

# CODE OF CONDUCT FOR NEIGHBOURHOOD WATCHES IN THE WESTERN CAPE



## NEIGHBOURHOOD SAFETY WATCH



---

This Code of Conduct is issued in terms of Regulation 4(2)(r) of the regulations issued in terms of the Western Cape Community Safety Act, 2013 (Act 3 of 2013) (the Community Safety Act).

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

## **INTRODUCTION**

1. A neighbourhood watch (NHW) must operate as the eyes and ears of the community it serves and must cooperate with the South African Police Service, (SAPS).
2. A NHW must assist SAPS and other safety and security services and partners to safeguard the local community and their property, to manage and control crime prevention initiatives and to discourage crime in the area.
3. This Code of Conduct is binding on all members of the NHW and members must pledge their adherence to this Code, failing which the member's membership will be terminated.
4. This Code of Conduct regulates the relationship between members of the NHW and members of the community and promotes exemplary conduct by members whilst they are serving the community as a member of the NHW.
5. By pledging adherence to this Code of Conduct a member acknowledges that he or she is fully aware of the risks involved due to the nature of the task.

## **MEANING OF WORDS AND EXPRESSIONS**

6. In this Code of Conduct, a word or expression to which a meaning has been assigned in the Community Safety Regulations, 2016, made in terms of the Western Cape Community Safety Act, 2013 (Act 3 of 2013) has the same meaning assigned to it in those regulations or Act.

## **CONDUCT OF MEMBERS**

7. A member must at all times act in accordance with the principles enshrined in the Constitution of the Republic of South Africa, 1996, and must –
  - (a) act in a manner that will uphold and promote the aims and objectives of the NHW;
  - (b) respect and protect the dignity and rights of every person in the neighbourhood, including the right to free movement;

- (c) act within his or her rights as a private person, and not beyond those rights;
- (d) serve the community in the area in an unbiased, apolitical and impartial manner in order to create confidence in the NHW, and build unity in a safe neighbourhood;
- (e) refrain, as much as is reasonably possible, from placing him- or herself and fellow members or the police at risk; and
- (f) act in a non-violent manner and may not take the law into his or her own hands.

8. A member may not—

- (a) discriminate unfairly against any person on the basis of language, age, gender, religion, ethnic or social origin, colour, sexual orientation, disability, political persuasion, or any other constitutionally-protected orientation;
- (b) conduct himself or herself in a manner that will bring the NHW into disrepute;
- (c) disseminate or divulge any confidential or privileged information obtained as a result of his or her membership or obtained whilst on formal patrol, unless it is essential to do so to help to protect a member of the NHW or community.
- (d) exploit his or her membership of the NHW for his or her own personal advantage or benefit;
- (e) accept any payment, commission or gratuity in connection with his or her membership of the NHW except after being duly authorised to do so by the NHW; and
- (f) be in possession of any dangerous weapon under circumstances which makes him or her guilty of a contravention of section 3(1) of the

Dangerous Weapon Act, 2013 (Act 15 of 2013); and

9. If a member is convicted of a sexual offence or any crime involving violence or dishonesty during his or her membership, the NHW may terminate the member's membership in terms of procedures provided in the founding document of the NHW.

### **CONDUCT AND DUTIES OF MEMBERS PATROLLING**

10. When a member is patrolling as a member of the NHW the member must –
  - (a) when possible, alert the SAPS in the area when the NHW will be patrolling;
  - (b) strive to work in partnership, whenever possible, with the members of SAPS, municipal police service or law enforcement agencies with regard to crime prevention in the area;
  - (c) obey all lawful instructions issued by members of the services mentioned in paragraph (b) above;
  - (d) carry the identification cards issued in accordance with regulation 4(5) of the Community Safety Regulations;
  - (e) be punctual, reliable and competent in all duties as a NHW member;
  - (f) act in the best interests of individual residents, tenants or owners of immovable property or with other relevant interests in the area and the NHW, except in circumstances beyond their ability, or determined by personal safety;
  - (g) act in accordance with official handbooks of the Department of Community Safety developed for NHW members, including protocols for incident management, crime scene management and best practice in every circumstance;
  - (h) display commitment to the best possible functioning of the NHW and the promotion of healthy inter-personal relations; and
  - (i) undertake to report any individual, vehicle or situation suspected of

being connected to crime to the control room and, where necessary, to SAPS.

11. A member's assistance to a NHW is voluntary and therefore when a member is using his or her private vehicle during the assistance, neither SAPS nor the NHW can be held responsible for any damage to private vehicles caused during the rendering of the assistance.
12. Members must familiarise themselves with regard to the law regarding the rights of private persons to arrest or perform searches, including the minimum use of force and must at all times comply with the Criminal Procedure Act, 1977, (Act 51 of 1977).
13. Members should rather report suspected criminal behaviour to the police before they personally attempt to perform an arrest.
14. No intimidation in whatever form may be used against any individuals in any neighbourhood where such patrols take place;
15. No form of vigilantism will be accepted;
16. Where possible, the NHW must strive to work in partnership with the Community Police Forum and Sub-Forum of the area; and
17. Where possible, the Chairperson or Co-ordinator of the NHW must regularly attend the sector meetings held by SAPS and share information at the sector meetings regarding the crime situation in the area.

## **DISCIPLINARY MEASURES**

18. A member who is in breach of this Code of Conduct may lose his or her membership in terms of disciplinary procedures instituted by the NHW as

provided in the founding document of the NHW.

#### **AMENDMENTS TO THIS CODE OF CONDUCT**

19. Amendment to this Code of Conduct may be made, as required, and will be published by the Department of Community Safety.