



25 August 2016

Att:

Ms Helen Zille

Premier

Mr Dan Plato

MEC of Community Safety

Cc:

Ms Debbie Schäfer

MEC for Education

Prof. Nomafrench Mbombo

MEC of Health

Mr Albert Fritz

MEC for Social Development

Ms Anroux Marais

MEC of Cultural Affairs and Sport

**YOUTH DEMAND A SAFE ENVIRONMENT
CONDUCTIVE TO LEARNING AND DEVELOPMENT**

MEMORANDUM FROM THE SOCIAL JUSTICE COALITION AND EQUAL EDUCATION

1. The rights to life, dignity, equality and freedom, including freedom from all forms of violence, underpinned the original complaints by our organisations and others that led to the convening of the Khayelitsha Commission of Inquiry (the Commission).

2. As we mark its second anniversary we admit to our anger and frustration at the inaction from all levels of government to take forward the Commission's recommendations.
3. The Commission's report released on 25 August 2014 was aimed at improving safety and policing in Khayelitsha, the Western Cape and South Africa. The burden of crime faced by some of the most vulnerable people in our communities and the inefficiencies of the South African Police Service (SAPS) were at the core of the Commission's work. In addition, the absence of safety because of criminal violence and inadequate social service provision has meant that people cannot access safe schooling, sanitation, transport, clinics and other constitutionally protected services.
4. We acknowledge that the majority of the Commission's recommendations have been directed at the SAPS - a national function. Some recommendations however require proactive steps to be taken by the Western Cape Government (WCG).

Recommendation 12 – A Multi-Sectoral Task Team on Youth Gangs

5. Recommendation 12 is directed at the Western Cape Government. The recommendation calls for the Department of Community Safety (DOCS) to convene a multi-sectoral task team, which should include, amongst *others*, representatives from the Provincial Departments of Education, Health and Social Development.
6. The recommendation also states that the convened task team should develop a strategic plan to address the issue of youth gangs and that the plan should be implemented *within six months* of the Commission's report. The Commission indicated that the strategic plan should address the following issues –
 - Safety in schools, including the prohibition of weapons and sharp implements in schools (as well as a procedure for disposing of confiscated weaponry);

- Plans to seek to protect children travelling to and from school in Khayelitsha from being targeted by gang members and/or criminals;
 - The provision of after-school care and extra mural activities for learners in Khayelitsha;
 - Ensuring that schools monitor absenteeism patterns to identify learners at risk who may be staying away from school for fear of gang violence;
 - The development and extension of diversionary programmes for youth at risk, such as the existing Chrysalis Academy, as well as independent research to assess the success of such programmes;
 - Visible policing support for the programmes listed above;
 - A consistent approach to the arrest and prosecution of young people suspected of committing crimes; and
 - Crime intelligence work to assist to eradicate violent gang practices.
7. We believe insufficient action has been taken to give substance to this recommendation. To date a multi-sectoral task team on youth gangs has not been established and the strategic plan to address the issue of youth gangs is now a year-and-a-half overdue.

Youth Gangs

8. In April 2016 Equal Education (EE) shared the findings of a social audit with the Western Cape Education Department (WCED). The social audit gathered evidence from learners, teachers and administrators facing issues around school safety. Two hundred and forty four schools, serving over 200 000 learners, were audited.
9. In terms of violence in schools, the audit found that:
- At 1 out of 3 schools there had been drug/alcohol use in the last 3 months
 - 1 out of 6 schools had a gang presence in the last 3 months
 - At 1 out of 9 schools a stabbing had occurred in the last year

- At 3% of schools there had been a case of rape reported in the last year and learners reported incidences of sexual assault at 16% of schools

10. These findings strongly correlate with testimony given to and findings made by the Commission, which informed recommendation 12 in the Commission's final report.

WCG and SAPS convened Khayelitsha Commission Joint Task Team

11. On the eve of the first anniversary of the Commission, and on the back of sustained activism from our organisations, the Western Cape Government and the South African Police Service entered into a Joint Task Team to "work through the Commission's report and recommendations, with the view to implementation."

12. A joint press statement from the Office of Premier Helen Zille and the Office of the National South African Police Commissioner on 24 August 2015 stated that the Commission's recommendations are "taken seriously and remain a priority."

13. A year later, this appears to not be the case. In the past month alone there were a number of incidents of school gang violence at Bulumko High School in Khayelitsha including a pupil being stabbed. It is clear that the issue of youth gangs continues to disrupt learning, violate basic rights including safety and freedom, and require urgent attention.

We demand

14. Full implementation of Recommendation 12 of the Khayelitsha Commission of Inquiry to ensure a safe environment for learning and youth development within 6 months.

15. A directive to all relevant provincial MECs and departments to act on the

recommendation and to implement the safety plan to be developed by the multi-sectoral task team on youth gangs.

16. Renewed political commitment to the implementation of all 20 of the Khayelitsha Commission of Inquiry's recommendations.

Received, on behalf of the Premier of the Western Cape, on 25 August 2016 in Cape Town by:

Michael Mpofu