



We can Give Dignity while upholding the Law

The City of Cape Town is receiving a significant increase in complaints related to people living on the street. In response, we are doing everything possible to provide social assistance together with NPO partners, but also to uphold the Rule of Law in partnership with residents, Neighbourhood Watches, and the South African Police Service (SAPS).

Caring City

As a Caring City, our Reintegration Unit officials work daily to link willing individuals to shelters, reunite families where possible, and offer support to obtain ID documents, social grants, employment training, and EPWP jobs.

There are many stories of personal triumph by persons who were once on the street and whom we have helped, and our officials take great pride in doing this.

While shelters and social welfare is the constitutional mandate of national and provincial government, the City is going above and beyond to assist.

Our emergency Covid-19 response includes R34 million in grant-in-aid funding released to NPOs, many of them providing shelter and care to people living on the street.

We're also funding Safe Spaces and the expansion of shelters operating on land we own. We work very closely with shelters as part of our annual Winter Readiness campaigns, helping them to care for more people when the worst weather arrives.

We are all equal before the law

Law Enforcement officers are duty-bound to apply the law equally, and to respond to the hundreds of complaints from residents each month about anti-social behavior, breaking of by-laws, and crime committed by some people living on the street.

When all offers of social assistance are rejected, only then does the City issue compliance notices and fines - the key legal mechanisms available to enforce by-laws.

The City issues thousands of notices and fines each year, including to people living on the street, as we are all equal before the law.

Sometimes it is difficult to balance the needs of different people and communities. That is why we are guided by our laws and policies, and apply these equally while playing our part to help those willing to accept it.

It is no crime to be poor or down on your luck, but every single resident has to comply with by-laws, and the law in general.

It's important for the public to be aware of the legal battles the City is waging to uphold the Rule of Law on behalf of residents.

Disaster Regulations must urgently change

The temporary national Disaster Management Regulations have brought about restrictions on how all public and private landowners are able to respond to illegal occupations.

To remove structures deemed as 'occupied' under the Prevention of Illegal Eviction and Unlawful Occupation of Land (PIE) Act, an eviction order must be obtained.

But, the temporary disaster regulations temporarily limit the ability of courts to grant eviction orders. This is causing a crisis in cities across South Africa, and I have raised my concerns directly with President Ramaphosa.

Thousands of people have illegally occupied land and public spaces, including train tracks, sand dunes, sidewalks and thoroughfares, in stormwater detention ponds, and on privately-owned land, to mention just a few examples. There are also basic service demands emerging from new illegally occupied areas, even in cases where the land is unsuitable or dangerous for habitation.

In many instances, court processes will need to be followed to address these issues. This is going to be a major challenge, but it is one we must urgently take on.



My call remains for the President to make the necessary regulatory changes for the sake of the Rule of Law, the greater good of our communities, and the development goals of our cities. It is time also for residents and civil society to join the City in ensuring our voices are heard by national government.

Currently, it is possible only to remove temporary makeshift structures that have been abandoned or are incomplete, and to clear the vicinity.

And even on this score, the City is fighting in the courts to retain the existing right of all public and private landowners to protect property.

The well-established legal right - known as 'counter-spoliation' - is being targeted by the South African Human Rights Commission, EFF and Legal Resources Centre.

Their application argues that a court order should be obtained before acting to prevent a land invasion in real-time, even in cases where structures are half-built and unoccupied.

We are opposing this application and the chaos it is intended to bring about.

What you can do to Give Dignity

Finally, it's important for communities to know that direct handouts such as tents and cash do not help efforts to encourage people living on the streets to accept more sustainable solutions.

We need to end the cycle of dependence on direct handouts, and we can only do that by giving responsibly.

The City's Give Dignity Campaign advocates for alternative, more impactful ways of helping people get off the streets sustainably. It is important that your donations incentivize reintegration and go directly to supporting persons who have committed to rebuilding their lives off the streets.

By donating via the official Give Dignity SnapScan QR code below, or by giving directly to a shelter or NGO, residents can help fund warm beds, social worker support, substance abuse rehab, and other support to help people stay off the streets on a sustainable basis.

As the Mayor of this City I take pride in how our city looks, how it works for everybody who lives in it, and how we care for those who are struggling to make ends meet.

I am concerned national disaster regulations are creating a situation that is unsustainable, alongside attempts to set dangerous precedents in our courts.

As Mayor I will do everything I can to bring this into balance. No person should live on the streets, and we must not create homes on streets.

Our caring staff and NPO partners are committed to offering people a hand up, but when that fails, the City must be allowed to apply the Rule of Law.

Let's all keep giving and volunteering towards sustainable solutions while supporting the efforts of the City, NPOs and enforcement agencies to make our streets safer.

ALDERMAN DAN PLATO
EXECUTIVE MAYOR

