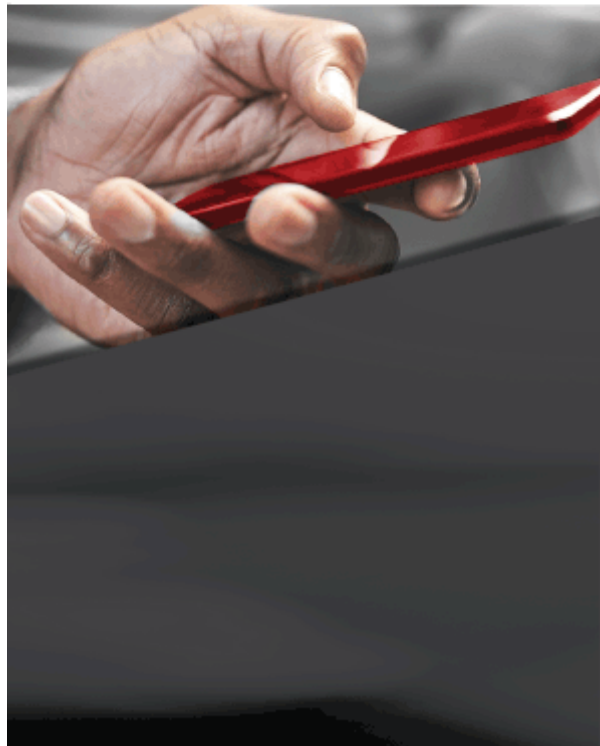
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